



# Briefcase

October 2021 Vol. 54, No. 10

A Publication of the OKLAHOMA COUNTY BAR ASSOCIATION

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## 2021 LAW DAY EVENTS



Mayor David Holt Speaks at the 2021 Law Day Luncheon. For more photos from the event, see pages 6-7.



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## Recognizing When A Client is a Victim of Domestic Abuse

**By: Sajani “Ann” Zachariah and Mary Rahimi**

As the month of October marks Domestic Violence Awareness Month, it’s important that we advocates are reminded that this issue commonly affects many legal disputes no matter the area of law you are practicing.

Domestic violence is a common element to many legal disputes. Oftentimes, attorneys may not be aware that their client is a victim of domestic violence until facts of the case are revealed. At that point, attor-

neys may be unsure as to how to proceed with litigation while ensuring the safety of their client. Recognizing that your client has been subjected to domestic violence is a vital part of effective representation.<sup>1</sup> Failing to recognize your client may be in danger not only impacts the case, but will impact your clients’ daily lives until they are free from their batterer. It may also impact the attorney’s life, as some batterers will seek to harm the victim’s attorney as retaliation. In order to effectively represent clients, attorneys must properly screen

potential clients to identify when a client may be instigating domestic violence, or is a victim of it.

Domestic abuse may be presented in clients seeking various legal services. It is highly prominent in family law disputes, where a partner may be seeking a divorce or legal separation from their abusive spouse. Domestic abuse may also occur in various immigration proceedings. A client may be seeking legal status through the Violence

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October 2021

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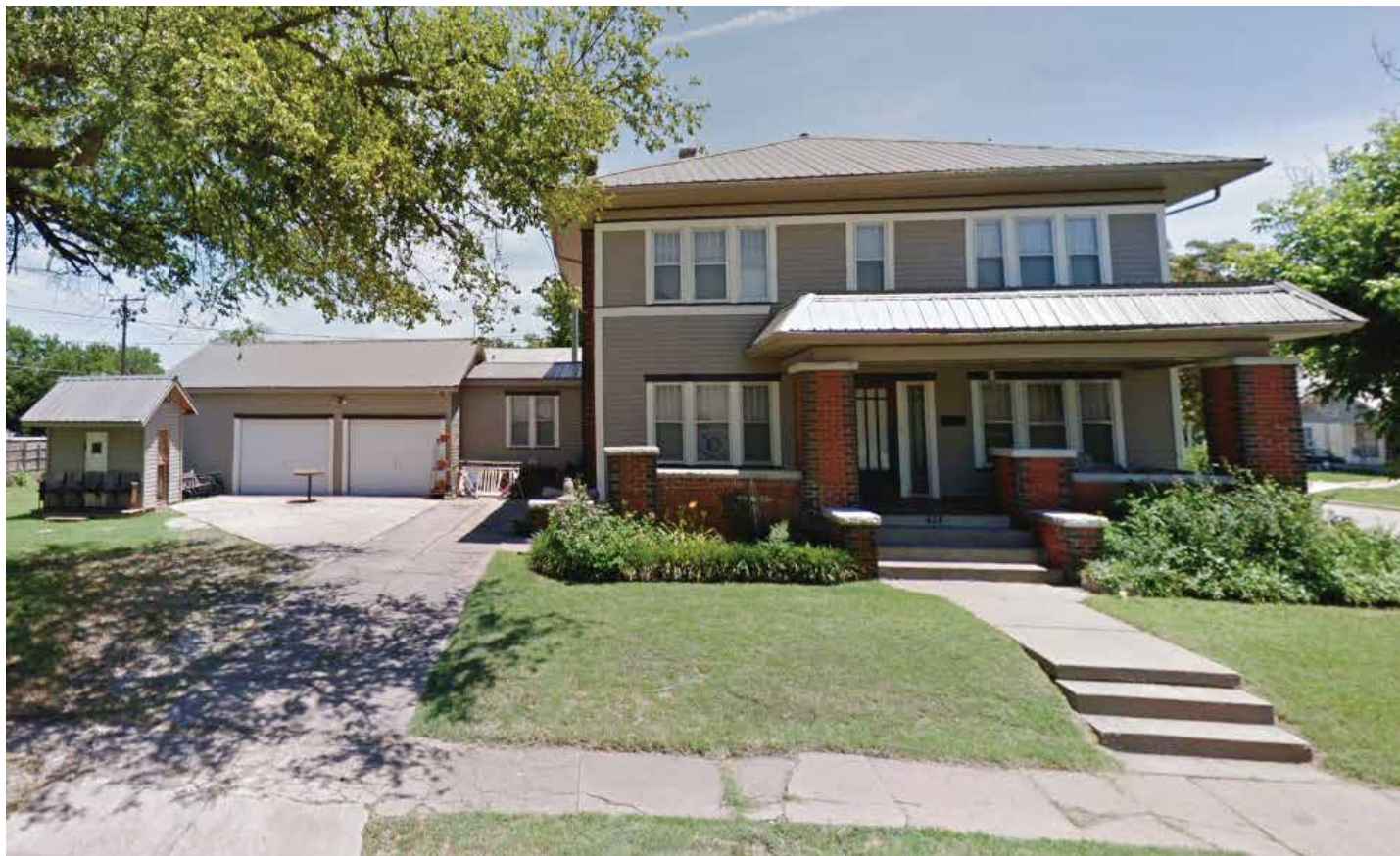
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From the President



