Changing Role of Advocates and Victim Witness Coordinators

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National Center on Domestic and Sexual Violence
This is your Training

LISTEN with an open mind.

ASK questions respectfully.

SHARE what you know.
Early Years
Since the early 1970s when the first rape crisis centers and battered women’s shelters opened, as the needs of victims changed so did the roles of advocates. Through the years, advocates have puzzled their way through to provide advocacy effectively and to meet the needs of victims/survivors.
Advocacy

Helping battered women and victims of sexual assault consider their options, devise strategy, make decisions, implement plans and speak/advocate for self and children. All these puzzle pieces and more are necessary to assist individual sexual assault victims and battered women and to change system responses to them.
Advocates in the Early Years

- Options
- Support
- Shelter
- Information
- Referrals
- Crisis intervention
- Safety planning
Programs/ Service Providers in Early Years

- Emergency shelter, clothing and food
- Legal advocacy and court accompaniment
- Counseling
- Support groups
- Crisis hotlines
- Transportation
- Coordination with and referrals to other community services
What We’ve Learned
ADVOCACY

- Respect Confidentiality
- Believe and Validate Her Experiences
- Acknowledge the Injustice
- Respect Her Autonomy
- Help Her Plan for Future Safety
- Promote Access to Community Services

Developed from Domestic Abuse Intervention Project, Duluth, MN.
Empowerment Advocacy...

... believes that battering or rape is not something that happens to a woman because of her characteristics, her family background, her psychological “profile,” her family of origin, dysfunction, or her unconscious search for a certain type of man. Battering or rape can happen to anyone who has the misfortune to become the target of a person who wants power and control enough to be violent to get it.
**Factors Associated with Men Committing Rape**

- **Society**
  - Norms granting men control over female behavior
  - Acceptance of violence as a way to resolve conflict
  - Notion of masculinity linked to dominance, honor, or aggression
  - Norms supportive of sexual violence
  - Norms supportive of male superiority and sexual entitlement
  - Weak laws and policies related to sexual violence and gender equality
  - High levels of crime and other forms of violence

- **Community**
  - Poverty, low socioeconomic status, unemployment
  - Associating with sexually aggressive or delinquent peers
  - Lack of institutional support from police and judicial system
  - General tolerance of sexual assault within the community
  - Weak community sanctions against perpetrators of sexual violence

- **Relationship**
  - Associates with sexually aggressive or delinquent peers
  - Family environment is characterized by physical violence and few resources
  - Strongly patriarchal relationship or family environment
  - Emotionally unsupportive family environment
  - Family honor considered more important than the health and safety of the victim

- **Individual Perpetrator**
  - Alcohol and drug use
  - Coercive sexual fantasies; attitudes supportive of sexual violence
  - Impulsive and antisocial tendencies
  - Preference for impersonal sex
  - Hostility towards women
  - History of sexual abuse as a child
  - Witnessed family violence as a child

*Adapted from Guidelines for Medico-legal Care for Victims of Sexual Violence: World Health Organization, 2003*
MANIFESTATIONS OF VIOLENCE

Abuse can occur in different forms. It can be physical, emotional, sexual, spiritual, social and/or economic. The diagrams below describe some of the abuse tactics batterers use as they attempt to gain or maintain power and control over their intimate partners. Abuse does not always progress in the steps shown here. Sometimes the abuse may advance from pushing or hitting directly to more severe physical violence such as the use of a weapon. Although each relationship is unique, any type of abuse must be considered a serious cause for concern. Despite different circumstances, it is important to remember that abuse can escalate (especially if there is no intervention). A coordinated community response holding batterers accountable for their abusive behaviors is essential, as is a response acknowledging and respecting the rights of victims of domestic violence.

Exercise: It is helpful to be aware of the different manifestations of domestic violence. Circle the type(s) of abuse you are now experiencing (or that you have experienced). Notice if the violence is increasing in intensity, severity or frequency. Talk to a domestic violence advocate to develop or review your current safety plan or explore your options. Remember, domestic violence is never your fault, even if you were drinking or using drugs.

