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## TAMING THE TIGERS: DOMESTIC VIOLENCE, LEGAL PROFESSIONALISM, AND WELL-BEING

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### Cover Page Footnote

Associate Professor, Penn State University Dickinson School of Law. This article is dedicated to the memory of Traci Raymond Miscavish and the law students and clinical fellows who honored Traci and her legacy with their work: Erin Bloxham, Danielle Falkowski, Kira Lecznar, and Mallery Willatt. The author acknowledges that use of client stories is a debatable issue and believes that the death of this client, and her family's demonstrated commitment to tell her story publicly since her death, warrant the discussion herein of her case with no names changed. See, e.g., Binny Miller, Telling Stories about Cases and Clients: The Ethics of Narrative, 14 *GEO. J. LEGAL ETHICS* 1 (2000).

# TAMING THE TIGERS: DOMESTIC VIOLENCE, LEGAL PROFESSIONALISM, AND WELL-BEING

Jill C. Engle\*

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## I. INTRODUCTION

*Throughout this gr[ue]ling experience, Pi grows and evolves just as . . . law students grow and evolve. In one passage after accomplishing something that gave him some space and time without The Tiger, Pi describes a "euphoria. My skin healed. My pains and aches left me. Put simply, I returned to life."<sup>1</sup> It reminds me of certain journal entries I have received from students, discussing the profound professional growth they have experienced while serving their clinic clients.*

*Life of Pi is an almost mystical written work. And although the practice of law is anything but mystical, I believe when we teach law students the resiliency and self-awareness to develop into client-centered lawyers,*

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\* Associate Professor, Penn State University Dickinson School of Law. This article is dedicated to the memory of Traci Raymond Miscavish and the law students and clinical fellows who honored Traci and her legacy with their work: Erin Bloxham, Danielle Falkowski, Kira Lecznar, and Mallary Willatt. The author acknowledges that use of client stories is a debatable issue and believes that the death of this client, and her family's demonstrated commitment to tell her story publicly since her death, warrant the discussion herein of her case with no names changed. See, e.g., Binny Miller, *Telling Stories about Cases and Clients: The Ethics of Narrative*, 14 GEO. J. LEGAL ETHICS 1 (2000).

<sup>1</sup> YANN MARTEL, *LIFE OF PI* 269 (2001).

*we are making a little bit of magic happen. We are teaching the taming of tigers.*<sup>2</sup>

The lawyer's role as a balanced, self-actualized professional is integral to my pedagogy.<sup>3</sup> It shows up in how I structure the syllabus, my classroom style, and in assigned readings on the issue. The Family Law course I teach is a prerequisite for my Family Law Clinic. Therefore, the students and I have something like a semester-long "interview" before we commit to working together in the clinic. For example, I gauge their critical thinking during class participation. More importantly, though, the students can contemplate whether my pedagogical paradigm and teaching style are a good fit for them.<sup>4</sup> When I formally interview student applicants for my clinic, the emotional intensity of the job and the related professional responsibilities are my main topic of discussion, by design.<sup>5</sup> And when a student joins the clinic, the truly transformative education begins to unfold. Self-awareness and resilience figure heavily in the pedagogy of my clinic.<sup>6</sup>

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<sup>2</sup> Jill Engle, *Teaching the Taming of Tigers*, CLINICAL L. PROF BLOG (May 12, 2014), [http://lawprofessors.typepad.com/clinic\\_prof/2014/05/teaching-the-taming-of-tigers.html](http://lawprofessors.typepad.com/clinic_prof/2014/05/teaching-the-taming-of-tigers.html).

<sup>3</sup> See, e.g., Phyllis Goldfarb, *Back to the Future of Clinical Legal Education*, 32 B.C. J. L. & SOC. JUST. 279, 298-99 (2012) (describing the importance of teaching reflection in law clinics as a method students will use to maximize their effectiveness as professional lawyers after graduation).

<sup>4</sup> See CLARE HUNTINGTON, *FAILURE TO FLOURISH* xiii (2014) (explaining that "[a] repeated finding in positive psychology and related work is that close interpersonal relationships are significantly correlated with individual well-being in addition to desirable outcomes on a societal level, from *greater academic achievement* to thriving communities") (emphasis added).

<sup>5</sup> See, e.g., Paul Brest & Linda Krieger, *On Teaching Professional Judgment*, 69 WASH. L. REV. 527, 558 (1994) (advocating a "pedagogy of judgment, problem solving and decisionmaking" for legal educators and stressing its complexity).

<sup>6</sup> See, e.g., Paula Davis-Laack, *Career: Pressure Proof: Three Ways to Build Resilience*, WISC. LAWYER, June 2012, available at <http://www.wisbar.org/newspublications/wisconsinlawyer/pages/article.aspx?Volume=85&Issue=6&ArticleID=2382> (explaining that "Dr. Larry Richard's research indicates that many lawyers rank quite low when it comes to resilience, often falling within the 10th percentile or lower"). Davis-Laack further notes that "[f]ortunately, decades of research shows that resilience can be taught, practiced, and improved," and goes on to list self-awareness as a key component to developing resilience for lawyers. *Id.*; see also Antoinette Sedillo Lopez, *Making and Breaking Habits: Teaching (and Learning) Cultural Context, Self-Awareness, and Intercultural Communication Through Case Supervision in a Client-Service Legal Clinic*, 28 WASH. U. J.L. & POL'Y 37, 38-41 (2008) (explaining the important of teaching self-awareness in clinical pedagogy as a means to leverage client-centered lawyering skills).

Being resilient proved essential when my clinic faced tragedy in March 2013. One of our divorce clients was shot and killed by her abusive husband, before he then killed himself. Just a few days earlier, we had served him with her divorce complaint. My lessons on self-awareness, stress management, and vicarious traumatization were suddenly all too relevant.<sup>7</sup> As the students grappled with the news, I realized how critical it was to implement my pedagogy to preserve our well-being and professionalism.<sup>8</sup> This article explains my approach, which I call “self-aware professionalism,” through my lens as a professor and a lawyer before, during, and after my clinic’s tragedy, and demonstrates how legal educators and practicing attorneys can integrate these practices.<sup>9</sup>

Like many clinical law professors, I teach a “client-centered” approach to the practice of law.<sup>10</sup> As Professor Robert A. Baruch Bush explains, client-centered lawyering “refers to the question of ‘who decides’ what should happen in the representation, and especially who determines the goals to be sought and outcome to be accepted—holding that these decisions belong to the client alone.”<sup>11</sup> In my opinion, client-centeredness is best executed when lawyers have an acute sense of self-awareness, and the ability to integrate that self-

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<sup>7</sup> See John R. Mills, Kristen M. Echemendia & Stephen W. Yale-Loehr, “*Death is Different*” and a Refugee’s Right to Counsel, 42 CORNELL INT’L L.J. 361, 363 (2009) (explaining that “[w]here death is on the table, the Constitution requires certain guarantees of reliability and accuracy” in legal representation).

<sup>8</sup> See Colleen F. Shanahan & Emily A. Benfer, *Adaptive Clinical Teaching*, 19 CLINICAL L. REV. 517, 517-18 (2013) (stating that “the quality of a clinic directly relates to a clinical teacher’s ability to thoughtfully observe situations that arise and adapt her teaching strategies accordingly”).

<sup>9</sup> See, e.g., Cynthia M. Ward & Nelson P. Miller, *The Role of Law Schools in Shaping Culturally Competent Lawyers*, 89 MICH. B.J. 16 (2010) (explaining that “[l]aw graduates should demonstrate professionalism. ‘Professionalism [not only] encompasses the formal rules of professional conduct, that is, minimally required conduct for lawyers, but it also encompasses what is more broadly *expected* of [lawyers] . . . by the public and by the . . . traditions of the legal profession . . . .’”) (alteration in original) (citing ROY STUCKEY, BEST PRACTICES FOR LEGAL EDUCATION 79-80 (2007)).

<sup>10</sup> See, e.g., DAVID A. BINDER ET AL., LAWYERS AS COUNSELORS: A CLIENT-CENTERED APPROACH (2d ed. 2004); Robert D. Dinerstein, *Client-Centered Counseling: Reappraisal and Refinement*, 32 ARIZ. L. REV. 501, 506-08 (1990) (contrasting “traditional legal counseling,” where an attorney “talk[s] at, rather than with” a client, with “client-centered counseling,” where an attorney discusses with a client legal outcomes and “social, psychological and economic consequences” of each option and helps the client arrive at a final decision).

<sup>11</sup> Robert A. Baruch Bush, *Mediation Skills and Client-Centered Lawyering: A New View of the Partnership*, 19 CLINICAL L. REV. 429, 447 (2013).

awareness into their lawyering.<sup>12</sup> This is largely because client-centered lawyering is emotionally draining, given its emphasis on considering the client's myriad of challenging circumstances.<sup>13</sup> Self-aware lawyers, however, know what they need to cope with the emotional stress of the job, and perform at their peak.<sup>14</sup>

From the outset, I assign material that addresses self-awareness—often framed as “mindfulness”<sup>15</sup>—and its relationship to client-centered practice skills.<sup>16</sup> We discuss self-awareness in our weekly class and during supervision meetings. The collateral issues of vicarious traumatization, stress reduction techniques,<sup>17</sup> and work-life

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<sup>12</sup> See Laurie Shanks, *Whose Story Is It, Anyway? Guiding Students to Client-Centered Interviewing Through Storytelling*, 14 CLINICAL L. REV. 509, 509-10 (2008) (explaining that “[e]arly in their law school experience, many students are consumed by the competitive academic environment—concerned exclusively with their grades, their future careers, and their present life choices and challenges”). Shanks further states, “For almost twenty years, I have sought to overcome these barriers. My goal is to change the students’ focus to the client, to hear what the person across the desk, in the chair, or behind the lock-up bars is saying—what her story is, and what that story says about her and the law.” *Id.*; cf. Sarah Buhler, *Painful Injustices: Encountering Social Suffering in Clinical Legal Education*, 19 CLINICAL L. REV. 405, 415 (2013) (asserting that “the client-centered model can completely remove the lawyer-client relationship from the socio-political sphere and lead to the ‘chiseling of clients away from their political and racial solidarities’”) (quoting Sameer Ashar, *Law Clinics and Collective Mobilization*, 14 CLINICAL L. REV. 355, 359 (2008)).

