



Initial Meeting Checklist

for Minor Survivors/Clients and their Caregivers/Guardians

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Introduction

This checklist helps civil attorneys and non-attorney legal advocates address the needs of minor survivors of dating/domestic violence, sexual assault, and stalking (DVSAS) and their caregivers/guardians. Victim Rights Law Center (VRLC) delivers trauma-informed legal representation to sexual violence survivors.

We use an empowerment model, and incorporate a client's express preferences, including minor clients' preferences, into our legal services.

This checklist should be adapted to an individual minor survivor's needs, abilities, and maturity level. For example, in general, the needs of a sixteen-year-old may be different than a much younger survivor.

Meet a survivor where they are.

This checklist does not cover every possible scenario and every possible client. Rather, it supports initial conversations with a minor DVSAS survivor and their caregivers/guardians.

Practice Tip:

Consult [VRLC's Privacy for Minors FAQs](#) to learn more about the laws in your jurisdiction regarding who is a minor, who is a mandatory reporter, privileged communications with minors, and emancipation.

Initial Meeting Checklist

for Minor Survivors/Clients and their Caregivers/Guardians

First Contact with Caregivers/Guardians

Often, especially with younger children, a minor survivor's caregiver/guardian will try to get help and services for the minor. They may be your first contact on the case. *During this first conversation with the caregiver/guardian, it can be useful to:*

- Establish your role.** At the outset, plainly describe your role to the caregiver/guardian. Inform them who is empowered to make decisions about your services. Be clear with them about who your client will be. Explain how you will prioritize the minor's interests and goals.
- Set expectations.** Clearly inform the caregiver/guardian about the services you do and do not provide. If your office has materials that summarize your services, you might share them during this first conversation.
- Explain privacy laws.** Let the caregiver/guardian know about the privacy laws that affect your professional relationship with them and the minor. If your conversations with each other are protected by privilege and/or confidentiality, let them know that you will not share confidential information about their case with people outside your office. Tell them about any exceptions to these laws that would require you to share confidential information. If your jurisdiction has a parent-child privilege, discuss that and how it impacts any attorney-client and/or victim-advocate privilege you may have with the caregiver/guardian(s). Share with them any materials summarizing the privacy laws regarding your professional relationship.
- Explain any mandatory reporting obligations.** Inform the caregiver/guardian if you are legally required to report abuse or neglect of children, elders, people with disabilities, or others. If you are a mandated reporter, explain your reporting obligations and their impact on your services before they disclose any facts about their situation. Also tell them about any mandatory reporting obligations of any referrals you make to them.

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First Contact with Caregivers/Guardians, cont.

Often, especially with younger children, a minor survivor's caregiver/guardian will try to get help and services for the minor. They may be your first contact on the case. ***During this first conversation with the caregiver/guardian, it can be useful to:***

- Determine the caregiver/guardian's legal rights.** Ask the caregiver/guardian about their legal rights regarding the minor. Who has legal custody of the minor? Who has physical custody of the minor? What are any parenting time arrangements?
- Ask if the minor survivor is aware of this conversation.** Has the caregiver/guardian told the minor survivor that they are seeking your help? If so, does the minor survivor want your help?
- Gather important information. Ask about the tough and triggering facts.** In the initial conversation, gather as much of the necessary intake information as possible without burdening the minor survivor. It is particularly important to ask the caregiver/guardian about the minor survivor's relevant history of dating/domestic violence, sexual assault, and stalking. If the caregiver/guardian can provide this information, you can spare the minor survivor from having to share and relive these traumatic events. However, keep in mind that the caregiver/guardian may not know all the critical details because some minors, especially teens, may not share certain information with adults for fear of judgment or punishment. For example, the minor may not have told their caregiver/guardian that they shared nude or revealing images of themselves, that they were vaping, smoking, drinking, or using drugs while victimized, that they identify as LGBTQIA+, or that they want to obtain reproductive healthcare.

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First Contact with Caregivers/Guardians, cont.

