

## Tips for Working with Migrant Children and Trauma-Informed Lawyering

### Introduction

We created this resource for new children's immigration attorneys and pro bono attorneys working on migrant children's cases, remembering the obstacles and challenges that we and other legal practitioners experienced in beginning our work in migrant children's cases. We hope that this resource will guide you as you begin your meaningful work with children's immigration cases. This resource can also provide helpful reminders and tips for those already practicing.

### What is Trauma-Informed Care?

Trauma-informed care is utilized in fields involving human-to-human interaction or human services, where individuals are working with or representing other individuals who have undergone or suffered from a history of trauma. While many definitions exist for trauma-informed care, generally, it is an approach for client interaction that recognizes trauma, creates a safe space for communication and collaboration while empowering the client, and seeks to prevent re-traumatization. Three core values to trauma-informed care are **awareness, empowerment, and safety.**



Awareness



Empowerment



Safety

In the legal field, trauma-informed care relates to how we, as legal practitioners, communicate with, listen to, empower, and support our clients. Trauma-informed lawyering entails that we, as lawyers, understand that our clients have undergone trauma and that we want to represent our clients in a way that provides safety, trust, and accountability to our clients. As our clients tell us their stories—which are valuable to advocating for our clients before the immigration agency and the immigration court—we want to prevent our clients from reliving their trauma as much as we can.

## Why Practice with Trauma-Informed Care as a Lawyer?

Each child has their own unique story and reasons for migrating. Oftentimes, there is a combination of reasons that led a child to leave their home and migrate to the United States. Children's immigration cases also often involve difficult circumstances, including but not limited to poverty, gender-based violence, gang violence, domestic abuse, sexual abuse, homelessness, identity-based persecution, familial abandonment, and/or neglect. Children may leave their home countries due to a myriad of these reasons to then experience arduous, dangerous journeys to the United States, only to arrive in the United States and experience difficulties in adjusting to American life. Many individuals who suffer from trauma continue to residually experience emotional and physical distress. These circumstances from the child's home country and even experiences from the child's journey to the United States usually form the foundation of the child's immigration case. Anyone who has survived any of these situations could understandably not want to discuss their experience—especially to a stranger. From a child's perspective, they may not understand the seriousness of what they experienced; they may be fearful to speak up about what they experienced; or they may not wish to relive the experience by disclosing the experience to others. Unfortunately, while the U.S. legal system may acknowledge that migrant children with pending legal relief are indeed children and thus may receive certain safeguards ([8 C.F.R. § 1240.10\(c\)](#); Executive Office for Immigration Review (EOIR) [OPPM 17-03](#), [PM 20-03](#), [DM 22-01](#)), in presenting their legal cases, a migrant child seeking legal relief and protection in the United States is nonetheless put in the position of needing to relay and provide detailed information on sensitive, difficult circumstances that they experienced.

A trauma-informed approach is necessary in the legal representation of migrant children. While attorneys are not licensed mental health experts, we still represent and advocate for people who have experienced trauma and thus must practice with trauma-informed care. Trauma-informed lawyering acknowledges the circumstances that the child experienced and brings awareness to these issues while also supporting and empowering the child client as they tell their stories. Additionally, trauma-informed lawyering creates a more compassionate, empathetic advocate, who a child client is more likely to trust with their case and their story. Trauma-informed lawyering helps our child clients collaborate with us on their cases while facilitating a safe environment free of re-traumatization.



Trauma-informed lawyering also centers our clients in our cases and reminds the client that this is *their* case, *their* story, and *their* life. Because our practice involves our clients trusting us with their stories, it is especially important that we empower our clients throughout the course of their case. Empowering our clients gives our clients agency over their case and uplifts them to become stronger and more confident in both their case and in their day-to-day lives.

## Practicing with Trauma-Informed Care

**As a practice pointer**, you can empower your clients by doing the following:

- **Inform and prepare your client:** As the saying goes, “knowledge is power,” and we can empower our clients by making sure that they are informed and prepared to navigate their legal proceedings. Walk your client through their case in a detailed, thorough manner. Inform them of the laws surrounding their case, how the facts of their case relate to the laws at hand, how the case will progress, and all the legal options available to the client. Inform your client about the U.S. legal system and their role in the system. Informing and preparing your client also involves making sure that your client understands the information presented.
  - **Practice tip:** Draw out a flowchart of the U.S. legal system for your client so that they can understand the authority and impact of the immigration laws affecting their case.
  - **Practice tip:** After you inform your client of something, ask them if they understand and if they can explain to you what you said to them, that way you can be sure that they understood or if you need to explain the concept differently.
  - **Practice tip:** If you have the capacity, it can be a good idea to create materials, such as information sheets and handouts, for your clients’ cases, and prepare some in English and in Spanish. For example, if your caseload consists of mainly asylum and Special Immigrant Juvenile Status (SIJS) clients, you can create informational handouts about the two types of relief and provide your client with a copy so that they will be able to bring it home with them and have general knowledge about their case. CILA’s resource, [“Special Immigrant Juvenile Status \(SIJS\) Overview.”](#) may provide a starting point to creating this type of resource for clients.
- **Offer choices:** Empower your clients by offering choices to them and, in doing so, reminding them that they have agency to make decisions in their case.
  - **Practice tip:** Offer your clients choices in how they wish to tell you the circumstances of their journey or the circumstances central to their legal case. For example, you can offer choices through these questions: “Would you prefer to meet in person or virtually? Would you prefer one meeting or several meetings? Would you like to sit somewhere differently? Would you prefer to talk about these things or to write them down? Would you like to take a break or to keep going with this conversation?”



