

Trauma-Informed Deposition Preparation Guide

Supporting Client-Centered, Trauma-Informed Legal
Advocacy During Depositions

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1. Introduction

The Trauma-Informed Deposition Guide integrates social work values into legal practices in an attempt to reduce negative impacts on youth clients during deposition. **The intention of this guide is to help approach the deposition with awareness, intention and practical skills that help attorneys recognize how trauma may show up in depositions and respond in ways that mitigate re-traumatization.** In addition, it aims to involve and empower clients during their deposition preparation process.

This guide is a tool, not a training. It is not meant to be a solution or intervention to a client's trauma, but **allows attorneys to find opportunities to embed trauma-informed principles that can make a meaningful difference to clients and make advocacy more effective.**

This guide can be used at any time before, during, or after a deposition that involves a youth client. It can also be used by legal staff/advocates as a source for grounding techniques when experiencing vicarious/secondary trauma.

Legal staff and advocates are encouraged to use this when preparing clients for depositions because:

1. **It helps attorneys meet ethical duties of competence, communication, diligence and client-centered representation.**
2. **Clients may feel more engaged and empowered during the deposition process with proper preparation.**
3. **Depositions require memory recall, storytelling, and emotional regulation. All of these can be impacted by trauma.**
4. **The nature of legal procedures are traumatizing.**

Trauma-informed practice does not require or expect one to become a mental health professional, diagnosing trauma, or providing therapy. **Anyone can be trauma-informed with the right tools and practice.**

2. What is Trauma and How Does it Impact Our Clients?

a. Trauma is the result of an event, series of events, or set of circumstances that cause intense physical and/or psychological stress reactions in an individual.

Trauma can have lasting impacts on a person's sense of safety, relationships, memory, emotional regulation, and ability to cope with stressful situations. Trauma may also affect how individuals process information, communicate, and respond under pressure.

Children and adolescents may experience and express trauma differently than adults. Some youth may struggle to identify or verbalize emotions, while others may minimize, avoid, or disconnect from difficult experiences.

b. How Trauma May Show Up During Deposition Preparation

Trauma responses may affect how clients engage during deposition preparation and testimony. These responses are often adaptive survival strategies rather than signs that a client is being difficult, uncooperative, dishonest, or unwilling to participate. Being trauma-informed means resisting assumptions or judgment about a client's behavior and instead remaining curious about whether what you are observing may be connected to stress, trauma, fear, power dynamics, or past experiences. Understanding these responses can help advocates approach deposition preparation with greater patience, flexibility, awareness, and sensitivity while still preparing clients effectively for the legal process.

These responses may appear in practical and interpersonal ways throughout the deposition process, including:

- Difficulty remembering details or recalling events in chronological order
- Becoming emotionally overwhelmed or shutting down during difficult topics
- Appearing anxious, distracted, numb, irritable, or hyper-alert
- Difficulty building trust and rapport
- Avoiding communication or appearing disengaged
- Missing meetings, arriving late, or difficulty following up with communication
- Difficulty organizing thoughts or completing tasks
- Appearing guarded, defensive, or emotionally flat
- Youth clients deferring to adults or authority figures due to fear, power dynamics, or fear of getting in trouble

Psychological impacts of trauma:

- Depression
- Anxiety
- Substance use
- Suicidality
- Self-blame
- Irritability or anger
- Shame and embarrassment
- Emotional overwhelm
- Isolation or withdrawal
- Anger
- Lack of concentration
- Developmental delays (*youth-specific*)

c. What Can Happen to Clients During a Re-traumatizing Deposition?

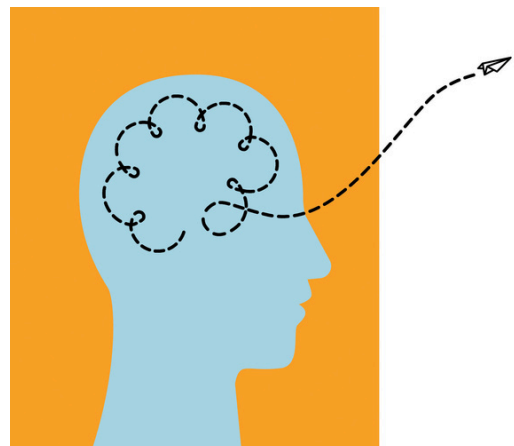
Participating in legal proceedings can be strenuous for clients who have experienced trauma because the client can experience traumatic reminders, referred to as **triggers**. Triggers can be induced by opposing counsel during depositions when asked to remember traumatic events, questions that reflect biased assumptions, or if the questioner seems harsh or judgmental. **Here are some examples of triggers that a client can present:**

Flashbacks: When triggered, a client may suddenly remember the trauma vividly and uncontrollably and experience the same accompanying emotional distress that occurred during the initial traumatic incident. Along with the psychological response, the trigger may induce flashback physiological responses like an increased heart rate, shortness of breath, trembling, or sweating. Flashbacks will feel real to a client—they can evoke sensations such as visuals, temperatures, tastes, smells, textures, and feelings.