EMOTIONAL ABUSE

- insulting jokes
- ignoring of feelings
- jealousy
- isolation
- humiliation
- harming of pets
- calling you “crazy,” a “drunk” or a “junkie”
- silent treatment
- insults
- blaming/accusations
- monitoring of activities
- threats
- degradation
- homicide/suicide

PHYSICAL ABUSE

- scratch
- slap
- push
- hit
- target hit
- kick
- strangle
- beat
- use of a weapon
- murder
- deny physical needs
- bite
- force drug use
- punch
- throw objects
- burn
- deprive of sleep
- poison
- disfigurement/disfigurement

**continued ...**
Responsibilities of the Movement to End VAW

- Collaborate with victims of sexual assault and domestic violence.
- Build organizations that learn and are responsive.
- Create cooperation, coordination and collaboration in the community.
- Create a society and world without violence.
Why do People Abuse?
Why do People Abuse Their Intimate Partners?

- People **Learn** to Abuse
- People Must Have the "**Opportunity**" to Abuse
- People **Choose** to Abuse
Why do People Abuse Their Intimate Partners?

1. **Learn** to Abuse usually through their family of origin by:

- Direct instruction
- Modeling or learning through observation
- Learning by reinforcement that violence is effective or rewarding
Why do People Abuse Their Intimate Partners?

2. “Opportunity” to Abuse

- Abuse without suffering consequences
- Abuser perceives that he or she can ‘get away with it’
- Supportive environment of sexism, homophobia, racism, classism, anti-semitism, ageism and ableism
Why do People Abuse Their Intimate Partners?

3. **Choose** to Abuse

- It’s a conscious choice
- Abusers are able to learn and make different choices
- Abusers are solely responsible for their violence
Factors Associated with a Man’s Risk for Abusing His Partner

- Traditional gender norms
- Social norms supportive of violence
- Weak community sanctions against domestic violence
- Poverty
- Low social capital
- Marital conflict
- Marital instability
- Male dominance in the family
- Economic stress
- Poor family functioning
- Young age
- Heavy drinking
- Depression
- Personality disorders
- Low academic achievement
- Low income
- Witnessing or experiencing violence as a child

Adapted from the World Report on Violence and Health (World Health Organization, 2002)
Power and Control Theory
Batterers seek to gain and maintain power and control over their intimate partners by use of actual and assumed power.

Power takes the form of strategic, abusive tactics (physical, sexual, verbal, emotional) to reinforce this control.
POWER AND CONTROL WHEEL

Power and sexual assaults, or threats to commit them, are the most apparent forms of domestic violence and are usually the actions that allow others to become aware of the problem. However, regular use of other abusive behaviors by the batterer when reinforced by one or more acts of physical violence, makes up a larger system of abuse. Although physical assaults may occur only once or occasionally, they instill threat of future violent attacks and allow the abuser to take control of the woman’s life and circumstances.

The Power & Control diagram is a particularly helpful tool in understanding the overall pattern of abusive and violent behaviors, which are used by the batterer to establish and maintain control over his partner. Very often, one or more violent incidents are accompanied by an array of these other types of abuse. They are less easily identified, yet firmly establish a pattern of intimidation and control in the relationship.
Cultural Considerations
Cultural Considerations

- Play a role in the tactics batterers use to control their victims.
- May effect how we perceive and respond to both victims and offenders and therefore our victims services and offender accountability.
Culture Influences Choices

- Friends, Family, Neighbors
- Health Providers, Faith Communities
- Social Services Agencies
- Lawyers, Civil Court Remedies
- Domestic Violence Specialists, Shelters, 911, Women’s Groups, Batterer Programs
VIOLENCE AGAINST NATIVE WOMEN: BATTERING

- **MALE PRIVILEGE**
  - Treats her like a servant. Makes all the big decisions.
  - Acts like the “King of the castle.” Defines men’s and women’s roles.

- **ISOLATION**
  - Controls what she does, who she sees and talks to, what she reads. Limits her outside involvement. Uses jealousy to justify actions.

- **INTIMIDATION**

- **EMOTIONAL ABUSE**
  - Puts her down. Makes her feel bad about herself.
  - Calls her names. Makes her think she’s crazy, plays mind games. Humilates her. Makes her feel guilty.

- **MINIMIZE, LIE, AND BLAME**
  - Makes light of the abuse and doesn’t take her concerns seriously. Says the abuse didn’t happen. Shifts responsibility for abusive behavior. Says she caused it.

- **USING CHILDREN**
  - Makes her feel guilty about the children. Uses the children to relay messages. Uses visitation to harass her. Threatens to take away the children.

- **ECONOMIC ABUSE**
  - Prevents her from working. Makes her ask for money. Gives her an allowance. Takes her money. Doesn’t let her know about or access family income.