## Practicing with Trauma-Informed Care (continued)

- Offer praise and gratitude: It can be difficult for your client to disclose the facts behind their case to you, especially if the circumstances leading to their journey to the United States were negative or difficult. That is why it is important to express gratitude to your client as you learn more about their background and experiences.

- **Practice tip**: Thank your client for collaborating with you on their case. Thank them for taking the time to meet with you, and thank them for talking with you. Thank them as they obtain evidence for you and as they answer calls. Expressing gratitude is a simple gesture that has such a positive effect, and your client will appreciate you and feel more empowered to work alongside you.



- **Practice tip**: In addition to gratitude, be sure to praise your client. Let them know that they are strong, as coming to the United States to start anew is not an easy feat. Recognize their strength, praise their resilience, and thank them for being so brave in sharing something difficult with you.

- Check in: Another way to empower your client is to check in with them, throughout the course of a meeting and throughout the course of the case.

- **Practice tip**: Check in with your clients as you start meetings, and ask them about how their day has been and if they are feeling comfortable or if they are in the right headspace to begin the meeting. As you meet with your client and listen to them, occasionally ask them how they are doing and if they are okay or if they need to take a break.



As you get ready to close the meeting and say goodbye, ask them how they are doing and if they need anything before they leave. Make sure any next steps and any items that you or your client need to follow up on are clearly communicated. Do your best to end the meeting on a lighter note, so it is easier for your client to transition to the rest of their day.

- **Practice tip**: Check in with your client as the case progresses. Take the time to call them occasionally, whether you have a major case update or not, just to see how they are doing. Do they need anything? Do they have anything to disclose or talk about? How can you support them while you and the client wait for an outcome or update in the case? By checking in, even when you do not have a case update to discuss, you are reminding the client that their case is a priority to you and that you are there for them.

## Practicing with Trauma-Informed Care (continued)

For more information about trauma-informed representation and working with unaccompanied children, check out CILA's [Working with Unaccompanied Children: Mental and Behavioral Health Toolkit](#). If you are working on an asylum case, CILA's resource, "[Trauma-Informed Representation in Asylum Cases: Asylum Interview & Asylum Merits Hearing Checklists](#)" will help guide you in your preparation. This resource is available on CILA's [Additional Resources](#) webpage. If you need the password, email [cila@abacila.org](mailto:cila@abacila.org).

## Ethics Highlight

As attorneys, we adhere to a certain code of professionalism and ethics in the representation of our clients. When working with children, it is especially important to keep in mind that we owe the same duties to our child clients as we would to adult clients.

Although there are several ethical issues that may arise in our work with children, a common ethical issue that arises in children's cases is lawyering with the client's wishes in mind and maintaining the client's agency over their case. A key point to remember in working with child clients is that—despite the child's age or maturity—the case is still *their* case. As difficult as it can be to talk to a child about complex legal issues, the attorney must explain the child's case to them and make sure that the child understands their case so that they can make informed decisions. The attorney must inform the client of what would be in the client's best interest from a legal perspective, while also proceeding with the case as the client wishes and always keeping the client at the center of the case.



While we have a duty to present to the child what is in our client's best interest and may have our own opinions about how the case should proceed, the bottom-line is that we must adhere to our client's wishes. ([Rule 1.2 Scope of Representation and Allocation of Authority Between Client and Lawyer](#) and [Rule 1.14 Client with Diminished Capacity](#)).

For more information about common ethical issues that arise in working with children and our ethical duties as attorneys, take a look at pages 30-33 in the [CILA Pro Bono Guide: Working with Children and Youth in Immigration Cases](#). Additionally, check out this [Memorandum](#) from Lowenstein Sandler, which discusses attorneys' ethical obligations in representing children without capacity before the immigration court.

## The Attorney's Role

As attorneys, our role and duties in a child's legal case are the same as our role and duties would be in an adult's legal case. Most notably, but not exhaustively, our duties include acting in compliance with the law and our professional creed; representing and zealously advocating for our client in their legal proceedings; keeping our client informed of the law and any changes in their case; diligently researching and analyzing the issues in our clients' cases; staying abreast of changes in the laws; and maintaining professional communication with our clients. Our duties also include making sure that our child clients are informed of the complex legal issues at hand in their case and ensuring that the client is aware of and further approves of actions taken in the case.

When representing children, especially children who have undergone trauma, it is important to establish our role as the attorney to the child. The title of "attorney" can be daunting to a child, especially to a child who lacks understanding of the legal system. Take the time to explain your role and your core duties and obligations to the child and remind them that you are advocating for them. Break down the explanation into simple yet effective terms, and make sure that the child understands your role.

Remember that, as an attorney, you are not a mental health expert. While you can recognize trauma that your client has experienced and work alongside your client with this in mind—through trauma-informed lawyering—it is not within your duties to diagnose and/or treat any mental health disorders or issues that your client may be experiencing. With this in mind, establish boundaries, when necessary, and be sure to outline those boundaries clearly and effectively.

