

Working Remotely with NIJC Pro Bono Clients

The COVID-19 pandemic is pushing NIJC and NIJC pro bono attorneys to conduct more pro bono interactions remotely. Preparing a case via remote communication is not ideal, but when necessary and when conducted with trauma-informed and client-centered practices, it can be accomplished successfully. Below are general practice tips for working with NIJC pro bono clients via remote communication.

Communication Logistics

When considering the ways to communicate with clients remotely, using a method with which the client is comfortable can go a long ways towards facilitating effective communication.

- **Whatsapp and Facebook Messenger:** Because Whatsapp and Facebook Messenger are regularly utilized by people around the world, including many of NIJC's clients, these platforms will be very comfortable and easy for many of NIJC's clients to use.
 - Both Whatsapp and Facebook Messenger have a video option and clients can easily send photos of documents
 - Both Whatsapp and Facebook Messenger allow clients to communicate via a Wi-Fi signal, which can be important if clients do not have money on their phone to speak telephonically.
- **Googlevoice:** Googlevoice is a free telephonic and text service that connects to a regular phone number, which allows attorneys to communicate with clients while protecting their personal number.
- **Conference calls:** Conference calls with dial-in numbers can be challenging for many clients to navigate and may feel intimidating for that reason. If a conference call is necessary, attorneys should be sure to explain the dial-in system to clients and ensure they are comfortable using it.

Initiating Remote Meetings

- Before utilizing a new communication platform, attorneys should contact their clients via the prior method used to communicate (e.g., phone or text) to prepare them for the platform. If contacting a client for the first time, attorneys should reach out via phone or text message before using a video option.

Establishing a Communication Plan

During the case referral from NIJC to pro bono counsel, NIJC provided contact information for the client. While NIJC always recommends regularly verifying a client's contact information, it may become more critical to do so at this time. Attorneys should:

- Confirm phone numbers, mailing addresses, email addresses, and alternative contact information that can be used during this time. Ask whether there are any good days/times to call and any days/times that should be avoided.
- Establish how frequently they will contact the client and how the client should contact the attorney if questions arise. Make sure to address language needs if the attorney does not speak the client's language.
- Let the client know that before initiating a conversation, the attorney will confirm whether the client has a safe and confidential space to talk. Emphasize that this is very important to the attorney and the client should let the attorney know immediately if the client can no longer talk. If children are home, ask what the client is and is not comfortable discussing while the children are there.
- Be sensitive to changes in the client's tone or responses, which may indicate that the client is no longer in a position to continue discussing a particular topic. Check-in throughout the discussion to confirm whether the conversation can continue.
*** Attorneys representing clients in VAWA or U Visa cases in which the client still lives with the abuser should connect with their NIJC point-of-contact to discuss logistics before attempting remote case preparation.*

Building Trust and Rapport and Conducting Affidavit Preparation

In any meeting with an NIJC pro bono client, attorneys should always explain the purpose of the conversation and how long it is expected to last. Offer the client choices for the focus of the conversation if possible. In particular, attorneys conducting client meetings remotely, especially in affidavit preparation for asylum clients, should:

- Conduct the meetings by video whenever possible.
- Use verbal cues to indicate that they are actively listening, engaged, and empathetic. Discussing past trauma over the phone without regular feedback may be particularly difficult and uncomfortable for the client.
- If using an interpreter, NIJC recommends that the attorney speak with the interpreter first, separate from the client conversation, to ensure the interpreter understands their role. When the phone or video call is initiated with client, re-explain the interpreter's role to both the

client and interpreter. For more practice tips and information on working with an interpreter, please see NIJC's short [webinar here](#).

Preparing and Reviewing Filings

In addition, attorneys should:

- Build in extra time during case preparation to allow for the mailing of documents back and forth with the client.
- Be sure to verify whether the client has the ability to mail documents, go to the post office or FedEx, and obtain passport-style photographs.
- Consider texting or emailing the client a photo or scan of the document that the attorney will review with the client over phone or video so that the client has a visual reference, even if the client does not read English. If doing so, the attorney should let the client know the attorney will read and review the document with the client; the client is not expected to read the document on their own.

Many NJIC clients already cope with significant stress and anxiety related to prior trauma; their uncertain immigration status; unstable financial, food, and housing situations; and concerns for family members in dangerous situations. As clients face layoffs at work; children home from school; and limited health care, it is likely these stresses will increase.

By maintaining good communication, attorneys and clients can work together to balance the needs of the client's immigration case with the client's more immediate and basic needs.