<sup>13</sup> See Bush, *supra* note 11, at 447 (explaining that “the connotation of ‘client centered’ is that the representation should focus not on legal issues alone but more broadly on solving whatever problems the client faces, legal and non-legal, as defined by the client”).

<sup>14</sup> See Lawrence R. Richard, *Hiring Emotionally Intelligent Associates*, BENCH & BAR OF MINN. (1999), available at [http://www2.mnbar.org/benchandbar/1999/oct99/hiring\\_lal.htm](http://www2.mnbar.org/benchandbar/1999/oct99/hiring_lal.htm) (explaining that self-awareness “is the gold standard of emotional intelligence” and that “in the practice of law . . . [emotional intelligence] should and do[es] play a large role in the ultimate success of a lawyer”).

<sup>15</sup> Leonard Riskin, *Knowing Yourself: Mindfulness, in* THE NEGOTIATOR’S FIELDBOOK 239, 240-41 (Christopher Honeyman & Andrea K. Schneider eds., 2006).

<sup>16</sup> See, e.g., STEPHEN ELLMANN ET AL., LAWYERS AND CLIENTS: CRITICAL ISSUES IN INTERVIEWING AND COUNSELING 35 (2009); Jean Koh Peters, *Access to Justice: The Social Responsibility of Lawyers: Habit, Story, Delight: Essential Tools for the Public Service Advocate*, 7 WASH. U. J.L. POL’Y 17 (2001).

<sup>17</sup> See Aldo Civico, *Mindful Listening to Enhance Leadership Performance*, HUFFINGTON POST (Jan. 27, 2014), [http://www.huffingtonpost.com/aldo-civico/mindfulness-practice\\_b\\_4633889.html](http://www.huffingtonpost.com/aldo-civico/mindfulness-practice_b_4633889.html) (describing his use of mindfulness, which he honed through meditation, to quell his anxiety and cultivate the self-awareness and mental strength necessary to interview a violent Colombian paramilitary leader in the field alone for his work as an anthropologist).

balance<sup>18</sup> are also prominent aspects of the clinical course, and topics of our incidental discussions in the clinic, during case rounds, and throughout supervision meetings.

This article will explain the tactics that I employed both before and after my clinic's crisis, and the pedagogical efficacy of each one. Part II describes my pedagogical approach as a "self-aware mentor" and suggests that it fosters a symbiosis of effective, client-centered casework and reflective learning for the students. Part III is a study in marshaling the help of outside experts, from social workers to other law professors, and how I incorporated that in the clinic. Part IV explains the importance of creating a space as both a teacher and a legal supervisor where student-lawyers can have their emotional needs met. Finally, Part V discusses the steps taken by my clinic after Traci's death to catalyze social justice for victims of domestic violence, and how my pedagogy of self-aware professionalism enhanced that journey.

Following the trauma, I feared that my students would not survive intact, but they did. Moreover, they professed a strengthened dedication to helping the underserved in their legal careers. The experience shaped their lawyering identity. My method of teaching in a deliberate manner about the skills of self-awareness, stress management, and their integral relationship to effective lawyering skills, fostered group strength, which enabled the students to cope with the crisis.<sup>19</sup>

## II. THE SELF-AWARE MENTOR: STRESS MANAGEMENT, CLIENT-CENTEREDNESS, AND REFLECTIVE LEARNING

In the aftermath of my clinic's trauma, I pondered my role. As the students' leader, I knew the impact of our client's death was unique for me—not worse, but different—and I decided to articulate that to them. I modeled my own coping tactics deliberately and openly, to normalize them and prompt reflection by my students about what coping mechanisms would work for them.<sup>20</sup> For example, I told them when I

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<sup>18</sup> See, e.g., Deborah Epstein Henry, *I Wish I'd Known*, A.B.A. STUDENT LAW. 6 (2012) (explaining that "work/life balance is an issue facing all lawyers during the span of their careers" and that "the only way for work/life balance to work is if it is designed to be a win-win solution for both lawyers and employers during a lawyer's full career lifespan").

<sup>19</sup> See generally MALCOM GLADWELL, *BLINK* 225 (2005) (describing the destructive effect stress has on human behavior, particularly on decision-making).

<sup>20</sup> See Timothy Casey, *Reflective Practice in Legal Education: The Stages of Reflection*, 20 CLINICAL L. REV. 317, 322 (2014) (explaining that "[r]eflective

was going to the gym in the middle of the day for a mental break. When my body succumbed to the stress and needed rest, I took a sick day, and shared with my students the rejuvenation it brought me upon my return to the office. Most importantly, I told students that I was sharing those tactics to normalize it, and to encourage them to give themselves what they needed to manage the crisis that no lawyer wants to experience.<sup>21</sup>

My post-crisis modeling approach was part of a broader methodology already in progress. Seven months earlier, at the outset of the 2012-2013 academic year, I had set a goal to develop my role as a mentor and leader,<sup>22</sup> and decided to teach legal professionalism in large part through the lens of self-awareness and balance.<sup>23</sup> Law student stress is well-documented,<sup>24</sup> and for clinic students, their stress level is exacerbated by the demands of legal practice.<sup>25</sup> Teaching students how to manage the daily stress of lawyering by demonstrating how I manage mine, and creating a supportive learning environment and self-awareness, became a critical tenet of my pedagogy.<sup>26</sup>

practice is the integration of intentional thought and specific action within a professional context”).

<sup>21</sup> See Buhler, *supra* note 12, at 407 (stressing that “human suffering, in its multitudinous forms and permutations, enters into the day-to-day reality of legal clinics . . . , and the question of how lawyers should respond to and understand this suffering enters into clinical legal education by virtue of this reality”).

<sup>22</sup> See John Teeter, *Perils and Pontifications on the Failures and Joys of a Law Teacher*, 37 S. ILL. U. L.J. 53, 58 (2012) (criticizing his own failure as a law student to seek out a professor as mentor, and quoting three articles on the topic in note 21).

<sup>23</sup> See Hollee Schwartz Temple, *Attorney as Healer: Integrative Law Puts Passion into the Profession*, 99 A.B.A. J. 26, 27 (Aug. 2013). Temple describes the integrative law movement, which advocates these principles, citing Integrative Law Institute director Pauline Tesler, who explains that “better balance is a byproduct of this type of practice,” and integrative law advocate J. Kim Wright, who states that self-awareness is critical: “[T]he first step . . . is to know who you are.” *Id.*

<sup>24</sup> See, e.g., Paula J. Manning, *Understanding the Impact of Inadequate Feedback: A Means to Reduce Law Student Psychological Distress, Increase Motivation, and Improve Learning Outcomes*, 43 CUMB. L. REV. 225, 225 (2013) (explaining that, “[a]ccording to some researchers, nearly half of law students will experience clinically significant levels of psychological distress during law school”); Todd D. Peterson & Elizabeth W. Peterson, *Stemming the Tide of Depression*, 9 YALE J. HEALTH POL’Y L. & ETHICS 357, 359 (2009) (explaining that “[o]ne study found that 44% of law students meet the criteria for clinically significant levels of psychological distress”).

<sup>25</sup> See, e.g., NANCY LEVIT & DOUGLAS O. LINDER, *THE HAPPY LAWYER* 54 (2010) (stating that “[t]he nature of the work is stressful; clients may have unrealistic expectations [and] . . . cases have numerous unalterable deadlines that require late-night work”).

<sup>26</sup> See Lawrence S. Krieger, *Human Nature as a New Guiding Philosophy for Legal Education and the Profession*, 47 WASHBURN L.J. 247, 289-90 (2008) (explaining



As law professor John Teeter explains: “Mentoring matters both in terms of technical efficacy and conceptual inspiration . . . .”<sup>27</sup> That sentiment is echoed by law firm coaches, an emerging cadre of professionals—many of whom are also attorneys—that top law firms like Perkins Coie, and Arnold & Porter are engaging “to advise lawyers about everything from work-life balance to troubleshooting intra-firm relationships.”<sup>28</sup> One law firm coach explains that “the coach takes on the role of mentor,” and that coaching has the added benefit of being a good business practice, as it “can help firms retain the right people.”<sup>29</sup>

The transition from stressed-out law student to stressed-out young lawyer is complicated.<sup>30</sup> Contemplating this as part of my heightened commitment to fostering my students’ professionalism encouraged me to process that reality with students throughout that academic year. I explained that students dip a toe into the pool of lawyering in my clinic, which is a new and frightening experience, but that, after graduation, their first job, with a much higher caseload and less mentoring, may be imminently more stressful.<sup>31</sup> I also shared the stress management methods that I, their lawyer-professor-mentor, routinely employ to minimize my predilection to stress-related illness

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that “[f]aculty modeling is an indirect, but pervasive and powerful source of messaging to students about the appropriateness of authenticity, conscience, interpersonal awareness, and humility,” and that “[s]elf-reflection . . . should lead us to conscious modeling of authenticity, inspiration, and the holistic personality our students will need as professionals dealing every day with the complex interpersonal situations typical of law practice”).