- **COERCION AND THREATS**
  - Makes and/or carries out threats to do something to hurt her. Threatens to leave her, to commit suicide, to report her to welfare. Makes her drop charges. Makes her do illegal things.

- **CULTURAL ABUSE**
  - Compares over “Indian-ness.” Misinterprets culture to prove male superiority/female submission. Uses relatives to beat her up. Buys into “blood quantum” competitions.

- **RITUAL ABUSE**
  - Prays against her. Defines spirituality as masculine. Stops her from practicing her ways. Uses religion as a threat: “God doesn’t allow divorce.” Says her period makes her “dirty.”

UNNATURAL POWER AND CONTROL

Developed by: Sacred Circle - National Resource Center to End Violence Against Native Women

Produced and distributed by: National Center on Domestic and Sexual Violence
Maze Map

Battered Women’s Justice Project & Praxis International
ORDER FOR PROTECTION – CIVIL COURT PROCESS

Advocacy Program

Files OFP

Seeks Shelter

Ex Parte Denied

Ex Parte Granted

Sheriff Serves Respondent

Civil Court Hearing

OFP Granted

OFP Denied

OFP Filed

Supervised Exchange/Visitation

Reliefs Granted

Praxis – Rural Technical Assistance on Violence Against Women
Advocates in Later Years
Needs of Victims

1. **SAFETY**: Protection from perpetrators and revictimization; crime prevention through collaborative problem solving; a restored sense of individual and community safety.

2. **ACCESS**: Ability to participate in the justice system process and obtain information and services, regardless of individual or family circumstances.
3. **INFORMATION:** Verbal and written information about justice system processes and victim services that is clear, concise, and user-friendly.

4. **SUPPORT:** Services and assistance to enable participation in justice processes, recovery from trauma, and repair of harm caused by crime.
5. **CONTINUITY**: Consistency in approaches and methods across agencies; continuity of support though all stages of the justice process and trauma recovery.

6. **VOICE**: Empowerment to speak out about processing of individual cases; opportunities to influence agency and system-wide policies and practices.
Justice is achieved when all stakeholders are satisfied with the process and the outcome is fair to all participants.

**Advocates in Later Years**

**Early Years – Ongoing**
- Options
- Support
- Information
- Shelter
- Referrals
- Crisis intervention
- Safety planning
- Individual advocacy

**Later Years – New**
- Advocating for laws and policies
- Systems advocacy
- Criminal/civil justice system
- Other systems: welfare, housing, employment, education, child support, healthcare, etc.
- Community outreach
- CCR/coalition building
Programs/ Service Providers in Later Years

- Assistance with protective order application process
- Programs for children (i.e., art therapy and schools in some communities)
- Sexual assault programs more closely aligned with domestic violence
- Healthcare services
- Assistance with the TANF/food stamp application process
- Job training and educational assistance
- Transitional housing
CONTINUUM OF CARING: COMMUNITY-BASED RESOURCES FOR BATTERED WOMEN

Phases of Need and Resource Clusters

COMMUNITY DEVELOPMENT

TRANSITIONAL RESOURCES AND LONG-TERM NEEDS

SUPPORT AND PROBLEM-SOLVING

CRISIS MANAGEMENT

EARLY ASSISTANCE

BATTERED WOMEN

NATIONAL CENTER on Domestic and Sexual Violence
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Effective Responses to a Domestic Violence Survivor
Effective Responses to a Domestic Violence Survivor

**ASK** – instead of telling

**LISTEN** – instead of talking

**SHARE** RESOURCES/REFERRALS – instead of advising
5 Things to SAY to a Victim

1. I’m afraid for your safety.
2. I’m afraid for the safety of your children.
3. It will only get worse.
4. I’m here for you.
5. You don’t deserve to be abused.