Shanda McKenney's childhood home

**THE HOUSE THAT BUILT ME**



**By: Shanda McKenney**  
*President, OCBA*

This is a picture of the house that built me. We moved into this house when I was just ten weeks old and I lived there until I was fifteen years old (when we all moved to a different house about three blocks away). It looks different now than it did when I lived there. I remember it being bigger, for one thing. The yard seemed bigger (and had a wire fence all the way around it), the garage was bigger, the front porch was bigger, and there was a HUGE Arborvitae tree to the left side of the front porch that made for fantastic climbing, much to my mother's chagrin. Not to mention the two cherry trees that used to be in the backyard, which never yielded enough cherries for a pie, after us kids went out to play. The driveway was steep, and would send me sailing straight into the street if I did not stand on my coaster brakes hard enough.

The house was white when I lived there, with a roof of regular shingles, and I distinctly recall when my parents added the section joining the house and garage (as they did most of that work themselves), with a healthy dose of free labor from their three kids. This is the house where I learned to ride my bike in the driveway, and slid down the staircase in nylon sleeping bags. The house where the play room was such a horrid mish mash of 1970s décor that it earned the name "the ugly room," and was officially called that by everyone, even our friends. It was where I played Atari for hours on end and spent many summer afternoons lost in a book while lying on the porch swing, shaded by the trumpet vines that took over the south end of the porch. The house where we eagerly opened Christmas stockings, spent Thanksgiving with family, celebrated birthdays, and made so many trips around the block—via bicycle, wagon, scooter, or walking—we knew every single neighbor by name.

This is the house that had no central air upstairs and instead relied upon box fans propped into open windows for air circulation on hot summer nights. This wasn't all bad, as my bedroom faced south and was only a block away from the County fairgrounds. Every September I would fall asleep to the screams of teenagers riding "The Zipper," the scents of caramel corn and cotton candy,

and the dulcet tones of steel guitar emanating from whatever local Country music group was playing in the bandstand. In the winter, warmth at bedtime was provided by a gas heater that my parents lit with a match and a whoosh every evening. I fell asleep many nights hypnotized by the flickering of the blue flame that caused the ceramic tiles of that heater to glow in various shades of yellow, orange, and red.

This is the house that built me. It's an overview of some of my best memories in that house, anyway. My childhood was basically ripped right out of an Ozzie and Harriet episode, but not everyone I know or work with shared this idyllic experience. Sometimes the house that builds a person isn't even the house they lived in, but maybe that of a relative, neighbor, or friend.

*Understanding the "house that built a person" provides a foundation for understanding the person. What part of the country or world did that person come from? Were they raised in an urban, suburban, or rural setting?*

Understanding the "house that built a person" provides a foundation for understanding the person. What part of the country or world did that person come from? Were they raised in an urban, suburban, or rural setting? Did they have a single family home, or were they raised in an apartment? How big was their class in school? Did they have a lot of family support and guidance, or were they often left to their own devices? Did they grill out every weekend, or was the next meal an uncertain occasion? Did they have trusted adults in the house that built them, or were the adults they depended upon the source of their troubles? Did they view that house as a refuge from the world, or did they make every possible effort to avoid going back there at night?