## Building Rapport and Why That is Important

As an attorney, it is important to build rapport with clients—especially when your client is a child. Good and steady rapport between the attorney and client creates a professional relationship of mutual trust, communication, and understanding—all of which are key elements in developing a child's immigration case and trauma-informed lawyering. Building rapport may make the child feel more comfortable and at ease in speaking with the attorney, and, consequently, building rapport may help the attorney understand the child's case with more detail and attention. When working with children and speaking with them about their legal cases, it is good practice to not dive into the legal issues of the case immediately upon meeting the child—especially because it is not uncommon for a child to be reluctant to speak to the attorney. Take the time to get to know the child and understand them on a personal level, as this may also help you as an attorney understand their general level of comprehension of their legal case.





## Building Rapport and Why That is Important (continued)

A standard model on building rapport with child clients does not exist, as children vary in age, lifestyles, and interests. Some good topics to consider as starting points may include asking the child about their hobbies, favorite things, and day-to-day life. **As a practice pointer**, keeping notes on the child's answers to these things and asking follow-up questions or bringing these topics up at later meetings shows the child that you pay attention to them and keep their case in mind.

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General life questions: Tell me about your family. Do you have any siblings? When is your birthday? Do you have a favorite holiday? Do you have any pets, and what is your pet's name? Do you have any pictures of your family or your pet?

If the child is enrolled in school: How is school going? Are you enjoying any classes at school? Are you making friends at school? How far is your school from your house? Do you ride a school bus? What do you like to do outside of school?

Favorite activities/things: Do you have a television, and if so, what television shows or movies do you enjoy? What do you think of the United States so far? Have you tried any new foods? Do you have a favorite food or candy? Do you have a favorite singer/song? What is your favorite animal? Do you have a favorite sport or game to play?

You will learn as you read this resource that creative tools will be your friend when you work alongside child clients. Sometimes, using visual aids and depictions help ease communication in attorney-client conversations.

**As a practice pointer**, when you are asking your child clients questions to build rapport, incorporate drawings. For example, you can use a map and ask a child if they can show you where they used to live or if they can outline their journey for you.



## Ideas to Further Engage Youth

When working with youth, you may need to get creative to fully engage them to discuss their case and work alongside you throughout the duration of their case. CILA hosts Boot Camp trainings for nonprofit staff working with detained youth. In CILA's 2022 Boot Camp trainings, participants collectively provided ideas for how to engage youth in a group setting. Several of the groups' ideas are detailed below. Many of these ideas can be used when working with an individual child as well.

- Acknowledge children and encourage children to listen
- Meet them where they are at
- Write down information and consider different abilities and mnemonic devices
- Provide fidget toys
- Separate material into chunks and schedule in breaks
- Repetition of important concepts
- Give children space to repeat back information after different sections of presentations
- Use visual aids when explaining information
- Build in check-in questions when explaining concepts to check for understanding
- Incorporate movement like stretching, standing up, and moving around
- Ask questions about favorite foods and subjects
- Use music to establish commonality such as sharing favorite songs
- Use a map to visualize sponsors' locations or where they came from or Google Maps for children to share where they are from and what their houses looked like
- Make children part of the conversation instead of talking at them
- Incorporate role plays when explaining more difficult concepts
- Include engaging activities (e.g., card tricks, playing music, and/or friendly competitions)
- Play games or icebreakers together such as Pictionary, hangman, and/or name as many animals as you can in one minute
- Ask questions like "do you know what a right is?" before explaining the topic
- Change tone and volume when speaking, depending on subject and to keep the youth engaged
- Tell anecdotes or use storytelling
- Ask open-ended questions rather than "yes" or "no" questions to keep conversations going
- Explain your role and purpose
- Share something about yourself with the youth so they get to know your personality
- Bring something for them to draw with to keep them engaged
- Have some snacks available
- Bring toys for anxiety
- Make them laugh when possible





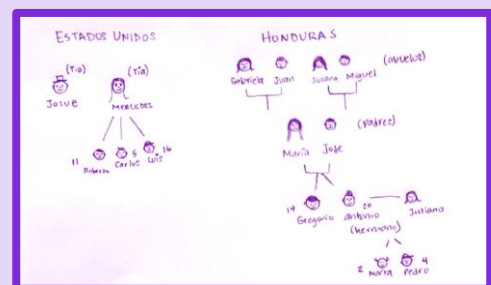
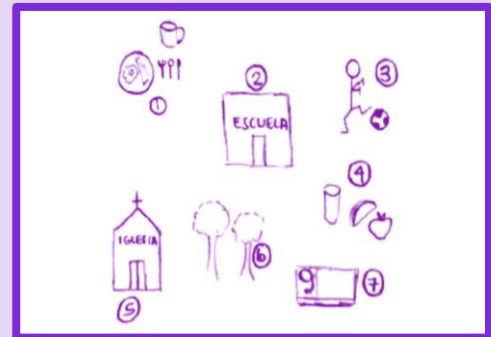
## Words Matter

Communicating with child clients is not the same as communicating with an adult client. Avoid legalese. Break down concepts and issues into smaller pieces. Communicate with simple, clear language and in short sentences. Offer time to pause and ask questions to check for understanding. Provide space for your client to ask you questions and in case you need to explain something again in a different way. **As a practice pointer**, you may need to take more time to prepare yourself for a meeting with a child client than you would a meeting with an adult client to think through communication and explanation of complex issues. Taking this time to prepare can be an important part of representing a youth to ensure that you communicate effectively.

