



## Summer 2021 EJA Fellow:



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### Update 1:

I just started my first week as an intern at Philadelphia Legal Assistance and I am incredibly excited about the work I will be doing this summer. The first week of my internship has consisted of various training sessions ranging on a variety of topics. Some of the trainings have been specific to our unit, the family law unit, and others have been broader such as a review on civil procedure and evidence. One training that I found specifically fascinating was a training on how to respond to clients in crisis. In summary, the presentation explained the process of trauma and how to use a trauma-informed approach with clients in practice. During the presentation, the presenters referenced a model created by Bruce Perry, an American psychiatrist. This model explains the various brain states clients are in when experiencing different levels of trauma. When someone is in a state of terror, they are primarily functioning using their brain stem which is a primitive part of the human brain. Someone in this brain state is primarily acting on reflex. In comparison, someone who is in a calm brain state is primarily functioning out of their prefrontal cortex which is the part of the brain processes abstract and creative thinking. Learning about this model made me acutely aware of the potential physiological limitations of many clients who have experienced trauma. I am hoping this knowledge will serve me well when conducting client intakes this summer.

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### Update 2:

At this point of the summer, my internship is in full swing. I am conducting two intakes a day and have a full case load. It has been eye opening to experience all the various issues that arise in family court, especially in custody cases. Unfortunately, I have a lot of clients who are seeking custody of their children from their past abusers. In PA, past incidents of domestic violence are not considered when granting custody. Currently, when



deciding custody, a judge will look at 16 factors, all which go to the child's best interest. Within these factors, the court only will look at past abuse towards the child, not abuse between the parents. The legal standard is problematic because psychology research clearly shows that children are negatively affected when witnessing DV between their parents. Survivors of DV can be awarded custody when they file for a protection from abuse, but many judges view this as a tactic to gain custody of the children. My hope is with more awareness about the psychological effects of DV on children, the law will change.

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### **Update 3:**

This week, I was able to observe family court for the first time. The cases on the docket were primarily Protection From Abuse orders. Hearing the stories of the various plaintiff's was definitely a tough experience. A large amount of claims were not fully adjudicated but were dismissed either for failure to prosecute or were continued due to lack of service. For PFA claims in PA, plaintiff's must personally serve defendants. This means that they either have to serve the defendant with the PFA petition themselves, recruit a third party over the age of 18 and is not a family member, or ask the police department to serve on their behalf. As you can imagine, this very difficult to achieve.

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### **Update 4:**

I am sad to say this is my last week of internship. Reflecting back on my summer, I have learned so much about family law and conducting intakes with clients. I had the opportunity to represent a client at a custody hearing officer's hearing, draft custody and protection from abuses petitions for clients, research relocation law, observe custody hearings at Philadelphia family court, and conduct intakes with clients. Philadelphia Legal Assistance does so much important legal work for low-income Philadelphians, many who would not have access to legal help otherwise. It has been an honor to be a part of their organization this past summer.