– Study by Sarah Buel and Quincy, MA Courts
5 Things to Say to an Abuser

1. I’m afraid you’ll really hurt her badly or kill her next time.
2. I’m afraid you’ll hurt your children.
3. It will only get worse.
4. I’m here for you when you’re ready to change.
5. No one, including you, has the right to abuse/hurt another person.
Individual vs. Systems Advocacy
Individual Advocacy

- Information/sharing/reflection
- Referral and follow-up
- Mentoring/critical thinking
- Risk assessment/threat management
- Resource acquisition
- Support/community organizing
- Accompaniment
- Intervention; legal, medical, employment
Systems Advocacy

- Expansion of resources for survivors
- Seeking changes in structure and practice; human services/legal/education systems
- Promotion of culturally inviting practices
- Accountability; perpetrator and system through CCR and community organizing
- Building community; workplace, neighborhood, faith organizations, etc.
Individual vs. Systems
Advocacy Examples

**Individual**
- Accompany a victim to the police station to sign an assault complaint and explain how the system works.
- Help a victim restore their food stamps.
- Ask the prosecutor to authorize a complaint after it has been turned down.

**Systems**
- Work to change police policy so that an officer is the one to sign a complaint.
- Work to change the policy so that victims from the shelter can get food stamps with no questions asked.
- Convince prosecutors to implement effective domestic violence policies and procedures so that fewer complaints are denied.
Community-Based and Systems Advocates
 Victims working with domestic violence programs

 Victims working with the criminal justice system

 Victims NOT using *either* system
Evolution of Advocates

- Community-Based Advocates – working in independent, community-based agencies where victims of sexual assault and domestic violence seek services

- Systems Advocates, commonly known as Victim Witness Advocates or Coordinators, working in law enforcement and prosecutor offices where victims are witnesses in criminal cases
Goals of CB Advocacy

- Safety of victims
- Authority/autonomy/empowerment
- Restoration/resources
- Justice
- Accountability of perpetrator
- Accountability of the criminal and civil justice systems
- Well-being of victims
Goals of VW Advocacy

- Safety of victims
- Accountability of perpetrators
- Deterrence of perpetrators
- Restitution for victims
- Implement victim rights – statutes and rules
- Seamless criminal justice response
CB Advocate

- Victim/family support and advocacy
- Information
- Holistic service
- Critical thinking
- Risk assessment and safety planning
- Promote authority/resources
- Restoration
- Community organizing

VW Advocate

- Victim assistance
- Information
- Police/DA assistance
- Investigation
- Case-based service
- Notice on case developments
- Risk assessment and threat management
- Victim enlistment
- Compensation
CB Advocate

- Confidential communications
- Non-disclosure directives
- Accompaniment
- Assist victim in speaking for self
- Advocate for victim position on sentence

VW Advocate

- Non-confidential communications
- Disclosure to prosecution and defense
- Accompaniment
- Victim-impact statement
- Bound by sentence proposal of DA
Work with victims to navigate *multiple* systems:
- criminal and civil justice
- welfare
- housing
- employment
- education
- child support
- healthcare

Work with victims to navigate *single* system:
- criminal justice system

Work with victims of *all* crimes, not just domestic violence and sexual assault
CB Advocate

- Responsibility for system and case problem-solving/advocacy
- System accountability
- Media/cultural work
- Community organizing/CCR
- Community education

VW Advocate

- Time limited
- Community education
- Victims in criminal cases
- Uphold constitutional responsibility to protect the defendant’s civil rights, not the victim’s rights
CB Advocate  VW Advocate

- Cooperate with the criminal/civil justice systems, but not always
- Work to meet the multiple needs of victims
- Help victims identify their options
- Don’t tell victims what to do – let them make their own choices

- Encourage victims to participate in the criminal justice system
- Help develop a more “user friendly” system
- Help victims recover in the aftermath of crime
- Facilitate the process of prosecuting cases, getting POs or serving as a liaison with law enforcement
CB Advocates Believe

- Responsible to the *individual* victim of domestic violence
- Victim/perpetrator relationship does not determine if act is criminal
- Battered women face many risks besides continued violence
- Victims can best assess their risks and devise a personal safety plan
- The criminal justice system should neither re-victimize victims, nor collude with the offender
CB Advocates Believe

- The criminal justice system may be helpful to victims if the resources and processes are:
  - Accessible
  - Timely
  - Responsible
  - Effective
  - Culturally sensitive
VW Advocates Believe

- Crimes are violations of society’s laws, i.e., they are against the state
- Victims/witnesses are critical to the enforcement and prosecution of crimes
- They are responsible to the system and the victim
VW Advocates Believe

- To gain victim cooperation, the system should:
  - Act to provide safety during the victim’s involvement in the criminal justice system
  - Assist the victim to fulfill the role of witness
  - Seek support and restitution for the victim
  - Listen to the victim at sentencing on the impact of the crime
Community Cooperation, Coordination, Collaboration
Cooperation