Words are important. You have the opportunity when working with a child or youth to help them not only with their legal case to gain stability in the United States, but also to encourage and support them during a challenging time. **As a practice pointer**, use empowering language that supports your client. Encourage them with positive affirmation and reinforcement. There are certain words and language to not use because it will build more roadblocks rather than bridges. Do not use the words “alien” or “illegal,” as both are dehumanizing. Additionally, avoid language that is victim-centric such as “weak,” “naïve,” and “vulnerable.” Instead use language that is empowering and strength-focused, emphasizing that the child is a survivor and resilient.

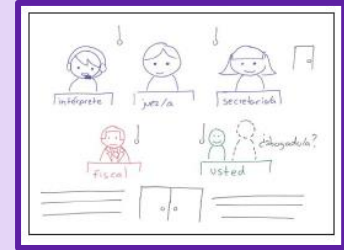
## Communication and Being a Good Listener

Communication can be as simple as talking with the child, but it can also happen or be strengthened by actively engaging with the child. **As a practice pointer**, keeping toys, paper and crayons, and fidget-minded objects in your office while meeting with the child and inviting the child to use these items as you meet may help the child feel more at ease. For example, if you are speaking with the child and want to learn more about their life in their home country, you can ask the child to draw a picture for you of their family or their home and then ask them to describe what they drew. Alternatively, if you and the child are talking about a sensitive topic and you sense that the child is getting overwhelmed, you can ask the child to draw something—such as their family or pet—to help distract them and make them feel calmer. The images to the right show an example family tree and another drawing illustrating what a hypothetical client may tell you about what they do in a typical day.



## Communication and Being a Good Listener (continued)

**As a practice pointer,** it can often help to use visuals such as pictures and diagrams to explain complex issues and to help guide both simple and difficult conversations. For example, you can draw a picture describing who will be present at court and to show what the courtroom will look like, so the child knows what to expect.



Consider viewing these webinars on CILA's website to learn more about creative, hands-on methods and communication methods and interviewing techniques:

- CILA's 4th Annual Symposium: [“Innovative Communication Tools and Resources – Using Play, Active Engagement, and Trust Building with Unaccompanied Children”](#) presented by IRC staff (May 2022)
- CILA Boot Camp presentation [“Child Interviewing Techniques”](#) presented by KIND and The Young Center staff (November 2021)



Genuinely listening to your client is one of the best things you can do to not only better understand and get to know your client and their story, but also to build trust and rapport with your client. Listening and empathetically responding to your client will help you build a bond and help your client feel truly heard. Moreover, listening well can give you insights into their case and can help you develop a case strategy. After all, this is your client's case and their story. **As a practice pointer,** instead of approaching the case like you know it all and that case strategy is for attorney control only, remember to listen to your client and hear their voice. Take a collaborative approach, using both of your knowledge and experiences. Review the [CILA Pro Bono Guide: Working with Children and Youth in Immigration Cases](#) Section II.C. for more tips and strategies.

It is not uncommon for children's immigration cases to last for years. With this in mind, maintaining lasting, effective communication between the attorney and the client is key in a child's immigration case. If the attorney and client develop rapport and build strong communication at the outset, then the attorney and client will be able to maintain mutual communication more easily as time progresses and the case pends.



## Topics to Consider When Working with Youth

### Common Issues When Working with Youth

It may be common for a child or teen client to express some confusion and forgetfulness when working with them on a case. Remember that immigration law and procedures are complex and likely completely new to your client. It is imperative to break down concepts into smaller pieces and to use simple language when explaining the systems involved. Additionally, even when interviewing a client regarding their past experiences and those close to them, children and teens may get confused or be vague on the details. Consider the age and development of your client and set realistic expectations. Keep in mind the context of the issues you are discussing. There are often many good reasons why information may not be fully known or understood due to their age or cultural background. Try to gain understanding regarding the gaps in information or confusion to better understand your client and to determine how you can develop the case. It is essential to also remember that trauma can also significantly contribute to someone's memory issues and confusion.

**As a practice pointer,** it may be important to refer your client for outside expertise and help such as counseling if your client is suffering symptoms because of past trauma. Additionally, you may need to reach out to others to help you fill in the gaps and provide details that your client cannot express or recall—no matter the reason—so that you can more fully develop their case and understand their story.

It might also be easy to get the idea that the child is not very reliable or responsible. As the advocate, you are balancing a lot—fact and evidence gathering, trying to build rapport, developing a strategy, building a case, preparing yourself and your client, and more. Your client—a child or a teen—is balancing and dealing with much more—something different than you and your load or focus. It can be easy to forget what they are dealing with and to only focus on your own responsibilities. Your client likely also cares how their case is moving forward, yet there is more going on than that. **As a practice pointer,** engage in honest dialogue regarding both of your expectations and roles to make a plan that works for everyone.