Often, especially with younger children, a minor survivor's caregiver/guardian will try to get help and services for the minor. They may be your first contact on the case. ***During this first conversation with the caregiver/guardian, it can be useful to:***

- Determine the caregiver/guardian's goals versus the minor survivor's goals.** Ask the caregiver/guardian about their goals and the minor survivor's known goals. The caregiver/guardian's goals and the minor survivor's goals may be aligned in some areas, but not in other areas.

Consider sharing the importance of empowering a survivor to make decisions in their lives, as appropriate. And remember to be clear about who your client is.

- Set boundaries!** Establish communication expectations and boundaries with the caregiver/guardian and hold firm to those boundaries. Let them know how and when they can communicate with you. Often caregivers/guardians feel an understandable sense of helplessness after a minor has been victimized, which can cause caregivers/guardians to force their goals on the process or to overcommunicate.

- Arrange to meet with the minor survivor, with minimum disruption to their schedule.** Arrange an initial, in-person meeting with the minor survivor. Do your best to avoid appointments that conflict with their school and extracurricular schedules. Ask if the minor will require any accommodations during your meeting. Ask about the minor's interests, including food preferences and sensitivities, so you can plan to offer preferred activities or snacks during your first meeting.

Initial Meeting Checklist

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First Contact with Minor Client

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. ***During this initial conversation with the minor, it can be useful to:***

- Meet in a kid/teen-friendly environment.** Do not sit behind your desk in your office. Find or create a more kid/teen-friendly environment at your workplace or meet in a private environment outside of your office. Sometimes schools, libraries, or community centers can offer private spaces.
- Offer activities and snacks based on the minor's interests.** If possible, provide preferred activities and snacks. At the very least, provide therapeutic fidgets like Theraputty. The minor may feel more comfortable playing with fidgets and eating snacks if you do it first and encourage them to join. This might ease some of the minor's anxiety and the minor may be more open to talking with you.

Activity and Snack Ideas:

Possible Activities

Theraputty, Kinetic Sand, kid-friendly stress balls, DIY slime making kits, coloring pages with the minor's favorite characters, small Lego sets, personal name beaded keychain, craft kits

Possible Snacks

Annie's Crispy Snack Bars (gluten and gelatin free), Pop-Tarts, Oreos (vegan-friendly), Cheez-Its, Pirate's Booty (gluten free), hot chocolate with marshmallows (gluten free), juice boxes.

Many of these snacks are shelf-stable and can easily be purchased in pre-packaged, single servings. Be mindful of a minor's dietary restrictions. Snacks can be comforting and can help a minor to feel less intimidated.

Initial Meeting Checklist

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First Contact with Minor Client, cont.

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. *During this initial conversation with the minor, it can be useful to:*

Be approachable. If possible, do not wear a suit or other potentially intimidating clothes to your initial in-person meeting. Make eye contact with the minor and introduce yourself directly.

Do not initiate physical contact. Given the minor's history of DVSA, respecting a minor's bodily autonomy is important. If the minor initiates physical contact, follow their lead.

Begin the meeting with both the minor and their caregiver/guardian if the caregiver/guardian is involved with the case. Later, create an opportunity to meet 1:1 with both the minor and their caregiver/guardian. At the beginning, many minors will not be comfortable meeting with you privately. If that's the case, begin your first meeting with both the minor and their caregiver/guardian while you set expectations, build rapport, discuss your role, privacy laws, and more. Tell the minor and caregiver/guardian that, if the minor is comfortable, you would like to give them both the opportunity later in the meeting to meet with you 1:1. When the moment to meet 1:1 arrives, ask the minor if they are comfortable meeting with you privately and comfortable with their caregiver/guardian meeting with you privately.

Follow the minor's lead and do not force the minor to meet with you privately.

If you have questions about how the presence of a caregiver/guardian or other third party impacts privilege, consult [VRLC's Privacy for Minors FAQs](#).

Initial Meeting Checklist

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First Contact with Minor Client, cont.