It is HARD to put yourself in the shoes of someone else, particularly when there are cultural, racial, or socio-economic differences that we are not personally familiar with. Sometimes it can be helpful to initiate a conversation with a new friend or coworker which seeks to conjure a vision of the house that person knew growing up when trying to create a frame of reference for the style of communication you utilize with that person going forward. Human behavior is a complex issue that cannot be boiled down to any simplistic equations. But when you know where someone literally comes from, it can be a concrete visual aid toward developing empathy for and understanding of that individual person, and why they are the way they are. We could all do with a little more understanding these days, so I encourage you to ask a friend or coworker about the house they grew up in. You'll likely be surprised by what you learn.

## Stump Roscoe

By: Roscoe X. Pound

**Dear Roscoe:** Some time ago you wrote about a case, from Virginia I believe, in which a ghost testified at her murderer's trial. I wonder whether you could repeat that story. *R.H., OKC*

**Dear RH:** I gotta hand it to you RH, your memory's almost spot on. More specifically, right newspaper, wrong author. Back when *The Briefcase* was much smaller and often tinged with whimsy, the article, written by my friend and fellow Jersey Boy Rick Goralewicz, did appear in a Hallowe'en-time issue of *The Briefcase*. If I recall correctly, he wrote in the aftermath of a particularly rainy OU-Texas game in which the weather proved the least of Oklahoma's complaints. We're talking mid- to late-80's here. I recall remember the article which the Briefcase editors tricked out with a frame of broomstick-riding witch silhouettes.

First, let me just say that you seem to suffer the late John Denver's inability to distinguish the two Virginias. The case in point occurred in the Mountain State, not the Old Dominion. To my knowledge, not trial transcript exists. We must rely on newspaper accounts and memoirs or "as-told-to" accounts of those in attendance in the courtroom.

In the winter of 1897, a visitor to her home in Greenbriar, WV found Ms. Zona Shue on the floor, face down at the foot of the stairs. Her head was cocked to one side. Her husband, Edward "Trout" Shue arrived at the house before the coroner. Contrary to all we have learned after years of *CSI* and *Law and Order* episodes, he moved the body from the foot of the stairs to the bedroom, where he had laid her out in a high-necked gown. The grief-stricken widower carried on so loudly in his mourning that investigators did not carefully examine the body. They theorized that Elizabeth fainted while descending, or preparing to descend, the

stairs.

Mr. Shue's effusive grieving continued at the wake, where visitors refrained from crowding him to observe the body. Elizabeth was inhumed the next day. Everyone seemed to have accepted the coroner's finding of accidental death. Well. Almost everyone. Elizabeth's mother Mary Jane Heaster did not buy it. She never liked old Trout anyway and pronounced her daughter's death "the work of the Devil." After about a month of private mourning and prayer, Elizabeth's shade appeared at the foot of her bed. The apparition even generated one of those "cold spots" ubiquitous in the annals of "real" ghost chasers.

According to incorporeal Elizabeth, all was not as it appeared in the Shue household. Edward terrorized and physically abused her. Elizabeth told her mother that, on the day of her death, her husband had strangled her, crushing her larynx and breaking her neck in the process. Local prosecutor John Preston found Ms. Heaster's account so compelling that he re-opened the case and had Elizabeth's body exhumed. A thorough and proper autopsy found that Elizabeth indeed was strangled. The injuries that Elizabeth described to Ms. Heaster matched those found by the medical examiners.

Trout Shue stood trial for murder. Mr. Preston decided not to put Ms. Heaster on the stand. Defense counsel, however, called her on the theory he can make this whole prosecution seem a farce. He was wrong. Handwritten notes reveal the following exchange:

Q – Do you think that you actually saw her in flesh and blood?

A – Yes, sir, I do. I told them the very dress that she was killed in, and when she went to leave me she turned her head completely around and looked at me like she wanted me to know all about it. And the very next time she came back to me she told me all about it. The first time she came, she seemed



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that she did not want to tell me as much about it as she did afterwards. The last night she was there she told me that she did everything she could do, and I am satisfied that she did do all that, too.