Flooding: Traumatic memories are neurologically linked. Recalling one traumatic event in a deposition may bring up others, leading a client to jump back and forth between multiple traumatic experiences they have faced in their lifetime. Flooding in a client can look like incoherent or incongruent “rambling.”

Minimization: Some clients may disconnect their emotional response to the trauma that happened to them. This may lead to them diminishing or denying the intensity of traumatic events or circumstances. This is a coping mechanism that allows the client to retain a sense of control. However, minimization is often connected to self-blame and shame as the result of gas lighting.

Dissociation: Some clients will completely disconnect or “space out” from the present moment in order to diminish their pain. This is also an adaptive coping mechanism that prevents the client from having to think about or feel negative emotions. A client will not be able to access traumatic events if they are dissociating. Ensuring a safe space where youth clients feel comfortable will be critical in working with dissociated clients.



3. Using the Trauma-Informed Principles in Practice

The Substance Abuse and Mental Health Services Administration (SAMHSA), in collaboration with the Centers for Disease Control and Prevention (CDC), developed six guiding principles for a trauma-informed approach to help professionals recognize and respond to the impact of trauma. These principles emphasize safety, trust, collaboration, empowerment, and cultural responsiveness, and can help guide advocates in creating more supportive and effective interactions with clients.

a. Six Trauma-Informed Principles

1. **Safety** – Help create an environment where clients feel physically and emotionally supported throughout the deposition process.
2. **Trustworthiness & Transparency** – Clearly explain the deposition process, your role, and what clients can expect before, during, and after the deposition.
3. **Peer Support** – Encourage connection to supportive individuals or programs that help clients feel grounded and less isolated.
4. **Collaboration & Mutuality** – Approach deposition preparation as a collaborative process that values the client's input, experiences, and strengths.
5. **Empowerment, Voice & Choice** – Support clients in understanding the deposition process, asking questions, and participating actively in the preparation process.
6. **Cultural, Historical & Gender Responsiveness** – Recognize and respect the ways culture, identity, lived experiences, and systemic inequities may shape a client's experience of the legal process.

b. Trauma-Informed Lawyering for Depositions

A witness is expected to present a credible and truthful testimony that cannot be easily impeached, distorted, or misunderstood. The two main goals in preparing a client who has experienced trauma to be deposed include **reducing nervousness** and **increasing confidence**. Trauma-informed principles can help attorneys build rapport with clients and further engage them in the deposition process. Building a sense of safety and trust for your client while preparing them for deposition may increase their confidence and memory recall. Furthermore, collaborating with your client through preparation can provide them a sense of their own power, especially if they are system-impacted.

For all clients, it will be important to **model boundaries** and **act with sensitivity**. It is important to value the diverse experiences your client may have and create space for them to recognize their strengths that can support the deposition process.

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c. Applying Trauma-Informed Practices in Deposition Preparation

Quick Prep Tips:

Explain that a deposition is a witness's sworn out-of-court testimony. It is used to gather information as part of the discovery process and, in limited circumstances, may be used at trial.

Consider scheduling the deposition on a day where everyone will be able to rest and recuperate the day after.

Explain your role to the client—what you can object to and what you cannot.
Explain that your silence to a question does not suggest agreement with the framing of the question.

Explain the introductory admonitions with your client so that they know how the deposition will start and what the ground rules are going to be in the deposition.

Clarify the opposing counsel's role. Inform clients they don't need to volunteer any information about themselves before, during, or after the deposition.

You can also provide them with examples of **grounding techniques**.** Some clients may also like something to hold during depositions (fidgets, grounding stones, stress balls, etc.).

“Give the witness a positive mental picture. If a witness is told to think of themselves as an adult who is being asked hurtful questions by an unruly child (opposing counsel), this positive mindset will dramatically change the witness's tone of voice, mannerisms, and outward demeanor. The witness will take on the tone of a respected elder dealing with a non-threatening child.”
– National Institute for Trail Advocacy (NITA)'s *Witness Preparation 101 Guide*.

**Go to pgs. 13-14 to learn about different examples of grounding techniques.

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Planning the Deposition

Preview what the deposition process will look like.