- Relationships usually formed around one area of information exchange.
- Resources and organizations kept separate.
- May be short-term or project-oriented.
- There will be little planning or evaluation, but will be some problem-solving.
Coordination

- Relationships may be broader in scope and more in-depth communications occur.
- Resources are specifically allocated by the partnering organizations and individuals will be designated as responsible for the effort.
- Usually longer-term, more of a program rather than a project and involve some planning and evaluation.
Collaboration

- Relationships are very intertwined with open communications designed to problem-solve and create new approaches.
- Resources are avidly shared and may be sought jointly.
- Responsibilities and roles in the effort are clear, with leadership coming from both/several organizations.
- The venture has an articulated vision and is planned, with evaluation and redesign based on performance.
When to collaborate?
The general rule is that law enforcement agencies or personnel should engage in collaboration with other organizations or individuals when stakeholders have a common, long-term goal; are committed to working together as a team; and cannot achieve the goal more efficiently as independent entities. Not all law enforcement relationships must be collaborative, nor should they strive to be. Under some circumstances, it may be appropriate for law enforcement personnel just to establish a good communication plan. Under other circumstances, cooperation between two individuals may be sufficient. Perhaps coordination between two agencies to avoid duplication of effort is all that is required. Collaboration is, however, critical for many community policing endeavors.
COMMUNITY ACCOUNTABILITY WHEEL

This wheel begins to demonstrate the ideal community response to the issue of domestic violence. Community opinion, which strongly states that battering is unacceptable, leads all of our social institutions to expect full accountability from the batterer by applying appropriate consequences. This wheel was developed by Mike Jackson and David Garvin of the Domestic Violence Institute of Michigan (P.O. Box 130107, Ann Arbor, MI 48113, tel: 313-769-6334).

COMMUNITY OPINION


CLERGY WILL: Conduct outreach within the congregation regarding domestic violence and provide a safe environment for women to discuss their experiences. Develop internal policies for responding to domestic violence. Speak out against domestic violence from the pulpit. Organize multi-faith coalitions to educate the religious community. Interact with the existing domestic violence intervention community.

EDUCATIONAL SYSTEM WILL: Dialogue with students about violence in their homes, the dynamics of domestic violence, and how it’s founded on the oppression of women and the worship of men. Provide a leadership role in research and theoretical development that prioritizes gender justice, equal opportunity, and peace. Intervene in harassment, abuse, violence, and intimidation of girls and women in the educational system.

JUSTICE SYSTEM WILL: Adopt mandatory arrest policy for men who batter. Refer batterers exclusively to intervention programs that meet state and federal standards. Never offer delayed or deferred sentence options to batterers. Provide easily accessible protection orders and back them up. Incarcerate batterers for noncompliance with any aspect of their adjudication.

BATTERERS

MEDIA WILL: Educate the community about the epidemic of violence against women. Promote safety, equal opportunity, and justice for women and children over profit, popularity, and advantage. Expose and condemn patriarchal privilege, abuse, secrecy, and chauvinism. Cease the glorification of violence against women and children.

SOCIAL SERVICE PROVIDERS WILL: Become social change advocates for battered women. Refer batterers to accountable intervention programs. Stop blaming battered women’s behavior on myths such as drugs and alcohol, family history, anger, provocation, “loss of control,” etc. Design and deliver services that are sensitive to women and children’s safety needs. Minimize how batterers use them to control battering their families.

GOVERNMENT WILL: Pass laws that define battering by men as criminal behavior without exception. Vigorously and proactively sanction men’s battering behavior. Create standards for accountable batterer intervention programs, and require coordinated systems of intervention in domestic violence. Provide ample funding to accomplish the goal of eradicating domestic violence.

EMPLOYERS WILL: Condition battering continuing employment on remaining non-violent. Actively intervene against men’s stalling in the workplace. Support, financially and otherwise, advocacy and services for battered women and children. Continually educate and dialogue about domestic violence issues through personnel services.

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**EQUALITY WHEEL**

**NONVIOLENCE**

**NEGOTIATION AND FAIRNESS:** Seeking mutually satisfying resolutions to conflict. Accepting changes. Being willing to compromise.

**NON-ThREATENING BEHAVIOR:** Talking and acting so that she feels safe and comfortable expressing herself and doing things.

**ECONOMIC PARTNERSHIP:** Making money decisions together. Making sure both partners benefit from financial arrangements.