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. ***During this initial conversation with the minor, it can be useful to:***

- Transition in and out of your meeting.** Begin and end every meeting talking about one of the minor's interests or at the very least, engage in "small talk". Do not begin or end your meetings talking about difficult, triggering topics.
- Include the minor in conversation. Do not talk "about them" while they are in the room.** Talk directly to the minor and include them fully in the conversation.
- Build rapport.** Ask the minor about themselves and things they like to do for fun. Observation often provides clues to a minor's interests. For example, a keychain, t-shirt, phone case, or other details can indicate that they like certain characters, celebrities, or activities. Consider asking about their favorite apps/games, music, influencers, clothes, movies, T.V. shows, sports, etc. Generally, kids and teens don't *like* talking about school, so instead focus on their other interests. Plan in advance some sort of story, silly joke, or activity you can use when you need to lighten the mood while meeting with the minor. A good prompt can be "Tell me something that makes you feel proud". Listen actively when the minor shares any interests or points of pride. You can use this information later when the minor inevitably gets tired, frustrated, or discouraged, to remind them of ways they can seek joy and comfort, or about their traits that you admire.
- Create a safe space.** Some minors, especially teens, value privacy and independence and may fear judgement from adults. It is critical to respond with compassion and to see the minor's perspective rather than respond with judgement or paternalism. Create a safe space so that the minor feels comfortable sharing information with you that they may not share with other adults. For example, you might ask about their preferred name and pronouns and display materials that make it clear you and your organization are LGBTQIA+ affirming.

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First Contact with Minor Client, cont.

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. *During this initial conversation with the minor, it can be useful to:*

Use plain language. Check for understanding. Use plain, developmentally appropriate language when talking with a minor. If they are younger or have a developmental or intellectual disability, simplify your language, and slowly explain concepts. Ask if they understand or have questions. Respectfully ask them to explain what you discussed in their own words.

Ask what the minor already knows. Has the caregiver/guardian told the minor that they were seeking your help? Does the minor know who you are and what you might be able to help with?

Set expectations. Explain what services you do and do not provide. If your office has resources summarizing your services, you might use them as a visual to help guide this discussion.

Explain privacy laws. Let the minor know what privacy laws apply to your professional relationship with them. If your communications with the minor are privileged and/or confidential, let them know that you will not share confidential information about their case with people outside your legal or advocacy services program. Tell them about any exceptions to these laws that would require you to share confidential information. If your office has materials summarizing privacy laws that affect your professional relationship with them, you might use them as a visual guide for this discussion. If appropriate and to the extent the laws in your jurisdiction allow, consider telling the minor that you will not share information with their caregiver/guardian without the minor's permission. This may help the minor feel safe/comfortable sharing details with you that will help them access needed services. Respond to any disclosures made with empathy and support.

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First Contact with Minor Client, cont.

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. *During this initial conversation with the minor, it can be useful to:*

- Explain mandatory reporting obligations.** Tell the minor if you are legally required to report abuse or neglect of children or others. If you are a mandated reporter, explain your reporting obligations and their impact on your services before the minor tells you any of the facts of their case. Also let them know the mandatory reporting requirements of anyone to whom you might refer them.
- Explain attorney-client and/or victim-advocate privilege (if applicable in your jurisdiction).** Tell the minor client that confidential conversations with you are protected by attorney-client privilege or victim-advocate privilege. (Note: Attorney-client privilege exists in every jurisdiction, while victim-advocate privilege does not. It is critical that advocates know the privilege laws in their jurisdiction.) The law wants clients to be able to talk with and trust their attorneys/advocates, knowing that their conversations are protected. If the minor wants to tell you something that they do not want to share with other people, including their caregivers/guardians, then that is their right (with certain exceptions, like mandatory reporting). Ask the minor to clearly identify what information they do not want to share with their caregivers/guardians, so that you can protect it to the extent the law allows. (You should know the extent to which caregiver/guardians can access their minor children's information.) If your jurisdiction has a parent-child privilege, you should also discuss that. If you need more assistance with explaining privilege to a minor, consult [VRLC's Client-Centered Explanations of Privilege and Confidentiality](#).
- Make space for the minor's questions and agenda items.** As much as possible, engage the minor in a back-and-forth conversation. Let them ask questions as they arise. If they do not want to talk about a certain matter, then move on while making sure they understand the consequences, if any, of not providing the information.
- Take breaks and consider shorter meetings.** If the minor's attention wanes, take a quick break. If the minor can't focus after the break, offer to schedule another meeting. Be flexible to the minor's capacity to further engage.