- Assure them that, during the deposition, they are only responsible for **actively listening, answering questions honestly**, and to the **best of their ability**.
- Things to help reassure clients about the deposition process:
 - They can ask opposing counsel to clarify or repeat questions
 - They can take a minute to think before they respond to a question
 - If they don't remember, they can say that
 - Inform them when they can take breaks

Prepare clients by discussing with them what topics are likely to come up in the deposition.

- Repeatedly talking about difficult topics may not be helpful, though previewing expected topics is important. You may want to give clients a sense of what questions may be asked of them.
- You may want to build confidence by practicing with less sensitive topics to build skills around listening to questions and responding.
- It is important to preview that there may be unexpected questions and they do not need to try to guess why they are being asked those questions.

Explain to your client that questions about sensitive information may be asked in a deposition. In addition, it is important to preview that there will be questions that may be difficult to answer.

- You can ask the client what it is like for them when they must talk about their experience, and you can ask them what they do to help themselves stay centered when they are under pressure.
- Talking with you about strategies that they know work for them may help them remember these strategies during the deposition.

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Ask the client what would be most helpful to them during breaks.

- Let them know that it is okay to ask for space to themselves during breaks.
- If they prefer to chat during breaks, you can ask them about areas of interest ahead of time so that you can initiate positive conversations that will be interesting to them.

Set the expectation for opposing counsel to select the topics, frame the questions, and seek to elicit testimony to defeat claims and support defenses.

- Prepare your client to understand that opposing counsel might ask questions to find opportunities to focus on wrongdoing. **Advise them that this is by design.**
- Role-play the deposition. Affirm that it may be frustrating, and remind your client that the deposition is only one part of the case.
- If your client is to be presented with documents, explain how they will be presented and that your client will have time to review the document before answering any questions about it.

The deposition preparation may be stressful.

- Allocate enough time for your client to ask you questions about the process.
- If time allows, consider going with the client to see where the deposition will occur.
- Encourage them to decompress after the meeting. It might not be best for them to go to school or work directly after the meeting.

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i. Applying Trauma-Informed Practices on Deposition Day

Consider traveling with your client to the deposition to reduce the stress of timing and navigation.

Take time to check in with your client before starting the deposition. Gauge how they are feeling that day and assess if anything major has occurred or changed since you last talked, especially if it is likely to come up in questioning. Review the coping mechanisms they identified as helpful and remind them when it is appropriate to use them.

If the client wants to bring a support person (a friend, family member, social worker, etc.), try to accommodate that person. They will need a place to spend time during the deposition. Be conscious that you should not discuss the deposition with your client while this support person is present. Let your client know not to discuss the deposition with this person on breaks. You should be present with your client when they interact with the support person during breaks.

ii. Applying Trauma-Informed Principles While Supporting Your Client During the Deposition

Always express gratitude for your client's participation. Pay attention to how your client is doing during the deposition and encourage your client to ask for breaks when they are needed (remind them that breaks are not always granted). It would be helpful to **model healthy boundaries by taking breaks for yourself**.

If you notice your client experiencing a trauma response, you may ask the opposing counsel for a break, keeping in mind generally, that opposing counsel is allowed to finish a line of questions before taking a break. If the client has been testifying for a long period, state how long the client has been testifying on the record when you request a break.

Affirm your client by objecting to harassing questions during the deposition and providing positive feedback during breaks. As appropriate, if the opposing counsel was being disrespectful or lingering on a difficult topic, acknowledge it, and remind the client you know that opposing counsel's questions do not reflect your client's character. If your client indicated that there are practices that help them, gently remind them of those practices, if that seems appropriate.

iii. Applying Trauma-Informed Principles While Supporting Your Client After the Deposition

After a re-traumatizing deposition, use strength-based language. Phrases like, “It took incredible courage to share your story,” to provide your client positive reinforcement that affirms them after their deposition.

Inform your client that they will likely feel emotionally dysregulated after talking in detail about their trauma. Encourage rest and self-care to your client. Some clients may still be having flashbacks or flooding so it will be beneficial to, if possible, allocate time some **grounding techniques**** in your deposition debrief.

