Addressing Preventable Public Health Consequences of Re-traumatization in Abuse Cases Using the ADAAA of 2009

Dr. Karin Huffer
Advocates need an expanded role in the litigation process— the ability to speak for the client as an interpreter.

Frontal–subcortical circuitry and corticothalamic integration are the processes necessary to execute personality, prevent apathy, and neuropsychiatric disorders including depression and obsessive-compulsive disorder to name a few.
Is this high conflict or coercive control? Does it matter?
Legal Abuse Syndrome

When Does Litigation Trigger LAS?

When a disability goes unrecognized and un-accommodated and due process is denied, a person is in a position of extreme jeopardy.

Helplessness + Jeopardy = PTSD
<table>
<thead>
<tr>
<th>Psychological Evaluation</th>
<th>Sharing of Results</th>
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<tbody>
<tr>
<td>Types fit disability</td>
<td>ADA Administration</td>
</tr>
<tr>
<td>Information sought</td>
<td>Jury – USUALLY NOT</td>
</tr>
<tr>
<td>Cost</td>
<td>Adversary-NEVER</td>
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<tr>
<td>Evaluator accom.</td>
<td>New Ethics/etiquette</td>
</tr>
<tr>
<td>Contract</td>
<td>Equal Access</td>
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<thead>
<tr>
<th>Who?</th>
<th>As a Strategy</th>
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<tbody>
<tr>
<td>ADA Assessment</td>
<td>Coercive control</td>
</tr>
<tr>
<td>Must I comply</td>
<td>Crazy or crazy making</td>
</tr>
<tr>
<td>Impact on case/self</td>
<td>Guardianship/ Olmstead</td>
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<tr>
<td></td>
<td>Parent/custody/disability</td>
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</table>
With the event comes STRESS, lawyers, and court.

Then, more STRESS, more time, more money, and more delays.

One day it’s STRESS with no money, no lawyer, no resolution, and a new medical condition.

You seek out LVAA for a trained ADAAA advocate.

You gain effective participation in court.

Validate, confirm diagnosis
Plan accommodations
Prepare, file paperwork
Advocate for rights and functionality
File grievances
Act as liaison
Help with writing, speaking, memory, organization, and interpretation
Use Huffer’s 8-Steps to facilitate healing

Coaching and assistance using the rules to enhance safety and ability to present your case and defend yourself.

Preplanning enabling you to go the distance.

Full confidence that exploitation by an adversary with more money, more power and/or corrupt motives will be prevented.

Maintain physical, testimonial, participatory equal access.

Maintain health.

Working knowledge of the rules fairly enforced for both sides.

Improved emotional ability to perform.

Improved cognitive and mental capability with concentration

Improved ability to communicate, read, write, verbalize, and form concepts.

You’re pro se, in over your head, alone, and think you are going crazy!

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How the Advocate Becomes a Legal Game Changer

- Saves $
- Damage Control
- Smooths and expedites
- Protection
- Debriefing

Pre-legal Preparation before lawyer

- Communication Standards
- Liaison
- Ensure Equal voice for the traumatized person

Enforce Standard of Care to avoid LAS

- Ethics element of the rubric
- Client’s Bill of Rights

Supportive Counseling

- Apply elements of the rubric
- Apply Huffer’s 8-Steps

Maintain a conducive level of communication
Rubric for Advocacy under the ADAAA

Ethical compliance under the Americans with Disabilities Act related to invisible disabilities

- Full ability to reference relevant sections of the ADAAA for equal access
- Working familiarity with symptoms & characteristics of LWD’s disability. Design accommodations
- Working familiarity with that portion of the state/local court rules/system relevant to your client
- Supportive counseling--ability to use Huffer’s 8-Step Protocol with symptomatic LWDs
Debriefing Chart

What happened?

Losses

Feelings

Impact on life

Graphs issues to be litigated from personal high conflict emotional issues.

Priceless... for the LWD.
Huffer’s Protocol

Full Knowledge of ADAAA

Recovery

Reframing

Familiarity w/court rules

Huffer’s 8-Steps to the ADA Rubric

Empowerment

Deshaming

Obsessive Compulsive

Blaming & Attribution

Disability & Accommodations

Debriefing

Grieving
Counseling Component of ADA AA Rubric

1. Reframing Revalidates & re-centers
2. Debriefing Organizes data for litigation & counseling
3. Grieving Expands the counseling realm
4. De-shaming Guides in discerning motives of opposition to avoid shame
5. OCH Ids & explains loss of control
6. Blaming Attribution prior to court
7. Empowerment Ideas that protect & energize
8. Recovery Helps you seek justice

Overview of Huffer’s 8-Steps

Helps you seek justice
An ethical standard of care is promoted through the support of a CADAA by the modeling and teaching of learned skills for the benefit of the invisibly disabled facing or participating in the judicial system.

**Standard of Care**

under the ADA

- Vetted
  - Full ability to reference relevant sections of the ADAAA for equal access

- Symptomatic
  - Supportive counseling—ability to use Huffer’s 8-Step Protocol with symptomatic LWD

interacting with the justice system

- W/out full knowledge of ADA accommodations
  - Working familiarity w/ symptoms & characteristics of LWD
  - Design accommodations

- W/out representation
  - Working familiarity w/ that portion of the state/local court rules/system relevant to LWD

Ethical Compliance under the Americans with Disabilities Act related to invisible disabilities

Certified ADA Advocate CADAA
## Social v Medical Model for Accommodations

<table>
<thead>
<tr>
<th>Medical Model</th>
<th>Social Model</th>
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<tr>
<td><strong>Disease or Trauma requires medical intervention.</strong></td>
<td><strong>Focus on whole, functional person</strong></td>
</tr>
<tr>
<td><strong>Diagnosis is no meaningful measure of individual experience or capacity</strong></td>
<td><strong>Intersection of person and environment relevant</strong></td>
</tr>
<tr>
<td><strong>Court not qualified</strong></td>
<td><strong>Disability depends on welcoming environment</strong></td>
</tr>
</tbody>
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UNLOCKING JUSTICE
by Dr. Karin Huffer

Author, founder of LVAA, researcher, certified ADA advocate, PTSD expert witness, teacher, and survivor

equalaccessadvocates.com
Books available at conference
• **Course titles:** Certified ADA Advocate or Forensic Disability Specialist (difference refers to degree currently held by participant)

• **Instructor:** Karin Huffer, legalabuse@gmail.com

• **When:** April 12-May 24, Thursdays, lunch hour from 11:30AM-2PM

• **Text:** *Unlocking Justice* and supplemental packet included in fee

• **Where:** Online/Webinar classes

• **Format:** ppt presentations with live audio lecture, Q&A, email used for communicating expectations, updates, etc.

• **Cost:** $27.50 per CLE/CEU credit or $495.00 for 18 credits; discount of $50 per participant if enrolled by April 5.

Group discounts negotiable--Contact Jason Huffer 561-901-1403