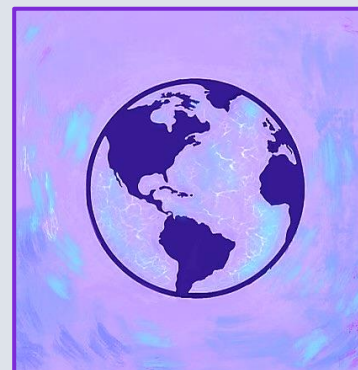
### Cultural Competency

In addition to trauma-informed lawyering skills, it is important to practice with cultural competency and humility. Legal systems differ per country, and many times, children and youth do not have familiarity with the legal system before working with you. It may be common for there to be more issues accessing the legal system in other countries, causing mistrust generally of the process and working together. CILA has a resource focused on cultural competency and humility when representing unaccompanied children, which is a helpful [resource](#) and tool to read at the beginning of your practice or representation of a migrant child or youth.



## Cultural Competency (continued)

**As a practice pointer**, it helps before your first meeting to do some country conditions research regarding your client's home country. This will help you gain knowledge and provide some baseline information to inform your future client interviews. You may also want to talk with colleagues or others in the field regarding their experience working with clients from the particular country of your client. Additionally, attend webinars and trainings regarding country conditions information to learn from experts. This research and self-study will help you get started. CILA also has several resources and recorded webinars to help get you started in this research including:



- Written resource: [“Country Conditions Compilation: Conditions for LGTBQIA+ Children & Youth in Seven Countries”](#) (August 2022)
- Written resource: [“Resources for Working with Indigenous Individuals”](#) (June 2022)
- Webinar: [“A Deep Dive Into Current Conditions in El Salvador, Guatemala, & Honduras with the Experts”](#) (August 2021)
- Webinar: [“Indigenous Peoples’ Rights to Exist, Self Determination, Language and Due Process in Migration: The Child’s Perspective”](#) (April 2020)

Similar to trauma-informed lawyering skills, these are skills that can always be further developed. The issues present in the different countries and for clients are complex and nuanced. Advocates should take an approach of ongoing education, intellectual curiosity, reflection, and learning rather than considering themselves an expert or that their work is complete after a little bit of research.

## Gender and Sexuality

Conversations surrounding gender and sexuality often arise in children’s immigration cases. When you work with migrant children, you may find that some children fled their home countries due to persecution based on the child’s sexual orientation or identity, or you may hear that your client experienced certain societal or familial treatment due to their gender. You may also talk with your client and fill out a general intake, to realize that your client does not understand self-identification or differences in sexual orientation due to the cultural norms in their home country. You may talk with a client and find that your client is exploring their sexual identity and wants to learn more about cultural approaches to gender and sexuality in the United States versus their home country. Suffice it to say, speaking with your child clients about gender and sexuality is an important and often relevant discussion.



## Gender and Sexuality (continued)

When approaching topics such as gender and sexuality with migrant children, it is best practice to always keep cultural competence in mind. Do not make assumptions based on societal constructions of gender and sexuality that we have in the United States. Remember that many migrant children hail from countries where they would be restricted in exploring their identities and sexualities or where conversations surrounding gender are restricted or even nonexistent. Additionally, due to age and maturity, many children may not have encountered issues with gender and sexuality. For example, many children may not understand what it means to use pronouns or to identify a certain way, and they may not understand our cultural references to concepts surrounding gender and sexuality, such as “coming out.” Many children may also not understand their sexual preferences or realize that they can make decisions about their sexuality and identity.



**As a practice pointer**, it may help to research the laws and cultural norms of your client’s country of origin to better understand your client’s cultural competence regarding gender and sexuality. Try to research and understand the country’s vernacular surrounding sexual orientation and identity, as this may help you better communicate concepts with your client. Try to use examples in your explanations. Additionally, **as a practice pointer**, you can explain pronouns to your client by demonstrating your own pronouns. For example, if you are meeting in person, you can have a nameplate with your name and pronouns, or if you are meeting virtually, you can include your name with your pronouns in parentheses.

For more information on representing unaccompanied LGBTQIA+ children from Central America, please watch CILA’s webinar, [“Best Practices for Serving LGBTQIA+ Unaccompanied Youth.”](#) Additionally, you can visit CILA’s *Country Conditions Compilation – Conditions For LGBTQIA+ Children & Youth In Seven Countries*, available on our website under [Additional Resources](#). If you do not have the password, please reach out to us at [cila@abacila.org](mailto:cila@abacila.org).

## Privilege and Economics

It is important to recognize that there is an implicit power imbalance between you and your client because of age, position, role, and/or privilege—and many times all of these factors and more are present. Reflect to identify your own privilege and how that privilege can impact your working relationship with your client. Make an effort to realize what you do not know and to not make assumptions.





## Privilege and Economics (continued)

Acknowledge your own biases and work to reduce those and to stop them from interfering with working with your client. Approach your representation with respect, an open mind, and a willingness to learn.