Q – Now, Mrs. Heaster, don't you know that these visions, as you term them or describe them, were nothing more or less than four dreams founded upon your distress?

A – No, I don't know it. The Lord sent her to me to tell it. I was the only friend that she knew she could tell and put any confidence in; I was the nearest one to her. He gave me a ring that he pretended she wanted me to have; but I don't know what dead woman he might have taken it off of. I wanted her own ring and he would not let me have it.

\*\*\*\*

Q – Now, I would like if I could, to get you to say that these were four dreams and not four visions or appearances of your daughter in flesh and blood?

A – I am not going to say that; for I am not going to lie.

Q – Then you insist that she actually appeared in flesh and blood to you upon four different occasions?

A – Yes, sir.

Q – Did she not have any other conversation with you other than upon the matter of her death?

A – Yes, sir, some other little things. Some things I have forgotten – just a few words. I just wanted the particulars about her death, and I got them.

Q – When she came did you touch her?

A – Yes, sir. I got up on my elbows and reached out a little further, as I wanted to see if people came in their coffins, and I sat up and leaned on my elbow and there was light in the house. It was not a lamp light. I wanted to see if there was a coffin, but there was not. She was just like she was when she left this world. It was just after I went to bed, and I wanted her to come and talk to me, and she did. This was before the inquest and I told my neighbors. They said she was exactly as I told them she was.

The Court permitted the jury to con-

sider this evidence, albeit with a strong cautionary charge about circumstantial evidence and the need for careful consideration and weighing of credibility. The jury deliberated for a little over an hour (or perhaps they chose a foreman and ordered lunch) after which they unanimously found Trout guilty of murder, sentencing him to life in prison. The good news for him was that "life" only amounted to three years.

Discounting the "spectral evidence" presented at 17<sup>th</sup> Century witch trials, the Shue case seems to be the only instance of a person convicted at trial by the hearsay testimony of his victim's ghost. As I'll share with you next column, there are people walking around in the flesh scarier than any ghost ever dreamed.



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# October Inspiration

By: Todd Blasdel

Every October, Blindness Awareness Month brings a heightened focus on the blind and visually impaired community and the realities of living without sight. One of the stated purposes of Blindness Awareness Month is to “share stories about blind or visually impaired people accomplishing incredible things most sighted people do not attempt.” Most everyone can agree that attending law school, passing the bar exam, and practicing law is a jaw-dropping feat for someone without full sight.

James Blaise is a recent graduate of Oklahoma City University School of Law and is now a practicing attorney at Trinity Legal Services in the Oklahoma City area. From an early age, James suffered from retinal blastoma. He lost sight in his right eye at age three and his left eye at age four.

After spending the majority of his childhood in Houston, James obtained his undergraduate degree from the University of Texas. Against the odds (and the advice of several of his undergraduate advisors), James decided to take the LSAT and apply to law school. He was fortunate enough to receive a partial scholarship to attend OCU.

James credits OCU Law with helping him throughout his time there. “OCU was extremely helpful in every way, but especially in assisting with accommoda-

tions.” OCU administrators and professors worked together with James to provide him with advanced copies of class materials and assignments so that he could be well-prepared for each class. Test and quiz accommodations were also well-planned and organized to be as seamless as possible for James and the other students.

One notable law school event happened when James took a trial practice class. His professor acknowledged that he was strug-

gling to understand the unique challenges that James would face in a courtroom. The professor then reached out for assistance from Ed Abel, a successful and well-known trial lawyer in Oklahoma City, who is also visually impaired. James describes how Mr. Abel became a much-needed mentor, teaching him the subtleties of body positioning, voice inflection, and gestures while addressing the judge and jury, despite not seeing them. Mr. Abel also taught James how to use his heightened awareness of sound to his advantage while in the courtroom.

James marvels at Mr. Abel’s legal and courtroom skills. “I could never do what Ed does,” Blaise says. “He does so much just from memory. It’s amazing. I have so much more technology to help me.”