<sup>27</sup> Teeter, *supra* note 22, at 62-63; *see also* LEVIT & LINDER, *supra* note 25, at 119 (stressing the importance of mentoring in fostering satisfaction for law students by urging law school applicants to consider whether the schools they are applying to are “one[s] that prize[] professional and personal mentoring”).

<sup>28</sup> Jill Schachner-Chanen, *Legal Wrangler: Law Firms Add Coaches to Their Staffs*, 100 A.B.A. J. 9, 9 (May 2014).

<sup>29</sup> *Id.* at 10 (quoting Jessica Natkin of San Francisco and Jennifer Rakstad of Chicago, who have coached at Wilson Sonsini Goodrich & Rosati, and Fenwick & West).

<sup>30</sup> *See* Anna Stolley Persky, *A Matter Over Mind*, 100 A.B.A. J. 20, 21 (June 2014) (quoting the ethics counsel for the American Bar Association’s Standing Committee on Ethics and Professional Responsibility, Dennis A. Rendelman, stating that “we do know that some of the highest rates of mental health issues and substance abuse are present in the legal profession”).

<sup>31</sup> *See, e.g.*, William Eaton et al., *Occupations and the Prevalence of Major Depressive Disorder*, J. OCCUPATIONAL MEDICINE 1079, 1080 (Nov. 1990) (describing the authors’ National Institute of Mental Health study showing that lawyers have the highest rate of depression, followed by teachers and counselors).

and other negative outcomes.<sup>32</sup> My practices include meditation, holistic nutrition, yoga, and other daily exercise.<sup>33</sup>

Early each semester, I assign an article by Yale law professor Jean Koh Peters, urging law clinic students to engage in activities that “delight” them as a way to manage the stress associated with clinic work.<sup>34</sup> During clinic class, I invite the students to describe their own “delights,” which in 2012-2013 ranged from weight training to knitting to playing with children for one student with three little ones.<sup>35</sup>

Not every teacher is comfortable opening her class to such vulnerable discussion, and each must find their own comfort level to ensure that class discussions like this are effective. One approach, for example, would be to focus on Peters’ disclosure in her article, that her “delight” is playing the flute, then ask students why that activity works well, and other activities that share those characteristics. My pedagogy, grounded in my own self-awareness, evolved from the knowledge that, as a highly empathic individual, my teaching is enhanced by connecting with students emotionally. This approach, therefore, enhances my credibility and enhances rapport building.<sup>36</sup>

A few weeks later, I incorporate related lessons on vicarious traumatization<sup>37</sup> into a class on client-centered counseling, and explain

<sup>32</sup> See Teeter, *supra* note 22, at 65 (“[T]he real reward [of being a law professor] is when veteran lawyers e-mail me to offer thanks for how I taught and advised them back when they were students slogging through personal quagmires or doctrinal despair. Sometimes they say they never would have made it without me, and sometimes I suspect they’re correct”).

<sup>33</sup> See, e.g., Brest & Krieger, *supra* note 5, at 530 (“The foundations for the qualities necessary to the lawyer’s craft lie in character traits and deep knowledge that one would not characterize as “skills” at all—personal integrity, an inner moral compass, and a perception of one’s work as embedded in broad social, economic, political, historical, and for some, spiritual contexts.”). See generally MICHAEL H. SCHWARTZ, GERALD F. HESS & SOPHIE M. SPARROW, *WHAT THE BEST LAW TEACHERS DO* 107 (2013) (quoting a law student who described an admired law professor as possessing a “willingness to share things about his life . . . I think that expresses a certain amount of caring about students just because he’s willing to share personal things about himself and relate them to you. . . . He trusts us to tell us certain things”).

<sup>34</sup> Peters, *supra* note 16.

<sup>35</sup> See, e.g., Leon Neyfakh, *What Playfulness Can Do for You*, BOSTON GLOBE (July 20, 2014), <http://www.bostonglobe.com/ideas/2014/07/19/what-playfulness-can-for-you/Cxd7Et4igTLkwpkUXSr3cO/story.html> (discussing research on links between “pursuing delights in all forms,” stress management, and academic success).

<sup>36</sup> See SCHWARTZ ET AL., *supra* note 33, at 45, 52-53.

<sup>37</sup> Marjorie A. Silver, Sanford Portnoy & Jean Koh Peters, *Stress, Burnout, Vicarious Trauma, and Other Emotional Realities in the Lawyer/Client Relationship*, 19 *TOURO L. REV.* 847, 853-54 (2004) (defining vicarious trauma as “having been exposed to or confronted with trauma or having been in close relationship with

my own coping mechanisms.<sup>38</sup> Vicarious trauma is a notion that, in my experience, law students struggle to acknowledge, perhaps partly because its moniker is so ominous-sounding. But coming to grips with it is a crucial rite of passage for clinic students working with traumatized clients. During that class period, guest speakers—attorneys and counseling advocates from local domestic violence agencies—describe their experiences with vicarious trauma, and how they have dealt with it. That semester, for the first time, the class included a simulated client counseling session. Working in private spaces, each student practiced counseling a hypothetical “client,” played by one of the guest speakers, my clinical fellow, or myself.<sup>39</sup>

After the simulation, the group reconvened and discussed the challenges of counseling in intense cases, like the hypothetical, which centered on a highly charged dispute over child custody, which, along with domestic violence, is one of the most emotionally draining types of family law to practice.<sup>40</sup> Notably, the discussion circled us back to issues that we had discussed earlier on vicarious traumatization. Lessons emerged organically about the ways that engaging in client-centered counseling enables the lawyer to reduce or manage their own trauma.<sup>41</sup> For example, the guest attorneys stressed the client-centered approach of client empowerment, which is critical to working with victims of domestic violence, because they have been disempowered

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people who have been traumatized. . . . [including] lawyers who engage empathically and with compassion with people who have experienced trauma”).

<sup>38</sup> Carolyn Copps Hartley & Carrie J. Petrucci, *Practicing Culturally Competent Therapeutic Jurisprudence: A Collaboration Between Social Work and Law*, 14 WASH. U. J.L. & POL’Y. 133, 153 (2004) (explaining that client-centered counseling positions the attorney as “the agent of the client, providing information about all possible choices and alternatives available to the client, but allowing the client to make the critical decisions about the case”).

<sup>39</sup> See, e.g., Minna J. Kotkin, *Reconsidering Role Assumption in Clinical Education*, 19 N.M. L. REV. 185, 200 (1989) (“[C]linicians must demonstrate the full range of lawyering skills, as well as the process of experiential learning, by engaging in real or simulated client representation. In partnership with the student, the supervisor acts in role, reflects, generalizes, and applies. Thus, we ask of ourselves the same that we ask of our students.”) (emphasis added).

<sup>40</sup> See Andrea Kupfer Schneider & Nancy Mills, *What Family Lawyers are Really Doing When They Negotiate*, 44 FAM. CT. REV. 612, 619 (2006) (explaining that “[c]ustody battles are, by their nature, more contentious and lead to more adversarial behavior”).

<sup>41</sup> See Hartley & Petrucci, *supra* note 38, at 153 (explaining that when they practice client-centered counseling, “[a]ttorneys will emerge with fewer emotional conflicts and with a personally and professionally satisfying experience”).

by their abusers.<sup>42</sup> As we discussed this technique, I pointed out that in focusing our client counseling on empowering clients to make decisions, we reduce the stress we may otherwise feel if we perceive the need to make decisions *for* the client. The guest speakers also echoed my modeling statements regarding stress management tactics to minimize vicarious trauma, sharing their own practices, which notably included socializing with like-minded friends who do the same type of work—essentially, as described in more detail below, engaging the emotional support of others.

This class period was repeated during the Spring 2013 semester, and drawing on its principles proved critical a few weeks later. In late 2012, Traci Raymond Miscavish left her husband, Mark Miscavish, a former Pennsylvania State Police Officer, after thirty years of marriage. Before filing for divorce, while staying with family, Traci stopped by the marital home on January 23, 2013, to retrieve some personal belongings. Miscavish threatened her with a gun, chased her across the front yard, and physically assaulted her. A passerby heard the disturbance, called the police, and Traci was granted a civil protective order and a temporary reprieve, while Miscavish was incarcerated for one week. A domestic violence legal representation project referred her to our clinic for a divorce, and, within a few weeks, she had met with the student and clinical fellow I assigned to represent her. This two-woman team worked extensively with Traci to clarify her goals, identify her legal options, and follow up on the safety planning she had done with domestic violence advocates since the attack.

In the ensuing weeks, the team repeatedly discussed with me the delicate balance between Traci's desire to be divorced, and her desire to protect herself and her family from Miscavish's potential negative reactions. We continually reviewed options with Traci regarding counts to include in the complaint, methods of service to use, and when to file. Again and again, the team stressed that Traci wanted to wait until she felt the time was right, because of personal circumstances that her team helped her triage during each meeting and phone call.<sup>43</sup> They discussed many legal provisions, restrictions, and potential outcomes with Traci, and eventually drafted a divorce complaint that satisfied her. But they held the complaint, at Traci's

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<sup>42</sup> See, e.g., Jane H. Aiken & Katherine Goldwasser, *The Perils of Empowerment*, 20 CORNELL J.L. PUB. POL'Y 139, 143-48 (1993) (describing the growth of the "empowerment approach" within the domestic violence advocacy movement).

<sup>43</sup> See Ann Shalleck, *Constructions of the Client*, 45 STANFORD L. REV. 1731, 1749 (noting that "situating clients within the details of their worlds is critical to effective legal action").

request, and continued to empower her to make the decisions about when and how to file and serve. At every turn, I validated their client-centered approach, and in mid-March, the team approached me with the news that Traci was ready.