Migrant children have a variety of backgrounds and past experiences. Some youth may come from a modest background and continue to deal with economic instability while in the United States. Keep in mind that this can sometimes impact representation. Clients may have a difficult time appearing on time or getting to a meeting. Sometimes, there are other needs that take precedence like going to school or a caretaker's work schedule. The client may not have transportation to get from one place to another, may have difficulty navigating a bus system, or having enough money to take the bus. There are many reasons why a client may appear unreliable, but instead they are dealing with realities of economic instability. Many children and youth also must rely on others to help them manage a schedule or to get them from one place to the next, and some children do not have someone who can help with those needs. Instead of making assumptions, getting frustrated, and stopping your efforts, work through the issues to find understanding regarding what is going on and work with your client to make a plan, so you can both move forward to work on the case productively and collaboratively.

## Kids will be Kids, Teens will be Teens

When working on a child's case, familiarize yourself with information about child development to help inform how you work with and speak to your client. Kids and teenagers may make impulsive choices and poor decisions. Act with patience, compassion, and persistence. Particularly, when working with clients who are teenagers, know that issues such as problems at school, criminal activity, and challenges at home may be more common. Teenagers, who have not recently migrated to the United States, frequently deal with the same challenges. Those who have just migrated and are adjusting to a different place, culture, language, home life, and school certainly will confront some of the same challenges (and potentially more).

**As a practice pointer,** exhibit patience when working with child clients and teenagers. Do not expect them to act like mini adults. Inform yourself regarding child development and brain development to have more understanding.

Since criminal behavior can impact your client's legal case, it is often necessary to discuss these issues with teenagers even before they arise. In a non-judgmental way, inform your client regarding how certain actions can negatively affect their case. It is best to have these conversations toward the beginning of your representation but after you have built some rapport. It can be delivered in a very factual way when reviewing eligibility requirements and processes for forms of legal relief. You can explain that you review this information with all of your clients so as to avoid the child feeling judgment.





## Kids will be Kids, Teens will be Teens (continued)

There are several resources to help guide you through these conversations and issues, if needed.

- Review [“How to Discuss Social Media with Child Clients”](#) by Sarah K. Howell, LMSW to learn more and get ideas on how to address using social media.
- Read and consult CILA’s [Working with Unaccompanied Children: Mental and Behavioral Health Toolkit](#) to learn more about mental and behavioral health concerns and best practices when working with unaccompanied children. The toolkit discusses how you can prepare for meetings with your client and what you can do if your client is having a panic or anxiety attack or expressing suicidal ideation. The toolkit offers many practical tips including grounding techniques and activities that can help during difficult conversations at meetings.
- Look at CILA’s [Navigating Reunification Challenges: A Toolkit for Sponsors of Unaccompanied Children](#) if the child you are working with is having difficulties at home with their sponsor. The toolkit is also a helpful resource for the advocate, youth, and sponsor to navigate other challenges as well, such as navigating the school system and healthcare system.

## Reaching Out – You Are Not Alone

As lawyers working on often complex and emotional cases, it can be easy to get lost “in the weeds” of the case and become overwhelmed. Children’s immigration cases usually have multiple “moving parts,” and it can be difficult to keep track of all the variables in the case, especially as the laws change as they tend to do. It may be hard to do legal research when you must balance filing deadlines, hearings, and drafting briefs or declarations. With that being said, we want to remind you that you are not alone in your work in children’s immigration law.

**As a practice pointer**, you can reach out to others for assistance on any case. Seek out the experts! If you are working on an asylum case, you can find a country conditions expert, who can meet with you, learn about your client and their case, and provide a tailored report about the conditions in the child’s home country to help establish why the child should not return to that country. In addition to providing a report, country conditions experts can also testify in court. If you have a client who is undergoing mental health distress, you can reach out to a mental health expert to help your client. Mental health issues can manifest in credibility issues or barriers in communication or active participation in a child’s case, so reaching out to a mental health expert can assist the client directly and the case overall. If you work at a legal service provider with in-house social workers, reach out to them. You may not be able to help your client with non-legal situations or may not have the answers to everything that your client may need help with, but social workers can assist you with a myriad of things when working with migrant children. For example, social workers can help you talk with your clients about going to mental health therapy, enrolling in school or college, reporting or dealing with domestic issues in the child’s home, obtaining food assistance, and seeking medical care.



## Reaching Out – You Are Not Alone (continued)

Additionally, you can reach out within the community of attorneys. The community of children’s immigration attorneys is a supportive and helpful community, and we generally have the same values that guide us to do the work that we do. People are happy to lend a helping hand to provide advice, guidance, expertise, and practice tips.

CILA can connect and guide you to meet others if you need assistance. CILA has six working groups, four of which are national, for multiple practice areas that you can join to meet and engage with other practitioners. Our working groups have a national audience and meet virtually and on a quarterly basis.



Furthermore, you can reach out to CILA if you need [technical assistance](#) on a case. CILA provides technical assistance to advocates nationally. CILA team members personally answer questions relating to children’s immigration cases on a variety of topics, including but not limited to the theory of the case, legal strategy, procedural and evidentiary issues, and best practices on working with children and victims of trauma, and we hope to guide you to finding answers to any questions that may arise in a case.

While we created this resource for attorneys to understand trauma-informed lawyering and working with migrant children—to better empower and support our child clients—we also want the advocates accessing this resource to know that engaging in self-care is another way to create stronger advocacy. An attorney who takes the time to take care of themselves, understand their mental health, establish realistic boundaries, set achievable goals, and practice healthy habits is an attorney who can more zealously represent and engage with their clients. We encourage you to take the time to learn about self-care and to determine what self-care will look like for you. Consider taking a look at CILA’s [Working with Unaccompanied Children: Mental and Behavioral Health Toolkit](#) for more information on self-care for practitioners working with unaccompanied children.