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First Contact with Minor Client, cont.

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. *During this initial conversation with the minor, it can be useful to:*



Empower your minor client to make informed decisions. The minor may have some ideas about legal systems, either from direct experience or media. However, they probably do not fully understand the systems they are likely to encounter as a DVSA survivor. In fact, they may confuse the various remedies available to them. Education can help dispel the minor's fears and better allow them to make informed decisions. If your office has resources that summarize important information, you might use this as a visual guide and talk through it. If not, you might write down important information for the minor to keep and refer to, if needed. If you are talking through new, complex concepts, you shouldn't expect the minor to remember everything later without reference notes.



Avoid inadvertently pressuring the minor towards a decision. Minors are used to deferring to adults. Clients are used to deferring to professionals. This makes minor clients especially susceptible to pressure from adult professionals. When providing information and discussing options, do not inadvertently push your minor client towards one option. A helpful practice is to create a list of options and a pros and cons list for each option. Ask the minor what pros and cons they can identify for each option. Use the information provided to help the minor weigh their options and choose the correct one. Sometimes it is helpful to write out these options on a piece of paper or a whiteboard and have the minor take a picture of the whiteboard or take the paper home so that they can look over the options. Avoid deciding right then and there. Instead, provide space for the minor to process and ask further questions after they've had time to think through the various options and what it will mean for them.



Ask the minor to tell you three wishes about the outcome of their case. To determine your minor client's goals, you might ask them – "If you could wish for three things that would happen because of our case together, what would you wish for?" The answer might be very informative.

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First Contact with Minor Client, cont.

Before representation can proceed, you must meet your client! Meeting with minors in-person is best practice. *During this initial conversation with the minor, it can be useful to:*



Exchange contact information. Ask about the minor's communication preferences. Get ready to text!!

Give the minor a copy of your business card and share your contact information. Ask if they would prefer to talk on the phone, text with you, or meet via video conference. Many minors prefer to text. Ask your minor client how they would like to receive updates about your work together. Do they want you to text them directly? Do they want you to update their caregiver/guardian, who will then pass the information on to them? Some minors like to receive updates directly. Other minors prefer their caregivers/guardians to receive updates, so they can focus on their everyday life. When you do provide updates, be mindful of the minor's school schedule. If possible, do not text them directly with possibly triggering information during their school day. Even after school, consider texting that you have an update rather than providing all the information in the text. This will allow the minor to decide the best time and place to receive the information.



Set boundaries! Survivors of DV/SAS have often had their boundaries disrespected in the past and minor survivors especially benefit from seeing healthy relationships and boundary setting modeled by adult professionals. It is equally important for you to understand and respect the minor's boundaries as it is for you to set your own boundaries. For example, let the minor know that you are working hard for them, but that you are not an emergency service provider and do not text or take phone calls after a certain time. Let them know that if an emergency comes up after hours, then they should call the local 24-hour hotline or 911 and update you the next day. Uphold that boundary!



Plan for next steps! You might write a "to do" list for you and your minor client to keep, clearly setting expectations about next steps.

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Conclusion

While prevalence rates of DVSAAS among minor survivors are high (and even higher for minors with disabilities), the availability of legal assistance for these survivors is extremely limited. Every advocate or attorney who makes the choice to support minor survivors of DVSAAS helps to bridge this gap. Thank you for doing this extremely difficult, but important work!

Legal advocates and attorneys who need 1:1 consultation or support can reach out to VRLC at TA@victimrights.org.

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