Traditionally, James uses Braille to read and write but uses numerous tools to assist his practice. Devices like BrailleNote—similar to a conventional tablet, but with an active Braille ribbon and Braille keys at the bottom. Among other things, it allows for email, notetaking, calendaring, research, and web browsing. While using his desktop computer, James uses a screen reader that reads aloud the words as James scrolls over the text on the screen. There are also smart eyeglasses that use a small camera and artificial intelligence to look at images and then translate them into words and descriptions that a visually impaired wearer can hear through a blue tooth earpiece. Some advanced glasses can even recognize faces, money, and products, and even identify colors.

Longtime Oklahoma County assistant District Attorney Tom Schurr also gave


some of his thoughts on the challenges of his vision impairment. “Technology has come a long way in the last thirty years of my practice,” Schurr said. “In law school, I would listen to most everything on audio tape. I was lucky enough to have family, friends, and even friends of friends, volunteer to read and record my assignments on cassette tape. They would send them to me, and I would listen and take notes. That’s even how I studied for the bar exam.”

Transportation and mobility remain huge for challenges visually impaired attorneys in Oklahoma County. For transportation, James must rely on carpools with office members, paratransit services from the city, disability shared ride services, and even Uber. Some of the ride sharing services have wide pick-up times and unpredictable schedules, which can make getting to court and other appointments even more stressful.

Both James and Tom have had guide dogs and agree they can be a game-changer. A guide dog allows its owner to physically move at a much fast pace than with a cane. A guide dog also allows its owner to feel more independent by only focusing on the dog rather than other externalities. It also provides companionship and makes the owner more approachable for others.

With a few minor exceptions, both James and Tom both feel that judges, opposing counsel, and clients are able to quickly look past any differences. “It’s been my experience,” Schurr says, “That once people realize that you are well-prepared, professional, and comfortable in your own skin, they allow you to do the job you are trained to do just like anyone else.”





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## Oklahoma County Bar Auxiliary Commemorates 60th Anniversary

By: Jean Ann Robison

The Oklahoma County Bar Auxiliary celebrates its 60th anniversary this year, making it one of the oldest organizations in Oklahoma. Throughout those years, we have supported the legal profession as well as the greater Oklahoma City community, contributing over \$250,000.00 to local non-profit organizations.

We began celebrating our anniversary with a dinner in the home of Frank and

Kathy Plater. On a perfect Oklahoma fall evening, many enjoyed an evening of fellowship and friendship in their lovely backyard. The Auxiliary will work with the English department at an Oklahoma City high school to sponsor an essay contest for seniors at the school. The students will be asked to write about their view of lawyers and the legal community. The winner will receive a cash award and have the opportunity to spend the day with an attorney. The

Auxiliary's Gala Celebration will be held at The Greens Country Club in May 2022, where we will be honoring the founders of the organization and have invited several of their children and grandchildren to share memories of those women. We encourage you to join us for a festive evening of friendship, treasured remembrances, and a delicious dinner. Details will be shared in The Briefcase at a later date. We hope you will celebrate with us!

## Old News

Vol. 11, No. 6 March, 1979

## Everybody's Doing It

By: Robert J. Turner

Litigation has reached such epidemic proportions that it looms more threatening than the Bubonic Plague. We've moved from protection of fundamental rights to the "sublime": inmates asking

for damages for injuries self-sustained during escape, students seeking relief from poor grades, children suing over faulty parental guidance. Surely someone will question the efforts of our Maker! It's difficult to determine if the problem results from an over abundance of law-

yers, or because the people believe the law to be a panacea, - or if it's simply another Irish sweepstakes! Growth is always by trial and error and expected redress at every turn would only serve to stagnate. Those who believe that such litigation leads ultimately to excellence are Utopian and forget that Hegel's synthesis always forms another thesis, and the dialectical rhythm goes on. Experience tells us that the law is a "good remedy," "bad recreation," and "ruinous habit." The Courts will never be a cure-all.

## Volunteer Opportunities

Care Center in Oklahoma City needs volunteers for the following projects:

Duties may include helping our Guest Relations Coordinator and Receptionist provide snacks, beverages and general hospitality. You may initiate craft time

with children, organize the playroom, restock hospitality stations and perform general tasks to support our team and make families feel at ease.