On March 22, 2013, we filed Traci's divorce complaint and sent it to Miscavish, in duplicate, by standard U.S. mail as well as certified mail. On March 28, 2013, Miscavish entered the grocery store where Traci worked as a florist, shot and killed her, and then turned the gun on himself. It was three days before Easter, known as "Holy Thursday" in many Christian religions. Traci and her family are devout Christians. The symbolism was mind-numbing. After Easter weekend, the postal service delivered Miscavish's signed certified mail receipt for the divorce complaint to my clinic office. Upon discovering it on my desk, I lowered my head in my hands and wept.

The symbiosis between client-centered lawyering, and coping with the associated trauma, became something of a life preserver for me in those first days. The initial reaction to their client's death from the student and the clinical fellow who had represented her was self-blame. The clinical fellow sobbed, repeating "this is my fault, it's all my fault." I reacted with empathy, acknowledging that my own visceral reaction was to feel that way as well, but that I knew it was critical for our own mental stability to process that emotion and realize it was unverified. I reminded them that, using our client-centered and client-empowering approach, they had counseled the client about filing and serving the divorce complaint, and that the client had decided precisely when and how to do it. I asked them to recall those counseling sessions and whether Traci expressed trepidation, or whether they had perceived themselves as pushing any aspect of the decision on her. They both unequivocally said they had not, and through those conversations, they visibly gained some relief from the trauma, and articulated the same to me.

The tragedy presented the opportunity to model engaging the support of others, which this article explores in more detail in Part III. When I received the news of our client's death from her student attorney, I huddled with that student in my office behind a closed door. After a few minutes of tears, exchanged words of disbelief, and stunned silence, I reached for my phone and dialed Justine Andronici, one of our guest speakers from the client-centered counseling class a few weeks prior. This domestic violence attorney had referred the client to our clinic, so I knew we could speak freely without confidentiality concerns. She is also a trusted friend, and I knew her emotional support would be immediate and meaningful. I hoped that, as a seasoned victim's rights attorney, she could help manage our reactions to casework-related tragedies. Justine answered, and I put

the call on speaker so my student could benefit from her exceptional insight.

“This is why we do this work,” Justine stated firmly and beseeched us not to blame ourselves, which she affirmed was a natural emotional reaction, but one that is not grounded in truth. She articulated the same client-centeredness reasons explained above, which validated my clinical teaching and supervision style to the student. Justine’s reaction of empathic support grounded in shared lawyering values also affirmed my pedagogical tenet of reaching out for emotional support to manage trauma, which, at that moment, was primary, not vicarious, trauma for us both.

Again, this method was not simply instinctive, but reflected the deliberate pedagogical approach that I had implemented months earlier. For example, with a few students in private meetings or in written feedback to their weekly reflective journals,<sup>44</sup> I had, partly as a modeling tactic, disclosed my use of mental health therapy for stress management.<sup>45</sup> Students responded in astounding ways. Some disclosed their own prior traumas and recovery methods. Several shared their struggles with depression and anxiety, and utilized my suggestions for managing it. One student, who has a bachelor’s degree in psychology, devised a plan for our mid-semester class period, for the group to collectively garner each other’s mental support. Each participant wrote down one thing they were proud of from the past few months of their clinic work, and one recent clinic event that made them laugh. The mental release from sharing these experiences proved essential for the students’ professional growth and bonding.<sup>46</sup> The class exercise was so effective that I integrated it permanently.

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<sup>44</sup> See J.P. OGILVY, LEAH WORTHAM & LISA G. LERMAN, *LEARNING FROM PRACTICE* 105 (1998) (explaining that assigning journaling is a common tool for teaching law students reflective practice); see also Journal of Anonymous Student, Family Law Clinic, Penn State Dickinson Sch. of Law (April 23, 2014) (on file with author) (“[W]hat is so wonderful about journaling [is that] it does give us a glimpse of the beginning [of our journey through the clinic]. So much has happened this semester and I have been able to begin working through questions and issues to not only improve myself as a lawyer, but as an individual. Something that has been invaluable to this self-exploration and growth are the activities we’ve done in class and just the questions we have continually been asked [by Professor Engle]: ‘So, what does that say about you?’ and ‘What does that say about how you [practice law]?’ . . . I find myself asking these questions all the time.”).

<sup>45</sup> See Teeter, *supra* note 22, at 56 n.13, 16 (discussing the utility of engaging in mental health therapy as a law student, and of law professors disclosing their personal use of therapy to their students).

<sup>46</sup> See generally Harriet N. Katz, *Reconsidering Collaboration and Modeling: Enhancing Clinical Pedagogy*, 41 GONZ. L. REV. 315, 340-41 (2006) (advocating a “collaborative” teaching method for clinical and externship law professors, stating in

Reflective learning, always a constant in my clinic, was critical to the group exercise.<sup>47</sup> I reminded the students before, during, and after the exercise of its value.<sup>48</sup> In my view, as I told them, there was value beyond the “release” and “bonding” aspects mentioned above. In addition, I explained, such reflective learning strategies present opportunities to learn what practice skills and coping strategies they were each employing to achieve their respective accomplishments, and to contemplate professional norms. In my opinion, these components are essential to effective lawyering because the most effective lawyers have a healthy sense of self, and can engage clients without draining their own emotional resources dry. In other words, the most effective lawyers are emotionally and mentally well-adjusted.<sup>49</sup>

This effectiveness manifests in client-centered casework.<sup>50</sup> We saw it after the tragedy when the group was tempted to be paralyzed, but rose to the occasion and worked their cases as well as, or better than, before, despite their varying levels of trauma. My ability to model the necessary self-aware professionalism was bolstered by my own mentor’s support. Professor Mary Lynch of Albany Law School has been a professional role model and guide since she mentored me

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part that law students she surveyed “emphasized the confidence building impact of this kind of work process with superiors. Students also approached the collaborative process with confidence already established in part from how they were prepared for that process”).

<sup>47</sup> See, e.g., Carolyn Grose, *Beyond Skills Training, Revisited: The Clinical Education Spiral*, 19 CLINICAL L. REV. 489, 493 (2013) (“[C]linical pedagogy aims to teach students to approach lawyering as a theory-driven practice, framing each activity with intentionality and reflection.”) (emphasis added) (citing Elliott S. Millstein, *Clinical Legal Education in the United States: In-House Clinics, Externships, and Simulations*, 51 J. LEGAL EDUC. 375, 378, 380 (2001) (identifying “goals of the legal clinic, including ‘theory-driven preparation and advocacy’ and ‘reflective practice’”) (emphasis added)).

<sup>48</sup> See *id.* at 500-01 (quoting Wallace J. Mlyniec, *Where to Begin? Training New Teachers in the Art of Clinical Pedagogy*, 18 CLINICAL L. REV. 505, 521 (2012)) (stating that teaching reflection “involves transparency on the part of the teacher—making her goals and methods explicit to her students. In this way, she models reflection: ‘We also reinforce the importance of “naming” our activities and techniques for students so that they are clearly identified for later use. Naming gives students frameworks within which they can fit the teachers’ questions”).

<sup>49</sup> See Brest & Krieger, *supra* note 5, at 530.

<sup>50</sup> See Journal of Anonymous Student, Family Law Clinic, Penn State Dickinson Sch. of Law (April 25, 2014) (on file with author) (“[M]y advice for future clinic students would be to let go of the standard, egocentric law school learning model [and] focus on your clients. Focus on what you can offer them as a professional and as a human being. . . . Figure out the client’s goals and then figure out how you can best help them achieve those goals. If you do, then you will experience all the professional growth you’re looking for, and then some.”).

through the Clinical Legal Education Association's mentoring program for new clinical professors in 2010. Her contribution to our recovery was swift and profound, and is explained in detail below.

### III. MARSHALING THE HELP OF OUTSIDE EXPERTS

Although I recognize the importance of my role as mentor to the clinic students and fellows, I realized early in this profession that enlisting partners would increase the clinic's effectiveness. My clinic is a one-professor operation, with no staff attorneys. The clinical fellows—one per academic year—are new law graduates, who work a reduced schedule, and are unlicensed to practice until several months into their nine-month stint. The fellows do tremendous work in the clinic by assisting with casework and certain administrative tasks, but their role is not to teach or offer expertise. Several local attorneys and domestic violence experts intermittently assist in that capacity, and their support was critical after our client's murder.

My law clinic serves clients in Centre County, Pennsylvania, which has approximately 150,000 residents.<sup>51</sup> Centre County's largest town, State College, where the clinic is located, is a progressive, diverse university town surrounded by rural villages and countryside.<sup>52</sup> A single state-level trial court with four judges serves the entire county.<sup>53</sup> Those judges, attorneys, social workers, and law enforcement officers, who all work in the court system every day, have a small-town familiarity that can foster strong professional bonds. Three of those individuals have become key partners of my clinic, lending their expertise to the students in a variety of ways.<sup>54</sup>

Doug Hearn is an attorney with MidPenn Legal Services, who has represented victims of domestic violence for decades. He has supervised law student externs and IOLTA fellows for years, and was the first place I sought referrals when I opened the clinic because his

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<sup>51</sup> *State and County Quickfacts: Centre County, Pennsylvania*, U.S. CENSUS BUREAU (Mar. 24, 2015), <http://quickfacts.census.gov/qfd/states/42/42027.html>.

<sup>52</sup> *See generally Demographics*, STATECOLLEGE.COM, <http://www.statecollege.com/demographics/> (last visited Apr. 8, 2015) (describing the town of State College, Pennsylvania).

<sup>53</sup> *See Court Administration*, CENTRE COUNTY PENNSYLVANIA, <http://centrecountypa.gov/index.aspx?nid=357> (last visited Apr. 8, 2015) (explaining the Centre County court system).

