




Conducting the Intake

Questions to Ask: What is Comprehensive Legal Intake & Representation?

- Is intake staff trained in trauma-informed practices and comfortable using sexual assault language and terms?
- Is intake staff trained to issue spot the unique legal needs of sexual assault survivors?
 - See VRLC web-based trainings and webinars
- Is intake staff equipped with referral resources for areas in which your organization does not provide services?
- Is intake staff qualified to offer brief legal advice?
 - If not, how will intake staff respond to emergencies or time-sensitive inquiries?
 - Are attorney supervisors available during intake calls?
- Is the organization maximizing the effectiveness of the intake call?
 - Some survivors only call once; this may be your only opportunity to connect with them. How can you best serve a survivor if this is the only time this survivor contacts your organization? What do you want survivors to know?
- See **VRLC Holistic Legal Intake, Sample Retainer Agreement, and Sample Release of Information.** 

Questions to Ask: Get the Right Lawyers on Board

- If not already available on staff, has your organization recruited experienced or expert outside attorneys to mentor staff as they develop their own expertise?
 - Have mentors been briefed in the ways in which the dynamics of sexual assault and trauma impact services?
- Has your organization recruited attorneys outside of your organization to co-counsel cases with staff?
 - Have these attorneys been trained to provide trauma-informed services?
- Has your organization developed relationships with private attorneys to whom staff can refer cases that the organization is unable to accept in-house (e.g. due to capacity issues or if the case falls outside the scope of organizational services)?
 - Have these attorneys been trained to provide trauma-informed services?



Chapter 9 Assessment Tool



- Is it clearly communicated to clients that outside counsel are not working for the organization?
 - Do clients understand that they must come to a retainer fee agreement with the outside counsel?
 - Do clients understand that your organization will not be involved in the representation once the outside counsel accepts the case, unless you are co-counselling a case?

Safe Communication with Clients

Questions to Ask: What is Safe?


- Is it safe to call the client at the phone number they provide?
 - At all times or only during certain hours?
 - What should the attorney do if someone else answers?
- Is it safe to leave a message on the number provided?
 - At all times?
 - What kind of information is safe to leave on a message?
- Is it safe to send mail to the street address the client provided?
 - Is it safe for the envelope to include a return address label with the organization's name and address?
- Is it safe to send email to the email address the client provided?
 - Does the client understand that forwarding email communication or cc'ing third parties may pierce the attorney-client privilege?
- Is it safe to text the client at the phone number provided?
 - At all times?
 - What kind of information is it safe to communicate in a text message?
- Is it safe to contact the client via social media?
 - Does the client understand that social media sites may have access to these messages or may claim some ownership of messages sent and received on the site?
- If communicating with the client electronically, have you discussed with the client the importance of creating secure passwords and using available privacy and safety features?



Chapter 9 Assessment Tool




Questions to Ask: Have You Considered....

- If video-conferencing with clients, is the video-conference software secure and confidential?
 - Does the software provider claim any ownership over the content?
 - Does the software provider maintain a record or copy of the content that could be subpoenaed by a third party?
- Does your organization have policies regarding use of personal staff devices to contact clients?
 - See **VRLC Personal and Remote Devices Tip Sheet.** 
- Does your organization have policies regarding meeting clients outside of the office?
 - If you are meeting outside of the office, are you meeting in safe spaces (for both the client and staff) where it is possible to have a private, confidential conversation, without being overheard by third parties?
 - Are you setting appropriate boundaries with the client when meeting outside the office?

Safety Planning with Sexual Assault Survivors

Questions to Ask: Sexual Assault – Specific Safety Planning

- Do you use language specific to sexual assault survivors?
- Have you reviewed VRLC’s **Assorted Safety Planning Guides, Surviving Sexual Violence on the Streets Resources, and Farmworker Guidebooks?** 
- Do you safety plan with survivors at the first meeting?
- Do you review the client’s safety needs and plans throughout the representation, as situations and safety needs often change?

Questions to Ask: Safety Issues and Privacy

- Does your organization’s safety plan address not only physical safety, but also the safety and security of private information?
 - Do you discuss privacy on social media with survivors?
- Does your organization always require informed, time-limited, specific, written consent from the survivor before releasing information to third parties or before reaching out for information from third parties?



Chapter 9 Assessment Tool



- Is staff aware that by virtue of the name or reputation of your organization, or your personal name/reputation, reaching out for information may provide the third party with personal information about the client (i.e., that they are seeking sexual assault/domestic violence legal services)?
- Are staff discussing this with survivors or taking related precautions to avoid inadvertent disclosures?
- Even after obtaining informed, written consent, do you routinely request permission from the client before reaching out to third-parties?
 - The release may not have yet expired but the client's situation may have changed or they may not feel comfortable with you reaching out on a particular issue.

Increasing Client Engagement

Questions to Ask: Organize and Plan

- Before adjourning any meeting with a survivor, have you confirmed with them:
 - The top goals they wish to achieve?
 - Any concerns they have about how to reach those goals?
 - Any information they are unwilling to share or paths they are unwilling to take to reach those goals?
 - For example, a client may want a protection order, but may have concerns about testifying in open court and may be unwilling to testify to certain facts (even though those facts might help their case).
- Before adjourning any meeting with a survivor, have you discussed:
 - The next steps that you, the attorney, will take on the case?
 - And when you expect to take those steps?
 - The next steps that you expect the client to take?
 - And when you expect them to take those steps?
 - What outstanding information or documents you need from the survivor?
 - And by when you need it?
 - When you will meet/call to discuss the case again?