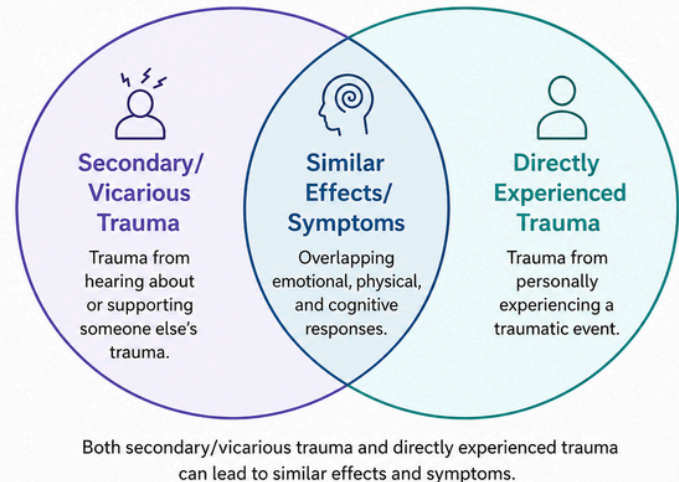
It can also be helpful to encourage clients to identify sources of support that are accessible and meaningful to them following the deposition process. This may include trusted family members, friends, community supports, spiritual practices, grounding activities, or other forms of connection and care. If clients are seeking additional community-based resources or support services, 211 Los Angeles County can be a helpful starting point for identifying available resources.

Finally, clearly communicate the next steps in the case following the deposition, including what the client can expect, whether additional participation may be needed, and your plan for ongoing communication and outreach. Helping clients understand what comes next and when they can expect updates can support transparency, reduce uncertainty, and reinforce trust throughout the legal process. Confirm that the client knows who to contact if questions arise after the deposition and, when possible, ensure they are able to safely get where they need to go following the deposition. When appropriate, consider a brief follow-up call or text to check in, maintain continuity in communication, and reinforce transparency and support throughout the legal process.

***Go to pgs. 13-14 to learn about different examples of grounding techniques.*

4. Secondary/Vicarious Trauma

Vicarious or **secondary trauma** refers to the cumulative physical, emotional, and psychological toll that can occur when we are exposed to the suffering, hardship, crisis, or trauma of others. It is the impact of exposure to traumatic stories or events when working in a helping capacity, combined with the strain and stress of everyday life. There is a toll individually, organizationally, and societally. Someone's history of personal, generational, historical, and cultural trauma can intensify the impact of secondary trauma. The effects of secondary trauma are similar to those experienced by actual victims and survivors themselves (see graphic below).



Secondary or vicarious trauma can affect advocates emotionally, physically, cognitively, and professionally. Because legal advocates are regularly exposed to difficult stories, crisis, and trauma narratives, it is important to recognize signs of overwhelm and stress responses within ourselves and our colleagues.

Personal dynamics play into secondary traumatic stress responses, i.e., if one has an experience similar to the client they are at higher risk of secondary trauma. For personal reflection, ask yourself:

- What is my history with trauma?
- What resources did I have or lack during my experience with trauma?
- What led me to do this work?
- What cases do I feel more impacted by based on my history?

These answers can help reflect your risk of vicarious trauma. They can also reflect which cases will feel relatable, increasing this risk with certain clients.

Recognizing Signs of Trauma Exposure

Secondary trauma responses can show up in different ways and may develop gradually over time. This graphic highlights some common emotional, cognitive, physical, and behavioral signs associated with prolonged exposure to trauma and high-stress advocacy work. Recognizing these signs can help advocates identify when additional support, rest, boundaries, or wellness practices may be needed.

-Laura van Dernoot Lipsky, "Trauma Stewardship"

Warning Signs of Trauma Exposure Response

- | | |
|--|---|
| • Feeling Helpless | • Dissociative moments |
| • A sense that one can never do enough | • Sense of persecution |
| • Hypervigilance | • Guilt/Fear |
| • Diminished creativity | • Anger and Cynicism |
| • Inability to embrace complexity | • Inability to empathize/numbing |
| • Chronic exhaustion/physical ailments | • Addictions |
| • Inability to listen/deliberate avoidance | • Minimizing |
| | • Grandiosity: inflated sense of the importance of one's work |

5. Self-Care for Advocates & Clients

The legal process of preparing for and participating in a deposition can be overwhelming for both clients and advocates, particularly when difficult or traumatic experiences are discussed. Recognizing the emotional impact of this work and taking intentional steps to care for ourselves is not only an important part of the deposition preparation and advocacy process, but also part of our professional responsibility to engage in sustainable, effective, and trauma-informed representation. Self-care is not separate from the work—it helps sustain our ability to show up with presence, compassion, and care for our clients and ourselves.

This section is dedicated to self-care in hopes of preserving your professional and personal self. The graphic to the right provides examples of brief and accessible self-care practices that advocates can incorporate throughout the workday to help reduce stress, support regulation, and prevent overwhelm. These practices do not need to be time intensive to be meaningful and may help advocates maintain their well-being while engaging in difficult advocacy work.