<sup>54</sup> *See, e.g.,* Nicholas Bala, *There Are Some Elephants in the Room: Being Realistic About Law Students, Law Schools, and the Legal Profession When Thinking About Family Law Education*, 44 FAM. CT. REV. 577, 583 (Oct. 2006) (suggesting that education programs for family lawyers and judges should "recogniz[e] the need for interdisciplinary teaching and instruction to help lawyers develop the skills, values, and knowledge to more effectively deal with difficult cases").



professional judgment and client counseling skills are extraordinary. Doug has been a faithful guest speaker in my class every semester, helping me train new students in representing victim clients. Although only a few months pass between each class appearance, Doug manages to proffer a new, relevant, and instructive item for the students to read each time. He has shared pieces as diverse as an excerpt from Professor Michael Johnson's book, *A Typology of Domestic Violence: Intimate Terrorism, Violent Resistance, and Situational Couple Violence*,<sup>55</sup> the American Bar Association's toolkit for lawyers working with domestic violence victims, and a little-used local court order developed for certain domestic violence cases, which demonstrate the complexity of Doug's caseload as well as his knowledge base. His contributions include insight about the local legal system that only an attorney who litigates in it daily can offer. Doug also demonstrates extraordinary client counseling skills, starting with his compassionate, receptive demeanor—all of which are evident in his performance during simulations, debriefs, and responding to student questions. His comprehensive engagement in active listening, reflection, and restatement comprise his professional identity, making him a tremendous role model for law students on client-centered counseling.

Occasionally, I send new students to observe Doug in protective order hearings because his courtroom advocacy skills are outstanding as well. Routinely, Doug invites those students to watch the related negotiation and client counseling sessions he engages in at the courthouse, if his clients consent. Because Doug represents most of our court's protective order plaintiffs, sending us a few conflict or overflow matters each year, these observation opportunities may be students' only chance to be involved in protective order litigation during clinic. Doug's willingness to mentor has enabled me to offer students experiences beyond those my clinic alone can offer.

My clinic's other key attorney partner is victim rights attorney Justine Andronici.<sup>56</sup> As the director of the Centre County Women's Resource Center's Civil Legal Representation Project during the first three years my clinic existed, Justine often collaborated with me. She

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<sup>55</sup> See MICHAEL P. JOHNSON, *A TYPOLOGY OF DOMESTIC VIOLENCE: INTIMATE TERRORISM, VIOLENT RESISTANCE, AND SITUATIONAL COUPLE VIOLENCE* (2008).

<sup>56</sup> See, e.g., Michael Rubinkam, *Birth Mother: I Raised Questions About Jerry Sandusky*, WASH. TIMES (June 27, 2012), <http://www.washingtontimes.com/news/2012/jun/27/birth-mother-i-raised-questions-about-jerry-sandus/> (mentioning Andronici's role as attorney for several victims of convicted sex offender, and former Penn State assistant football coach, Jerry Sandusky, including Sandusky's adopted son, Matt Sandusky).

appeared numerous times, along with Doug, as a guest speaker during my class on counseling clients who have been victims of domestic violence. Justine's professional style differs from Doug's in several ways that are valuable in the classroom. Although both attorneys articulate their client-counseling approach as being empowerment-based, Justine's style is more direct than Doug's.<sup>57</sup> As a result, Justine asks clients more direct questions about their goals, and offers them detailed descriptions of their legal options.

During one class period in 2012, a student asked how to describe legal options to domestic violence clients without overwhelming them. Doug's response was that he strives to keep it simple, and reassures the client that he will advocate for their goals and counsel them through the process, even if the options or the client's goals change. Justine followed up with a different, but still valuable, approach. "I don't necessarily think keeping it simple is always necessary," she remarked. She described the attention she pays to detail when reviewing clients' options, and the collateral considerations attached to each option, asserting that the more they know about each option, the more empowered clients are to make decisions that will ultimately satisfy their complex needs and desires.<sup>58</sup> A lesson about professional identity being tied to self-awareness, which accounts for diverse approaches in the same client-centered principles, is embedded in this experience.

Justine, in her role as director of the Centre County Women's Resource Center's Civil Legal Representation Project, referred several clients to my clinic for divorce cases—one of them being Traci. As a referral source, Justine worked closely with each student who received the case assignment and, in some instances, met with them personally to review complex fact patterns or client emotional needs. She provided extensive direction to me and the students about the available counselors, social workers, and law enforcement liaisons within her agency, and how to help clients access them.

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<sup>57</sup> See generally Eric L. Han, *Mandatory Arrest and No-Drop Policies: Victim Empowerment in Domestic Violence Cases*, 23 B.C. THIRD WORLD L.J. 159, 163 (2003) (explaining that "[u]nder the empowerment model, the client is the decision-maker," and that "the empowerment model . . . is particularly well suited to working with victims of domestic violence").

<sup>58</sup> See LINDA KRIEGER & PAUL BREST, *PROBLEM SOLVING, DECISION MAKING AND PROFESSIONAL JUDGMENT: A GUIDE FOR LAWYERS AND POLICY MAKERS* 3 (2010) (explaining that "most clients expect their lawyers to integrate legal considerations with other aspects of their problem . . . no solution is ideal in all respects, and . . . analyzing *trade-offs* is itself an important non-legal problem solving skill") (alteration in original).

As described in Part II, Justine was a source of professional and emotional support for me and the students during our clinic tragedy. The guidance she offered during that first phone call, to resist the visceral urge to blame ourselves and to remember why we do this work, was repeated numerous times as she spoke with me privately, and to my class as a group. She sat with our class during our first group meeting after the shooting, and described her own experiences with case-related violence and other trauma resulting from her work.<sup>59</sup> Justine hearkened back to the vicarious trauma and self-care lessons from earlier in the semester, stressing the intense need for students to attend to their bodies and minds in the wake of the trauma. She shared that she has been diagnosed with rheumatoid arthritis and lupus, and believes the conditions were exacerbated, if not caused, by the vicarious traumatization during her first decade as a lawyer when she neglected self-care. Sharing her commitment to yoga, meditation, and gluten-free nutrition as healing tactics, she urged the students not to wait until they develop illnesses like she did before they make a conscious commitment to self-care.

In addition to the attorney partners I utilize in my clinic, counseling professionals have become critical resources.<sup>60</sup> On a routine basis, Mary Faulkner, the Director of Advocacy and Counseling for the Centre County Women's Resource Center until late 2013, consulted with my clinic on individual cases and as a class guest.<sup>61</sup> Part of her job included training and supporting police officers to deal with domestic violence cases. She operated out of a physical space in the police department, and was a valuable advocate and counselor for victims of domestic abuse. When those victims were also clinic's clients, students worked with Mary to develop counseling strategies, and maximize efficient and effective client

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<sup>59</sup> See generally Andrew P. Levin & Scott Greisberg, *Vicarious Trauma in Attorneys*, 24 PACE L. REV. 245, 249-50 (2003) (explaining that family law and domestic violence attorneys exhibit remarkable secondary trauma-related stress and burnout symptoms).

<sup>60</sup> See Joan S. Meier, *Notes from the Underground: Integrating Psychological and Legal Perspectives on Domestic Violence in Theory and Practice*, 21 HOFSTRA L. REV. 1295, 1322 (1993) ("In light of the extensive integration of psychology into the substantive law and procedures governing legal cases concerning domestic violence, it seems clear that an interdisciplinary approach to teaching about domestic violence in a legal clinic makes sense.").

<sup>61</sup> See *Child Abuse Reporting Up State Wide*, WE ARE CENTRAL PA (June 24, 2013), <http://www.wearecentralpa.com/story/child-abuse-reporting-up-state-wide/d/story/ne7ONcL61USNxytoFAjWlQ> (mentioning Faulkner's role with the Women's Resource Center).

support.<sup>62</sup> Working directly with Mary enabled students to see that fuzzy boundaries around legal and psychological counseling are both normal and manageable.<sup>63</sup> In fact, when students worked with Mary on a case, they inevitably expressed increased clarity of their work plan, and confidence about their counseling abilities.

When Mary contributed as a guest during our “client-centered counseling” class, she offered unique insight. Because Mary’s expertise is in *non-legal* counseling, her contributions showed the students the distinctions as well as the similarities between that type of client support and legal counseling. After our client’s death, I invited Mary to co-lead a class period on emotional healing. Her expertise in assisting individuals to heal from trauma, completely independent of legal advice but often administered to clients entrenched in the legal system, was uniquely helpful. The students engaged Mary with questions about setting appropriate emotional limits with clients, separating work life from personal life, and balancing client empowerment with client safety, in a free-flowing manner I had never observed in my clinic before.

Unexpectedly, another mental health professional provided unique support to me after our client’s death, and her guidance directly fueled my capacity to serve my students. Our client was killed on a Thursday morning, three days before Easter. That evening, after debriefing extensively with my students and our Dean, I traveled with my family to West Virginia for a previously planned ski holiday. One of my oldest friends, Janie Howsare, a professor of social work at West Virginia University School of Medicine, who specializes in training students to engage in mental health therapy, hosted us that weekend.<sup>64</sup> In an astounding alignment of circumstances, I had the support of a counselor, fellow clinical professor, and trusted friend, all in one person.

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<sup>62</sup> See, e.g., Shalleck, *supra* note 43, at 1749 (explaining that “the relationship between lawyer and client is not built across separate spheres—legal and nonlegal—but within a single sphere of overlapping practices”).