## Conclusion

Thank you for your advocacy of migrant children. The work you do matters, as you have the capability to change someone's life in a very meaningful, impactful way. That is not a small thing. Your efforts are significant, and we are happy to celebrate you at CILA.

We have also attached two additional resources created by the [Young Center for Immigrant Children's Rights](#) (the Young Center). CILA frequently shares Young Center resources during CILA's Boot Camp. The attached resources, "Mobility Mapping" and "Learning Children's Stories," will guide you in communicating with and working alongside child clients to learn about their stories while promoting a safe environment for the child.

Good luck, and we hope CILA's "Tips for Working with Migrant Children and Trauma-Informed Lawyering" helps you in your practice!

Thank you to ProBAR and to the CILA team for providing us with images for this resource.



## Mobility Maps

### *What is a Mobility Map?*

A Mobility Map is a drawing that depicts a child's life in home country. It features the places where the child spent most of their time (e.g., home, school, work), as well as those places that played secondary roles in the child's life (e.g., soccer field, parent's place of employment, village center). A Mobility Map also can show where the child's family members live and work. When it is completed, a Mobility Map provides a sort of snapshot of the child's life in home country.

### *Why should I use this tool?*

A Child Advocate uses Mobility Maps to learn more about a child's relationships with their family and interactions with their community. To begin, the Child Advocate enlists mobility mapping to develop a visual picture of the child's neighborhood (and surrounding community). The Child Advocate then can use the Mobility Map to explore topics such as: important relationships; participation in community activities; paths or roads taken by the child to get from home to school, work, etc.; degree of integration with or isolation from others in the community; education; daily routines; chores; work; and family relationships.

### *The Process:*

You will need the following materials: A blank piece of paper, colorful pencils or crayons, and an eraser (to allow for changes if you use pencils).

- Start by introducing the activity and inviting the child to participate.
  - a. Place paper and pencils where the child can easily access them.
  - b. "I have learned a lot about what your life is like here in the shelter, but it is also good to know what your life was like before you came to the United States."
  - c. "I can learn more about your life in (fill in home country) if you draw a picture of where you lived."
    - Encourage the child to draw the picture. Assure the child that this exercise is not about drawing abilities. It is just a way for you to get a better sense of what daily life was like for the child in their home country.
    - Remind the child that you will not share the drawing with anyone other than your Young Center supervisor (usually the person who accompanied you to the assignment meeting).
    - "Where did you live before you came to the United States?"
    - "Is this the only place you lived?"
    - If the child lived in more than one place, ask the child to pick one place for the drawing.
    - Ask the child to draw a picture of their home in the center of the paper (if the child did not have a home, ask the child to draw a stick figure to represent themselves). "Let's say this is where you lived before coming here."

- Next, ask the child to talk about the ways that they participated in their community. (This question provides the opportunity to talk about the child's involvement with school, a place of worship, or other community institutions).
- Now, ask the child to draw ALL the places and people they visited/stayed in contact with when they were living in their home country (e.g., school, place of worship, workplace, garden, village bazaar, friend's house, neighboring village).
- Let the child draw their map without interruption – do not rush the exercise.
- When the map is completed, ask the child to:
  - Mark all the places they liked with a green pencil. The child does not have to mark every single place they liked—just the ones they preferred.
  - Mark the places they did not like with a red pencil. The child can limit their marks to those places they strongly disliked.
  - Mark the places they visited frequently with a blue pencil.
  - Mark the places they rarely visited with an orange pencil.
- When the child has completed the map, review the diagram with the child. Discuss each person/place. Possible questions include:
  - Can you tell me about your map?
  - Can you tell me about this place/person?
  - Who lived with you?
  - What did you do when you went to this place?
  - Who is this person? How would you describe them?
  - What sort of things did you do here?
  - How often did you visit here? (everyday, once a week . . .)
  - Can you tell me what you liked about visiting this place/person? Can you tell me why?
  - Can you tell me what you didn't like about this place/person? Can you tell me why?
  - Did your map always look like this? Was there a time when it looked different? Can you tell me about that?
  - If you could change anything about this map, what would you change? Why?
- Once the activity is complete, thank the child for their time – then review the map with the child. “This was really helpful! Let me tell you what I've learned . . .” Ask the child if they would like to keep the map.
  - If the child does not want the map, take it with you and then scan and email it to your supervisor at the Young Center.
  - If the child does want to keep the map, ask the child if you can make a copy of the map.
    - Remind the child that you will show the map only to your supervisor at the Young Center.
    - When you return the map to the child, inform facility staff that you and the child did an art activity together and that the child would like to keep it. Most facility staff will then place the drawing with the child's personal belongings.