Peer support can be a helpful tool in reducing burnout and overwhelm in the workplace. Consider taking breaks or debriefing with a trusted colleague after emotionally intensive conversations or depositions. When possible, allow yourself time to pause and regulate before transitioning into the next task or meeting. Building in opportunities for rest, reflection, and connection can support sustainability and well-being in trauma-informed advocacy work.

Compassion Fatigue & Self-Care

Quick Tips for Everyone



Living through stressful and traumatic experiences and providing support to others can cause individuals to become stressed and overwhelmed, which in turn reduces the ability to demonstrate care and empathy. This experience, called compassion fatigue, can lead to stress and trauma, especially for anyone trying to help others during difficult times.

Below are self-care strategies that can help reduce feelings of compassion fatigue and support individuals during times of stress.

If you have 2 minutes...



- Breathe
- Stretch
- Drink Water
- Take a break
- Grab a snack
- Look out the window
- Listen to your favorite song

If you have 5 minutes...



- Answer that email sitting in your inbox
- Make yourself a cup of coffee or tea
- Have a dance party
- Write a thank you note
- Watch a fun video online
- Step outside for fresh air

If you have 10 minutes...



- Sit outside
- Declutter your workspace
- Plan a virtual get together
- Read a book
- Listen to a podcast
- Take a coloring break
- Play with your kids or pets
- Write down 3 things you are thankful for

If you have 30 minutes...



- Take a walk
- Do a workout
- Hop in the shower
- Take a nap
- Call a friend or family member to check in
- Write a "to do" list or calendar your week
- Step away from your computer to eat lunch



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a. Grounding Techniques

Grounding techniques are simple exercises that help bring your attention back to the present moment during times of stress, anxiety, or overwhelm. They can be especially helpful during deposition preparation, while participating in a deposition, or during post-deposition debriefing. These tools are accessible, easy to use in the moment, and can support both advocates and clients in regulating emotions and reconnecting with their surroundings when difficult feelings arise. Below is an example of a grounding technique that can be used personally or offered to clients when signs of overwhelm arise.

The 5-4-3-2-1 Grounding Technique



b. Box Breathing

Box breathing is a grounding exercise that uses controlled breathing patterns to help regulate the nervous system and reduce feelings of stress or overwhelm. It can be used before, during, or after a deposition to support focus, emotional regulation, and a greater sense of calm for both advocates and clients. Below is an example of the 4-4-4-4 box breathing method.

BOX BREATHING

4-4-4-4 METHOD

Equal breaths,
equal holds
Calm your body,
clear your mind.

INHALE FOR 4

HOLD FOR 4

EXHALE FOR 4

HOLD FOR 4

Step-by-Step:

1. Inhale through your nose for 4 seconds.
2. Hold for 4 seconds.
3. Exhale slowly for 4 seconds.
4. Hold for 4 seconds.

Repeat 3-5 cycles.

Reduces stress

Improves focus

Supports relaxation

boxbreathingexercise.com

6. Resources and Acknowledgements

This guide was informed by trauma-informed legal advocacy frameworks, interdisciplinary social work practice, public health guidance, and wellness resources developed by organizations and practitioners working at the intersection of trauma, advocacy, and healing-centered practice.

Trauma-Informed Practice & Legal Advocacy

- Substance Abuse and Mental Health Services Administration (SAMHSA). *SAMHSA's Concept of Trauma and Guidance for a Trauma-Informed Approach*.
- National Center on Domestic Violence, Trauma & Mental Health. *Trauma-Informed Legal Advocacy (TILA) Project*.
- Centers for Disease Control and Prevention (CDC), Office of Public Health Preparedness and Response. *Guiding Principles to a Trauma-Informed Approach*.
- National Institute for Trial Advocacy (NITA). *Witness Preparation 101 Guide*.

Secondary Trauma

- Lipsky, L. van Dernoot, & Burk, C. *Trauma Stewardship: An Everyday Guide to Caring for Self While Caring for Others*.

Graphics & Educational Tools

- “Compassion Fatigue & Self-Care” concepts informed by materials developed by the UCLA Prevention Center of Excellence and Public Partnership for Wellbeing.
- 5-4-3-2-1 Grounding Technique visual adapted from educational materials developed by the Los Angeles County Department of Public Health.
- Box breathing exercise adapted from [BoxBreathingExercise.com](https://www.BoxBreathingExercise.com).

Acknowledgement

This guide reflects interdisciplinary collaboration between legal advocates and social workers committed to trauma-informed, client-centered advocacy practices. The guide was developed with contributions from Public Counsel Master of Social Work (MSW) interns, whose work helped support the integration of trauma-informed and wellness-centered approaches into legal advocacy.