<sup>63</sup> See, e.g., Susan Meffert et al., *The Role of Mental Health Professionals in Political Asylum Processing*, 38 J. AM. ACAD. PSYCHIATRY L. 479-86 (2010) (explaining that “[m]ental health trauma experts . . . have an important role in collaborating with . . . attorneys or . . . law clinics to teach effective methods of obtaining the trauma details,” and that “a mental health professional who is focused solely on the client’s emotions and mental health history and has the training to carefully discuss traumatic events in a culturally appropriate manner can safely elicit details . . . that may not be accessible to attorneys”).

<sup>64</sup> See *Janie L. Howsare*, W. VA. U., <http://directory.hsc.wvu.edu/UserDetails/29975> (last visited Mar. 25, 2015).

Upon returning to the clinic, I was able to share several things the interaction with Janie provided. First, Janie helped me process my role as the students' leader, and determine which mentoring approaches would best fit this situation, many of which I adopted and explain in Parts II and IV of this article. Second, being with a friend who was astute enough to let me lead our interactions, discussing or ignoring the trauma when I needed to, with patience and non-judgment, provided immense healing. I later shared that with my students, and encouraged them to gravitate to people in their lives who could offer them similar support. Finally, in her professional capacity, Janie explained that this experience for me and my students was primary—not vicarious—trauma. She urged me to galvanize mental health support to process the event and its aftermath in that capacity.<sup>65</sup> The following week I sought out a therapist I see occasionally, and I shared that with the students.<sup>66</sup>

The support of existing partners like Doug, Justine, and Mary was enormously valuable, and not unexpected. I reached out to those three individuals because they already supported me, the students, and the clinic's work overall, in meaningful ways. I knew I could count on them. Janie's contribution was largely by happenstance, although I could have reached out to her via Skype, phone, or email, despite the geographic distance between us. My therapist, as well, provided support that was not unexpected.

What was unexpected was the outpouring of support we received from my clinical legal education colleagues across the country. I had notified my mentor, Professor Mary Lynch of Albany Law School, via email, and asked for any guidance she could offer because I knew she had worked with domestic violence cases and

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<sup>65</sup> I had already informed the students of mental health and other support services available at the law school, and at Penn State overall, in an email earlier that day, co-sponsored by our Dean of Student Services. The following week, I elicited the advice of the Pennsylvania Coalition Against Domestic Violence, which specifically advised me to seek out mental health professionals to help us process the trauma. Several of my students shared with me, and with each other, their use of therapy during this time and its contribution to their healing.

<sup>66</sup> See generally Demosthenes Lorandos, *Managing Clients in Life-Threatening Litigation*, 39 LITIG. 46, 46 (2013) (stating that “stress management professionals can help lawyers to help clients navigate and survive the stress of protracted litigation”); Teeter, *supra* note 22, at 56 n.13 (citing Jennifer Jolly-Ryan, *Promoting Mental Health Within Law School: What Law Schools Can Do for Law Students to Help Them Become Happy, Mentally Healthy Lawyers*, 48 U. LOUISVILLE L. REV. 95, 95-96 (2009) (noting that law “students need good counseling . . . to maintain a healthy balance in their lives,” and citing research that faculty encouragement of students to seek help is law schools’ “most valuable tool” in combating “stress and depression”)).

related criminal matters for years.<sup>67</sup> Within hours, I received copies of emails Mary sent to two clinical teaching email “listservs,” explaining the homicide and asking them to hold us in their thoughts throughout our grieving process. What happened next was nothing short of astounding. My inbox was flooded with positive thoughts, supportive articles, and stories of how professors dealt with their own client- or student-related trauma. So many articles came in that I compiled them into a resource binder for each of my students.<sup>68</sup> I added a printout of every email, whether it offered specific coping advice, or just general love and support. One colleague, who had experienced almost the same turn of events in her clinic, even offered to Skype with my student and me. Although my student graciously declined, because she was too emotionally raw for that experience, the offer itself was immensely valuable.

Perhaps most poignant was a small envelope that arrived in the mail a few weeks later. Inside was a small, simple card with few words and a lot of signatures. The entire clinical student body and faculty of Professor Deborah Epstein’s domestic violence clinic at Georgetown Law had signed it.<sup>69</sup> Its power was palpable.

A few weeks later, my clinical colleagues offered continued support at the annual clinical section conference of the Association of American Law Schools. I co-presented a workshop on leveraging partnerships and other hybrid tactics to address domestic violence in law clinics, which was a cathartic experience given the timing. One of my co-panelists was my mentor, Mary Lynch, and the time spent with her at the conference presenting our methodology for teaching students

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<sup>67</sup> See *Mary A. Lynch*, ALBANY L. SCH., <http://www.albanylaw.edu/faculty/pages/faculty-listing.aspx?ind=Lynch,%20Mary%20A> (last visited Feb. 5, 2015).

<sup>68</sup> See, e.g., *Preparing for Court Proceedings with Survivors of Domestic Violence*, NAT’L CTR. ON DOMESTIC VIOLENCE, TRAUMA & MENTAL HEALTH (March 2013), <http://www.nationalcenterdvtraumamh.org/wp-content/uploads/2013/03/NCDVTMH-2013-Preparing-for-Court-Proceedings.pdf> (stating that “[o]ur responses as lawyers and legal advocates helping survivors attend to and prepare for trauma triggers can make a tremendous difference to a survivor’s experience in court, as well as their ability to follow through with their legal case, and ultimately to the success of their case”); Mary Malefyt Seighman, Erika Sussman, & Olga Trujillo, *Representing Domestic Violence Survivors Who Are Experiencing Trauma and Other Mental Health Challenges: A Handbook for Attorneys*, NAT’L CENTER ON DOMESTIC VIOLENCE, TRAUMA & MENTAL HEALTH (Dec. 2011), <http://www.nationalcenterdvtraumamh.org/wp-content/uploads/2012/01/AttorneyHandbookMay282012.pdf>.

<sup>69</sup> See *Domestic Violence Clinic*, GEORGETOWN L., <http://www.law.georgetown.edu/academics/academic-programs/clinical-programs/our-clinics/domestic-violence-clinic/> (last visited Feb. 5, 2015).

“why we do this work,” in the words of my colleague Justine Andronici, was a turning point in my own healing process.<sup>70</sup>

One of the methods that we and our co-panelist Jeff Baker, Director of Clinical Programs at Pepperdine, explained at the workshop was a policy project on domestic violence.<sup>71</sup> Our colleagues, Leigh Goodmark at the University of Baltimore (now at the University of Maryland Francis King Carey School of Law),<sup>72</sup> and Margaret Drew of the University of Cincinnati,<sup>73</sup> developed a project in which clinic students lobby state and local governments to pass legislation declaring, “Freedom from Domestic Violence is a Fundamental Human Right.”<sup>74</sup>

My clinic embarked on that journey in fall 2013, with the Pennsylvania Senate, as described in more detail in Part V. It is my hope that projects like this will enable students to experience the link

<sup>70</sup> See generally *Conference on Clinical Legal Education*, ASS’N. OF AM. L. SCH., (Apr. 28, 2013), <http://www.aals.org/wp-content/uploads/2014/10/clinical2013brochure.pdf> (detailing the events of the Clinical Education Conference).

<sup>71</sup> See *Jeffrey R. Baker*, PEPPERDINE SCH. OF L., [http://law.pepperdine.edu/academics/faculty/default.php?faculty=jeffrey\\_baker](http://law.pepperdine.edu/academics/faculty/default.php?faculty=jeffrey_baker) (last visited Feb. 5, 2015).

<sup>72</sup> See *Leigh Goodmark*, U. OF MD. FRANCIS KING CAREY SCH. OF L., <http://www.law.umaryland.edu/faculty/profiles/faculty.html?facultynum=982> (last visited Feb. 5, 2015) (noting that Professor Goodmark joined Maryland Carey Law in 2014, and was previously Director of the Clinical Education and Family Law Clinic at the University of Baltimore School of Law).

<sup>73</sup> See *Margaret Drew*, U. OF CINCINNATI C. OF L., <http://law.uc.edu/sites/default/files/drew.pdf> (last visited Feb. 5, 2015).

<sup>74</sup> See CINCINNATI, OHIO, COUNCIL RES. 47-2011 (2011), available at [http://city-egov.cincinnati-oh.gov/Webtop/ws/council/public/child/Blob/33497.pdf?rpp=-10&m=2&w=doc\\_no%3D%27201101139%27](http://city-egov.cincinnati-oh.gov/Webtop/ws/council/public/child/Blob/33497.pdf?rpp=-10&m=2&w=doc_no%3D%27201101139%27); Jennifer Cunningham-Minnick, Nick Maull, & Josh LeFevre, *To Be Free from Domestic Violence is a Fundamental Human Right* (Oct. 5, 2011), available at <http://www.wcl.american.edu/humright/center/dvresolutions.cfm> (memorandum in support of Cincinnati City Council resolution). For an account of the case that inspired the movement, see Caroline Bettinger-Lopez, *Jessica Gonzales v. United States: An Emerging Model for Domestic Violence & Human Rights Advocacy in the United States*, 21 HARV. HUM. RTS. J. 183, 184 (2008). In that case, a mother sued the Castle Rock Colorado Police Department for failure to respond to calls reporting her ex-husband’s violation of a domestic violence restraining order, which resulted in the deaths of her three children. *Id.* It eventually resulted in a favorable decision in the Inter-American Commission of Human Rights, and examined the claims of Ms. Gonzales based on the international standard that local governments must exercise “due diligence” in protecting individual’s rights. *Id.* at 187. The article states that “advocates can use the case and the normative standards it may generate to . . . pass legislation that improves protection for victims of gender-based violence.” *Id.* at 194.

between policy work and direct client representation as a pathway to healing for their clients and communities and, in turn, themselves. Professor Teeter's article encourages law professors and their students to "[l]ook outside yourself *so you can look within yourself* and then share what you find with the world."<sup>75</sup> My approach linking self-awareness to legal professionalism invites law students to do just that.