We also need help beautifying our campus! Our campus has six houses each

with a front yard and a back yard to maintain. Group and individual duties may include planting flowers, cleaning up lawns and playgrounds, and general beautification efforts. For more information, email: [info@carecenter-okc.org](mailto:info@carecenter-okc.org)

## OCBA YLD Harvest Food Drive in Full Swing

Did you know Oklahoma is the fifth hungriest state in the nation? Every fall, the Oklahoma County Bar Association's Young Lawyer's Division pledges to raise \$20,000 to benefit the Regional Food Bank of Oklahoma. **A donation of just one dollar provides 4 meals for hungry Oklahomans, and 96 cents out of every dollar donated is attributed directly to hunger relief.** For every dollar donated, 96 cents is directed toward providing food assistance to the **one in six** Oklahomans who are food insecure.

If you have not yet heard from a young lawyer, please consider supporting this worthy cause and helping the YLD meet its fund raising goal this year. All donations are tax deductible. Checks should be made payable to the Regional Food Bank. Cash donations are welcome. The YLD would like to have all donations in by Friday, December 10, 2021. Donations can be mailed to the Oklahoma County Bar Association at 240 Robinson Renaissance, 119 North Robinson, Oklahoma City, Oklahoma 73102. For more information, please e-mail [debbie@okcbar.org](mailto:debbie@okcbar.org).



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# 2021 LAW DAY EVENTS



Richard Vreeland, Deputy Director, accepts the Howard K. Berry, Sr. Award on behalf of Legal Aid of Oklahoma from Oklahoma County Bar Foundation Vice President Charles Geister



Legal Aid Services of Oklahoma Deputy Director Richard Vreeland presented the fundraising report for Legal Aid



Law Day Chair Kellie Howell introduces the guest speaker



President Shanda McKenney and YLD Director Nichole Jones answered phone calls at the OBA Ask a Lawyer Program on September 30



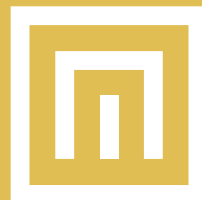
Journal Record Leadership in Law Recipients were Stephen Cortes, Leah Rudnicki and Katherine Mazaheri. Not pictured, but also honored were Christian Guzy and Mark Stonecipher



John B. Heatly was the recipient of this year's Journal Record Award. Presenting the award was Jennifer Sharpe, Special Projects Director for the Journal Record



President Shanda McKenney welcomes guests at this year's Law Day Luncheon held on September 28



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## ABUSE

continued from page 1

Against Women Act (VAWA). VAWA allows domestic violence victims to self-petition for a Green Card if they are a victim of battery or extreme cruelty committed by: a United States citizen spouse or former spouse, United States citizen parent, United States citizen son or daughter, a lawful permanent resident (LPR) spouse or former spouse, or a LPR parent.<sup>2</sup> Currently, VAWA is awaiting reauthorization since it expired originally in September 2018 and its temporary extension expired in February 2019. VAWA is still being funded so clients may self-petition for legal status under the Act.<sup>3</sup> Immigration attorneys must remain updated with the reauthorization of the Act, as it may provide for additional protections for victims seeking status.<sup>4</sup>

Due to the traumatic nature of domestic violence, many victims may feel uncomfortable discussing any abuse they have faced. Victims may even hide the domestic violence from their attorney because they feel ashamed or want to avoid complicated litigation. Knowledge of any domestic violence is important for an attorney to be aware of in order to protect their client. Law firms may identify if their client has faced domestic abuse with proper screening methods. Prior to the client's initial consultation, attorneys should send a potential client an additional questionnaire to screen their client with their intake sheet.

The questionnaire sent to the client should include information that could identify if the client is a victim or a batterer. The



questionnaire should be sent separate from the intake form in a method requested by the potential client, as many victims may still be living with their abuser. It is important to separate the intake form from the screening questionnaire so the client will focus solely on the questions being asked, instead of transitioning between inputting their information to being asked personal questions. Any staff who speaks with the potential client should inform them to answer the questions of the questionnaire as honestly as possible, and ensure them that the answers will remain confidential between the attorney and client.