| <b>Sample Scenario</b>   | <b>Consider this:</b>   |
|--|---|
| Child discloses a traumatic event. (i.e., Sexual Assault, Witness to Murder, Suicide attempts) | <ul style="list-style-type: none"> <li>• Say "Thank you for trusting me enough to share such a personal and difficult story."</li> <li>• Be aware of your body language and reflect a nonjudgmental attitude.</li> <li>• Don't ask too many detail questions if you do not need them or you think is best to come back to the details another time (if so, prep them for this always).</li> </ul>   |
| Child starts crying while sharing a traumatic experience during the visit.                     | <ul style="list-style-type: none"> <li>• Say "I can see that was difficult for you and its okay for you to feel sad."</li> <li>• Thank them for sharing, give the child space and time to process and then re-engage.</li> <li>• Avoid saying "Don't cry."</li> </ul>   |
| Child divulges a lot of information at once when discussing their trauma history.              | <ul style="list-style-type: none"> <li>• Be aware of your body language. Actively listen and reflect back what the child is saying to let them know you are engaged.</li> <li>• Ask questions that reflect interest in minor's "narrative."</li> <li>• Give credit for strength and resiliency while being open to listening to the hurt in their story.</li> </ul>   |
| Details in the child's story changes over time.  | <ul style="list-style-type: none"> <li>• Understand trauma has an impact on memory and stories may not always be consistent.</li> <li>• Ask yourself if the child misunderstood or if there was a literal interpretation. Can you rephrase the question?</li> <li>• Be mindful of how you can address or understand the inconsistencies without making the child feel as if you are challenging or questioning them to avoid hurting the trusting relationship.</li> <li>• Provide active listening to understand details.</li> </ul> |
| Child gets triggered during the visit.   | <ul style="list-style-type: none"> <li>• Do not ignore it, address it before moving forward.</li> <li>• Do not be confrontational, be gentle. Do what you can to make the child feel in control and remind them they are safe there.</li> <li>• Be flexible to guide the conversation elsewhere if the child is shutting down or feeling uncomfortable. Ask yourself, "Can I move to a different topic?"</li> </ul>   |
| You must ask the child about specific traumatic events for case purposes:                      | <ul style="list-style-type: none"> <li>• Explain why and how you will have to ask certain questions about the child's story.</li> <li>• Explain that without this information, you may be unaware of how to support or identify legal options.</li> <li>• Remind them that is okay to say, "I don't want to talk about that right now."</li> </ul>  |



| Ejemplo de Situación  | Considera Esto:   |
|---|---|
| El menor revela un evento traumático. (ej. agresión sexual, testigo de asesinato, intentos de suicidio) | <ul style="list-style-type: none"> <li>• Di "Gracias por confiar en mí lo suficiente como para compartir una historia tan personal y difícil".</li> <li>• Se consciente de tu lenguaje corporal y refleja una actitud imparcial.</li> <li>• No hagas demasiadas preguntas detalladas si no las necesitas o si crees que es posible volver a los detalles en otro momento (si es así, prepárelos para eso).</li> </ul>   |
| El menor comienza a llorar durante la visita mientras comparte una experiencia traumática.              | <ul style="list-style-type: none"> <li>• "Puedo ver que fue difícil para ti y está bien que te sientas triste".</li> <li>• Agradézcales por compartir, dé al menor espacio y tiempo para procesar y luego volver a participar.</li> <li>• No digas: "No llores".</li> </ul>   |
| El menor divulga mucha información a la vez cuando habla sobre su historia de trauma.                   | <ul style="list-style-type: none"> <li>• Sé consciente de tu lenguaje corporal. Escucha activamente y reflexiona sobre lo que el/la joven está diciendo para hacerles saber que estás comprometido.</li> <li>• Haga preguntas que reflejen el interés en la "narrativa" del joven.</li> <li>• Reconoce su fortaleza y resiliencia mientras te mantienes abierto a escuchar el dolor en su historia.</li> </ul>  |
| Los detalles en la historia de el/la joven no son consistentes y cambian con el tiempo.                 | <ul style="list-style-type: none"> <li>• Tome en cuenta que el trauma tiene un impacto en la memoria y las historias no siempre son consistentes</li> <li>• Pregúntese si el joven no entendió bien o si hubo una interpretación literal. ¿Puedes reformular la pregunta?</li> <li>• Tenga conocimiento en cómo se dirige o entiende la inconsistencia sin hacer sentir al joven como si lo estuviese retando o cuestionando para evitar afectar la relación de confianza</li> <li>• Proporcionar una escucha activa para comprender los detalles.</li> </ul> |
| El joven se altera, o te das cuenta de que está reaccionando a un recuerdo de trauma durante la visita. | <ul style="list-style-type: none"> <li>• No lo ignore, maneje la situación antes de continuar.</li> <li>• No seas confrontacional, sé amable. Haga lo que pueda para que el joven se sienta en control y recuérdelos que están seguros en ese momento.</li> <li>• Sea flexible para guiar la conversación en otra dirección si el joven se está cerrando o se siente incómodo. Pregúntese: "¿Puedo pasar a un tema diferente?"</li> </ul>   |
| Tienes que preguntarle al joven sobre eventos traumáticos específicos para propósitos de su caso legal. | <ul style="list-style-type: none"> <li>• Explique por qué y cómo tendrá que hacer ciertas preguntas sobre su historia.</li> <li>• Explique que, sin esta información, es posible que no sepa cómo apoyar o identificar opciones legales.</li> <li>• Recuérdelos que está bien decir: "No quiero hablar de eso ahora mismo."</li> </ul>  |