**RESPECT:** Listening to her non-judgmentally. Being emotionally affirming and understanding. Valuing her opinions.

**SHARED RESPONSIBILITY:** Mutually agreeing on a fair distribution of work. Making family decisions together.

**TRUST AND SUPPORT:** Supporting her goals in life. Respecting her right to her own feelings, friends, activities, and opinions.

**RESPONSIBLE PARENTING:** Sharing parental responsibilities. Being a positive, nonviolent role model for the children.

**HONESTY AND ACCOUNTABILITY:** Accepting responsibility for self. Acknowledging past use of violence. Admitting being wrong. Communicating openly and truthfully.

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[Contact Information]
We Are Here for You
We Are Here for You

- We are here to listen...  
  Not to work miracles.

- We are here to help a woman discover what she is feeling...  
  Not to make her feelings go away.

- We are here to help a woman identify her options...  
  Not to decide for her what she should do.
We Are Here for You

- We are here to discuss with a woman...  
  Not to take steps for her.

- We are here to help a woman discover her own strength...  
  Not to rescue her and leave her still vulnerable.

- We are here to help a woman discover she can help herself...  
  Not to take responsibility for her.
We Are Here for You

- **We are here** to help a woman learn to choose...
  
  Not to keep her from making difficult choices.

- **We are here** to provide support for change.

– Anonymous
We are here to listen…not work miracles.

We are here to help a woman discover what she is feeling…not to make the feelings go away.

We are here to help a woman identify her options…not to decide for her what she should do.

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We are here to help a woman learn to choose…not to keep her from making difficult choices.

We are here to provide support for change.

Anonymous

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Questions?

Note: reference slides follow

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Advocating for Laws and Policies
Advocating for Laws and Policies

- Local
  - Zoning

- Federal
  - Violence Against Women Act
  - Interstate stalking
  - Firearms
  - Immigration
  - Full Faith and Credit
State Domestic Violence 
Laws and Policies

- Mandatory arrest and warrantless arrest
- No-drop policies
- Orders of protection, full faith and credit enforcement of protection orders
- Assaulting an intimate partner
- Marital rape
- Stalking
- Divorce and mediation
- Custody and visitation in battering relationships
State Domestic Violence Laws and Policies

- Prohibiting insurance discrimination
- Funding for domestic violence and sexual assault programs
- Identification of predominate aggressor
- Requiring medical professionals to report and/or document suspected abuse
- Training requirements for law enforcement officers and judges
- Requirements to notify victims of their rights and available services
Unauthorized Practice of Law
The next five slides are excerpted from *Court Advocates and the Unauthorized Practice of Law – Instructions to Court Advocates*, Alabama Coalition Against Domestic Violence, November 1, 2002.
Unauthorized Practice of Law

- State definitions of UPL differ greatly.
- UPL laws are open to interpretation by the courts and each jurisdiction differs in its activities and interpretations.
- UPL interpreted to occur when a non-lawyer engages in any activities which affect and impact upon the legal rights and obligations of clients.
- Various methods such as injunctions and criminal prosecutions have been used to enforce UPL regulations.
Unauthorized Practice of Law

Courts have identified general parameters to determine whether there has been UPL:

1. whether the service is commonly understood to involve the practice of law;
2. whether the service requires legal skills and knowledge beyond that of the average lay person; and, in some cases,
3. whether there has been harm to the consumer of those services.
All states have general statutes limiting the practice of law to licensed attorneys. Generally, the practice of law includes:

1. accepting cases from a client;
2. setting fees;
3. giving legal advice, thereby rendering independent legal judgment on behalf of a client;
4. preparing or signing legal documents; and
5. appearing in a representative capacity before a court or other adjudicatory body.
Tips for Advocates to Avoid UPL

- Make certain that those with whom you communicate realize that you are a non-lawyer court advocate, and that court advocates are not attorneys and cannot give legal advice.

- When conveying information which may be construed as legal advice, you should clearly identify the source of the advice as the attorney, e.g., "I questioned Attorney Smith on the point that you raised, and the attorney's opinion is that..."
Tips for Advocates to Avoid UPL

- Make certain that all legal documents and correspondence which may include information that could be construed as a legal opinion are reviewed, approved and signed by an attorney, if possible.

- Make certain that you communicate effectively with the attorney and keep him/her advised of your work and activities. Ensure that all your work is reviewed and approved by the attorney.