There are many critical questions attor-

neys can include in a screening for potential clients to determine if the client has instigated domestic violence, or been a victim of it. An important question to include is asking if the client feels safe with the partner they are seeking litigation against. Lack of safety may be the initial indicator that there is an underlying harm occurring between the parties. The screening questionnaire should also ask if the potential client has ever sought a protective order or had one filed against them. It should also inquire about disagreements between the potential client and their partner involved in anticipated litigation, and how each party acts in these disagreements.

The questionnaire should then transition to more personal details between the potential client and their partner. Important information to obtain from the client includes determining how much control the other party has exerted over the client in the past, and how much control they may continue to have.<sup>5</sup> This may include financial control, control over activities outside the home, prevention of contact with family or friends, threats to reveal sensitive information about the client if they leave the abuser, threats to contact US Immigration and Customs Enforcement to have client deported if they leave the abuser, and prohibiting the potential client from eating, sleeping, or taking care of their mental or physical health. Abusers may also engage in activities specifically harmful to the client, such as destroying their clothing or valued possessions, threatening to hurt the client, physically hurting the client, and whether the potential client has ever been forced to do something they are uncomfortable with.<sup>6</sup>

If the screening reveals that the potential client may be in danger, it is important to assess the level of danger the other party will pose to them. While these questions may be uncomfortable for any potential clients, it is highly significant in protecting them and knowing how to take proper legal action. To assess the level of danger the partner may be, attorneys should ask if the partner has access to a gun, has a history of choking, jealousy, sexual abuse, controlling activities, place of employment, has ever threatened suicide/attempted suicide, or stalked the client.<sup>7</sup>

For immigration clients, attorneys should look for signs of abuse if their client is petitioning for citizenship of their spouse or family member. Should an attorney

determine that the petitioning client may be subjecting their non-United States Citizen spouse or family member to abuse or extreme cruelty, the attorney should recommend the victim self-petition subject per VAWA.<sup>8</sup> VAWA allows battered spouse, children, or parents to file a petition for themselves without notifying their abuser.<sup>9</sup> Although VAWA specifies women in its title, this act is not specific towards abused women. Men may also self-petition for legal immigration status under VAWA if they have been subjected to abuse.<sup>10</sup> Attorneys should be alert for signs of abuse in male and female clients.

After an attorney has determined that a potential client may be a victim of domestic violence, they must make the decision whether or not to represent the client. In choosing to represent the client, attorneys must have competent knowledge of domestic violence. The American Bar Association has determined that competent knowledge is at minimum, "an understanding of the dynamics of domestic violence".<sup>11</sup> For domestic assault victims, it is important for an attorney to recognize that the risk of violence increases when the victim attempts to leave the abuser.<sup>12</sup> Initiating litigation in family law disputes or civil protective orders against the abuser could jeopardize the client's safety.<sup>13</sup>

Attorneys must also have competent knowledge of cultural differences that may exist. The American Bar Association suggests "learning about the individual client's values, experiences, and priorities through sensitive questioning ... careful listening and attention to verbal and non-verbal cues."<sup>14</sup> Attorneys should refrain from making assumptions about a client's culture and from generalizing based on their own experience. Immigration clients may be from a different background than the attorney, and thus may be uncomfortable sharing trauma they have endured. Attorneys must listen to their client, and note any nonverbal cues indicating violence the client has undergone, or trauma they are struggling with. Clients may be silent during meetings, and attorneys should allow for such a silence to let the client think about their situation and what they are comfortable discussing.<sup>15</sup> It is important to identify when an immigration client may be struggling from abuse, and to schedule a time to speak with them separately from their partner. Due to the nature of family immigration, attorneys often meet with their client and their US Citizen or licensed permanent resident spouse at the same time. Oftentimes, immigrants may not be aware that they are protected by VAWA. They may fear leaving their abuser could prevent them from obtaining lawful immigration status. Attorneys should contact these clients separately and advise them of VAWA to see if the client is eligible for the status. If the client is deemed eligible, the attorney may file a self-petition for a green card without alerting the client's spouse of the petition.