#### IV. CREATING A SPACE WHERE EACH STUDENT COULD GET THEIR EMOTIONAL NEEDS MET

"[G]reat teachers care how students are doing in life. Teachers that care about people help counter declining civility in the legal profession and convey the idea that people and their feelings matter," opine Professors Levit and Linder in their 2010 call-to-action for transforming the legal profession, *The Happy Lawyer: Making A Good Life in the Law*.<sup>76</sup> Lawyers are notoriously prone to emotional disorders such as depression and anxiety, and "[m]ost researchers believe that the mental health and life satisfaction issues that plague lawyers have their roots in law school and legal education."<sup>77</sup> Law student stress, often manifesting as palpable distress, is an aspect of legal education that is so common it seems inextricable.<sup>78</sup>

I was determined not to contribute to that cycle, despite the emotional trauma my clinic students experienced. What Professor Krieger calls "the distinct importance of student well-being, both for reasons of common decency, and because it is a marker of effective [legal] education," formed a backdrop for the commitment to healing that was a key component of my pedagogical approach that semester.<sup>79</sup>

To teach the link between emotional health and professional success, I believe the key is cultivating student self-awareness.<sup>80</sup> It

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<sup>75</sup> Teeter, *supra* note 22, at 66 (emphasis added).

<sup>76</sup> LEVIT & LINDER, *supra* note 25, at 121.

<sup>77</sup> Manning, *supra* note 24, at 226.

<sup>78</sup> See, e.g., Peterson & Peterson, *supra* note 24, at 366-68 (citing data on increased levels of depression, stress, and substance abuse among law students); Nancy J. Soonpaa, *Stress in Law Students: A Comparative Study of First-Year, Second-Year and Third-Year Law Students*, 35 CONN. L. REV. 353, 372 (2004) (finding that "almost all law students exhibit a high level of stress").

<sup>79</sup> See SCHWARTZ ET AL., *supra* note 33, at 52-53 ("[E]mpathy is [a] quality that distinguishes . . . outstanding [law] teachers from their colleagues. . . . The teachers' strong empathy skills allow them to place a premium on caring about and recognizing the challenges students are facing."); Krieger, *supra* note 26, at 138.

<sup>80</sup> See, e.g., LEVIT & LINDER, *supra* note 25, at 132 (describing the value of "learning to let internal motivations guide you" as critical for lawyers seeking to hone life satisfaction skills, and quoting Nisha C. Gottfredson et. al, *Identifying Predictors of*



was critical that my students had access to a variety of post-trauma coping options, but they each had to summon the resolve to ascertain and articulate what they needed to heal from the crisis. Fostering that was my daily mission, and I went about it with laser focus, connecting with each student, each day, to be the conduit for whatever energy they needed to access.

As Professor Sarah Buhler explains, “[a] pedagogy of . . . [deliberately fostering student emotional responses to client trauma and reflection on those responses] encourages students to understand emotional responses to their clients as potential resources for analysis and fuel for passionate responses to suffering . . . .”<sup>81</sup> Buhler refers to the education and emotion scholar Michalynos Zembylas, who advocates creating educational spaces “where students and teachers can critically examine their emotional and affective responses to . . . traumatic images and events, where ‘those affective investments can be challenged.’”<sup>82</sup> As a teacher, my capability to be student-centered, which was bolstered by my own self-care, fostered their ability to be client-centered.<sup>83</sup>

This was critical because we needed to continue serving our remaining clients. One student had a trial the following week and simply needed me to focus on that work. I granted another student a

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*Law Student Life Satisfaction*, 58 J. LEGAL EDUC. 520, 527 (2008), for the assertion that “rewards gained through hard work and engagement with the material predicts life satisfaction” for law students).

<sup>81</sup> Buhler, *supra* note 12, at 423; *see also id.* at 421 (defining “critical emotional praxis” as teaching students to understand their emotional responses to clients and client trauma as political and “directly related to questions of justice and legal practice in poverty law context”).

<sup>82</sup> *Id.* at 422.

<sup>83</sup> *See, e.g.,* Lee Carpenter, *Participation in Mindfulness-Based Program Improves Teacher Well-Being*, PENN STATE NEWS (Oct. 24, 2013), <http://news.psu.edu/story/292655/2013/10/24/academics/participation-mindfulness-based-program-improves-teacher-well>. Penn State research program, CARE (Cultivating Awareness and Resilience in Education), is a “mindfulness-based professional development program designed to reduce stress and improve teachers’ performance and classroom learning environments,” which indicates effectiveness in “reducing burnout . . . and reducing poor health outcomes,” and shows teachers how “to nurture themselves and build a more caring and compassionate classroom,” according to researcher Mark Greenberg. *Id.* The study’s second round is underway in New York City to assess the link to student learning and behavioral outcomes. *Id.*; *see also* Lee Carpenter, *Prevention Research Center Receives \$1.4 Million Mindfulness Research Grant*, PENN STATE NEWS (July 9, 2014), <http://news.psu.edu/story/320367/2014/07/09/society-and-culture/prevention-research-center-receives-14-million> (describing a related Penn State research program to teach mindfulness to teen students to bolster their academic and social success in Pennsylvania public schools).

pass from one week's clinic seminar class to take a mental break and attend the Women in the World Summit in New York City with a friend. She returned with a journal entry about how the experience helped her reflect on Traci's death, and renewed her commitment to working on domestic violence cases. Two other students and my clinical fellow went to a yoga class with me. The process of mindfully cultivating self-awareness through breath and movement, all in a row on our mats, was profoundly moving.

#### V. LESSONS LEARNED: SELF-AWARE PROFESSIONALISM CATALYZES SOCIAL JUSTICE

The teaching techniques I employed starting the previous semester made it possible for me to lead the students through the semester's remaining weeks by cultivating self-aware professionalism. But after the semester ended in late April 2013, the question for me remained: what now? Traci was dead. Her killer was dead. The clinical fellow's term ended, and she started a job at the local district attorney's office. The clinic students graduated or left town for summer jobs—except one. That student, Danielle Falkowski, worked at the clinic as a summer intern, and then as my research assistant during the fall 2013 semester. Danielle was enthusiastic about the “Freedom from Domestic Violence is a Fundamental Human Right” project explained above, and emerged as a leader on our team of clinic students who worked on it during the fall 2013 semester.

Danielle and the two participating clinic students met with me early in the semester to identify the goals and scope of the project. Danielle shared with her student colleagues the impact Traci's death had on her, and her resulting desire to assist domestic violence victims in her legal career. Her heartfelt statements about her commitment to making an impact were critical to the team's decision to propose state legislation, rather than local resolutions, as the other law school clinics had done.<sup>84</sup> The team approached a Pennsylvania state senator, from the same small Pennsylvania town where Traci was murdered, with a detailed proposed resolution declaring that freedom from domestic violence is a fundamental human right in Pennsylvania.

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<sup>84</sup> See CAROLINE BETTINGER-LÓPEZ, *RECOGNIZING FREEDOM FROM DOMESTIC VIOLENCE AS A FUNDAMENTAL HUMAN RIGHT: LOCAL RESOLUTIONS ACROSS THE UNITED STATES* (2013), *available at* [http://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/Gonzalesdocs/2014.2.9\\_localdvresolutions\\_compressed\\_3.pdf](http://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/files/Gonzalesdocs/2014.2.9_localdvresolutions_compressed_3.pdf) (listing local resolutions from the United States).

Although the legislation remains pending, the team accomplished several professional goals. They developed an evidence-based position paper and met with the Senator, engaging in a lively discussion about the interplay between branches of government dealing with social problems of domestic violence. They reviewed the potential impact of legislative policy statements like their proposed resolution to enhance public awareness, and laid political groundwork for future legislation on more specific domestic violence remedies. This led to a discussion of issues ripe for legislative change, such as defendants' firearms and the confusion that sometimes results when plaintiffs petitioning for a Protection from Abuse (PFA) are asked about the firearm issue—discretion better left to judges, the group agreed.<sup>85</sup> Danielle's perspective on the matter was critical because it had been an issue in our client's case. The Senator also described a bill that he sponsored, stemming from reactions to our client's death, enabling Pennsylvania judges to order PFA defendants to wear GPS monitoring bracelets.<sup>86</sup>

As the fall 2013 semester progressed and the team's proposed resolution remained in the type of holding pattern state legislatures tend to foster, I asked them to consider whether they had other goals for that semester.<sup>87</sup> Almost immediately, Danielle voiced her idea of a brochure for Penn State students explaining how domestic violence victims can obtain a civil protective order (PFA) against their abuser. She explained her professional goal of helping victims stay safe, and her concern that students may be unaware of the available legal help. She shared her view that, when talking with fellow students about her work with domestic violence victims, they expressed disbelief that legal remedies were available for dating violence, or other abusive behaviors among their demographic.

Within two weeks, the team developed a tri-fold pamphlet on dating violence and PFA laws, and placed it in high-traffic areas in the

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<sup>85</sup> See, e.g., Aiken & Goldwasser, *supra* note 42, at 156-57 (describing the tension between state laws and practices, where a judge questioning a defendant about firearm possession is discretionary, and the federal Violence Against Women Act's mandatory prohibition against a defendant to a civil protective order possessing firearms).

<sup>86</sup> See, e.g., *Special Report: PFAs and the Legal System. Are They Flawed?*, WE ARE CENTRAL PA (May 10, 2013), <http://www.wearecentralpa.com/story/special-report-pfas-and-the-legal-system-fatally-flawed/d/story/7vVGAqectkmBNbe6KVEyTA> (explaining that District Attorney Stacy Parks Miller plans to change the bail system by requiring GPS monitoring bracelets).

<sup>87</sup> In spring 2014, the proposed resolution was presented to the State College Borough Council by the clinic's subsequent students, and the mayor is shepherding it through.

law school building and other Penn State campus buildings frequented by students. Our new clinical fellow, a technological whiz and a current clinic student not previously on the team, assisted with laying out the pamphlet and placing it across campus.

Danielle's ability to tap into her own self-awareness about professional goals to develop and execute a project in such a short amount of time was remarkable.<sup>88</sup> The inspiration the other team members gained from her example was obvious from their interactions. In one project, she was a conduit for many components of my pedagogy to play out; for example, she mentored the newer students by leading with an idea, and modeled the coping skill of working through her grief by finding an unmet need where she could devote her professional energy. I was motivated to implement the pedagogy further, which prompted me to invite the team to engage the help of "outside experts"—the fellow and the other student, neither of whom had worked with this team before.

Through this policy work, and our continued casework representing domestic violence victims, our clinic has simultaneously moved forward and remembered. I believe my pedagogy has maximized our capability to do both. As I taught the fall 2013 clinic students lessons on client-centered lawyering and managing stress, I shared some of my own struggles and coping tactics in the months after Traci's death. The approaches of my former students—some different from my own, but grounded in their own self-awareness—also proved educational.<sup>89</sup> Without violating their confidentiality, I would sometimes weave in a mention of how "one of my former students" coped by, for example, getting a massage, or conversely, by pouring themselves into preparing for a hearing. I also added a lesson

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<sup>88</sup> See Mary E. O'Connell & J. Herbie DiFonzo, *The Family Law Education Reform Project Final Report*, 44 FAM. CT. REV. 524, 525 (2006) (recommending that law school family law curricula "teach budding lawyers to be reflective and self-aware in the practice of law").

<sup>89</sup> By spring 2014, the transparency of my pedagogy and my belief in its utility was unfettered, as reflected in one student's journal entry thanking me for the day off that I suggested she take after she disclosed how distracted she was over the death of a close friend's father:

[T]hank you for the break last week. I wasn't going to give it to myself, but it turns out I needed it. I just don't usually cut myself breaks. I have goals (big- and small-picture) and one way or another I get them done with little to no interruptions . . . Full speed ahead is the way I usually go. But . . . it just sort of put those particular concerns of the profession into focus, I guess, in that even if you thrive on the pressure of it all, it can very unexpectedly and very quickly become too much.

Journal of Anonymous Student, Family Law Clinic, Penn State Dickinson Sch. of Law (on file with author).

about resilience, including a class exercise developed by law professor Virgil Wiebe at the University of St. Thomas.<sup>90</sup>

Near the end of the fall 2013 semester, one student struggling with an emotionally draining parental rights case asked me privately how I deal with the stress of this type of work. I replied that self-awareness is critical to knowing which stress management tactics work for each lawyer. I also pointed out the importance of believing your work is in line with your life goals and your value system. I reminded the student that every lawyer is not suited for domestic violence work, and that choosing not to pursue it is still a respectable decision—one made by many of my former students. But I also shared with him my own professional and personal decision to do this work because I believe it is right for me—and that, despite one of the most traumatic experiences a lawyer could face, the death of a client, I still share my colleague Justine’s sentiment that “this is why we do this work.”

My coping, to a great extent, manifested as memorializing. I organized two events during October, Domestic Violence Awareness Month, and secured co-sponsorship from two centers in Penn State’s campus-wide Division of Student Affairs: the Center for Women Students, and the Penn State Center for Spiritual and Ethical Development.<sup>91</sup> We held a “Day of Remembrance” in a central campus worship space, an open-house style event for anyone wishing to reflect on loved ones victimized by domestic abuse. The law school’s Black Law Students’ Association got involved, because several of my clinic students were members, and helped with the event. Our fellow and another clinic student developed background music for the event, and designed the event’s poster and flyer. At every turn, we seemed to generate interest from those wanting to help remember the tragedy, and somehow mitigate it—social justice manifesting itself.<sup>92</sup>

In our law school building, we screened an excerpt from the film *Telling Amy’s Story*, followed by a panel discussion, including a campus police officer, domestic violence scholar Michael Johnson,<sup>93</sup>

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<sup>90</sup> See, e.g., Virgil Wiebe, *Vicarious Resiliency*, CLINICAL L. PROF BLOG (April 26, 2014), [http://lawprofessors.typepad.com/clinic\\_prof/2014/04/vicarious-resiliency.html](http://lawprofessors.typepad.com/clinic_prof/2014/04/vicarious-resiliency.html) (describing research on resiliency and the author’s goal of teaching law students resiliency).

<sup>91</sup> The Center was, at that time, called the Penn State Center for Ethics and Religious Affairs.

<sup>92</sup> See Aiken & Goldwasser, *supra* note 42, at 180 (“Spreading the word that many people actually disapprove of such violence and abuse could also be part of these campaigns to encourage people who now remain silent about their disapproval to speak out.”).

<sup>93</sup> See JOHNSON, *supra* note 55.

and the aforementioned Mary Faulkner and Justine Andronici. We stressed systemic and community responses to domestic violence—what is working, and what we need to do better. We discussed the commonality of domestic abuse,<sup>94</sup> the complexity of the psychological dynamics between victims and abusers, and the intense risk of separation violence.<sup>95</sup> My closing message as host and moderator stressed the sometimes counterintuitive decisions that victims make, and the desperate need for advocates, friends, and family to respect those decisions. The event was well-attended, and the local newspaper covered it with a front-page story the next morning.<sup>96</sup> We dedicated the event to Traci, and her family sat in the front row.

As the event concluded, I invited audience members to drop messages into a box in the back of the room. The following week, Danielle organized the slips of paper into a collage, which we framed and displayed at the clinic. The messages are a daily reminder of “why we do this work,” as Justine said the day Traci died.

One other framed collage is displayed at the clinic, also assembled by Danielle. It contains news clippings about Traci’s death, and the candlelight vigil her community held a week later. Danielle and several of her clinic colleagues attended the vigil, where I spoke at Traci’s family’s request. In the collage, Danielle included an excerpt from my remarks: “I suspect Traci’s light was passed on to everyone she met, the way we can pass our candlelight tonight if our neighbor’s candle blows out.” Teaching future lawyers to carry the light of justice for their “neighbors”—their clients—is an honor I hold sacred.<sup>97</sup>

Near the end of the fall 2013 semester, I received a package from a former clinic student who worked on Traci’s case and was, by then, a young attorney living in New York City. The package

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<sup>94</sup> See Catherine A. MacKinnon, *Women’s September 11<sup>th</sup>: Rethinking the International Law of Conflict*, 47 HARV. INT’L L.J. 1, 4 (2006) (pointing out that around 3,000 U.S. women per year die from domestic violence, and that this is around the same number of victims who died in the 9/11 attacks, which garnered a much swifter and more robust legal response).

<sup>95</sup> See Aiken & Goldwasser, *supra* note 42, at 159-62 (discussing the interplay between the risk of separation violence, the psychological toll of abuse on victims, and their decision-making).

<sup>96</sup> See Mike Dawson, *Advocates Urge Attention, Education at Domestic Violence Awareness Forum*, CENTRE DAILY TIMES (Oct. 3, 2013), [http://www.centredaily.com/2013/10/03/3819803\\_advocates-urge-attention-education.html?rh=1](http://www.centredaily.com/2013/10/03/3819803_advocates-urge-attention-education.html?rh=1).

<sup>97</sup> See Jane H. Aiken, *Striving to Teach “Justice, Fairness and Morality,”* 4 CLINICAL L. REV. 1, 3 (1997) (stressing that “[e]verything we do as law teachers suggests something about justice”).

contained a dozen or so brass lapel pins shaped as purple ribbons—the symbol of domestic violence awareness. Her enclosed letter explained that she had worn a purple fabric ribbon on her coat since the candlelight vigil, but that it had worn thin, so she purchased these. She asked me to give one to each of the students, and the fellow, from her clinic semester. Her letter explained that Traci was “one of those people we meet in life that change us and make us better people,” and that Traci’s “amazing courage, unwavering optimism, and generous heart are a constant reminder of what true strength really looks like.”<sup>98</sup>

“Justice” is sometimes a mere approximation of what humans perceive as a fair and appropriate outcome. “Justice” is often inadequate, despite protracted, tedious journeys that are siphoned by legal rules and norms that defy logic. Educating future lawyers can be equally bewildering. But in this case, holding true to the pedagogical values of client-centeredness and self-aware professionalism enabled me to lead students through that bewildering journey with our torches intact. As a law professor, I carry the torch of respect for our legal system, with a profound conviction that it trumps the alternatives, and a belief that every lawyer is obligated to safeguard that torch.<sup>99</sup> That, I believe, is why we do this work.

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<sup>98</sup> Letter from former clinic student, to Jill C. Engle, Assoc. Professor, Penn State Univ. Dickinson School of Law (on file with the author).

<sup>99</sup> See Aiken, *supra* note 97, at 6 n.10 (explaining that “[l]egal education often ignores the significant role that lawyers play in shaping public policy . . . [y]et, practicing lawyers make legally significant decisions on a daily basis, perhaps as much or more so than do judges, legislators and administrators,” and “[i]f all I can do in law school is to teach students skills ungrounded in a sense of justice then at best there is no meaning to my work, and, at worst, I am contributing to the distress in the world. I am sending more people into the community armed with legal training but without a sense of responsibility for others or for the delivery of justice in our society”).