Representing a client facing domestic abuse means that there may be more than one legal remedy the client can seek. Clients may be able to seek a divorce, pursue a protective order against the abuser, lawful permanent status in the United States, and even pursue criminal charges. An attorney

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representing a victim must discuss the legal remedies available, and clearly define the scope of representation they will have.<sup>16</sup>

An attorney representing a victim of domestic abuse needs to obtain all the facts relating to the abuse, and compose a timeline of when the abusive incidents began. The timeline may be necessary to understand the progression of the abuse, as well as assessing the client's safety.<sup>17</sup> Attorneys must also discuss the safety of the client, and any children the parties may share. The client may undergo separation violence for attempting to escape from their abuser.<sup>18</sup> Attorneys may construct a safety plan with their client to determine how to limit harm to the client, keep the children safe from abuse, preserve assets, or create a plan to leave the abuser.<sup>19</sup> The attorney must also be mindful of communication methods, as the abuser may control the mail, and phone routes that the client has access to.<sup>20</sup> The attorney must correspond prior to any legal filings so the client may prepare to leave the abusers house, or find a safe place to prevent escalated violence.<sup>21</sup> Lawyers representing domestic abuse victims should utilize domestic violence advocates, and counselors to help protect their client.

Attorneys may need knowledge of other areas to adequately represent their client. Victims of domestic violence may be LGBTQ, and may have trouble discussing the abuse with others. LGBTQ survivors may not have helpful interactions with law enforcement in protecting themselves from the abuse, and may not think the abuse

is necessary to mention to their divorce attorney. Attorneys undertaking family law matters may also have a client who is financially dependent on their abuser. In such an instance, an attorney should discuss the financial impact of representation the client faces or pro-bono representation of the client for future matters. The attorney may also need to discuss any additional family members that may assist the client in finding a new living arrangement.

Attorneys must remain vigilant in their representation of their battered clients. In extreme cases, abusers are known to seek violence against their victim's attorney upon learning of legal proceedings, or at the conclusion of the proceedings.<sup>22</sup> Attorneys should encourage clients to be truthful about how violent their abuse has been in the past, and if the abuser has access to dangerous weapons. Attorneys should also stay alert upon filing divorce proceedings, or the divorce being finalized. For immigration clients, attorneys should prepare upon their client's spouse becoming aware that the client is seeking lawful status through VAWA.

At the conclusion of representation, the attorney should inform the client of criminal penalties against the batterer, and what to do if the other party acts in contempt of the civil proceedings.<sup>23</sup> Attorneys representing immigration clients may inform clients on how to naturalize to a United States citizen if they obtain their green card. They may outline what future representation the attorney will retain, if any, and how to deal with future issues with their abusers. Many victims of domestic suffer through the trauma they have sustained, and will need additional resources to fully recover.

**A Message from Katherine Mazaheri:**  
As a lawyer, I often encounter people in the worst moments of their lives. Many times in a consultation, people pour out their pain, their struggles with issues of domestic violence and/or abuse at home or with a significant other. As an advocate, I empathize with them, and I am dismayed by how many of these clients are unaware of their rights under Oklahoma law. My compassion for survivors of domestic abuse and violence led me to become a proud former board member of the YWCA of Oklahoma City. October is National Domestic Violence Awareness month, and as a YWCA former board member, wife, mother, and a family lawyer, I want to take this moment to inform all Oklahoma City Moms: if you are in a situation of domestic abuse or violence, there is assistance, there is hope, and there is a way out to a different life. Mothers, if you have been beaten down physically or emotionally, let me tell you right now that there are ways out and people to reach out to. These attorneys, organizations, and resources are your allies in finding a better life free from abuse.

#### YWCA of Oklahoma City

At its core, the YWCA is a provider of emergency crisis-intervention services for victims of domestic violence, sexual assault, and stalking. The YWCA provides many crisis programs for victims of domestic violence, but the first step for a victim should be to call the YWCA **safeline** at **1-800-522-7233**. Advocates are available 24/7 and will assist you with your immediate needs and help you plan an escape from a difficult situation at home or with a partner if needed.

Victims of domestic violence in Oklahoma County may also have access to the Thelma Gaylord **emergency shelter**. It is the only certified shelter for women and children in Oklahoma County. If you, either alone or with your children, are fleeing from violence at home and need somewhere safe to stay, reach out to this **hotline** at **(405) 917-9922**.

If a domestic violence survivor wishes to press charges against their abuser, the YWCA will provide advocates to assist them with court services, filing, accompanying them to court when appropriate, and anything else that may come up, explains Laura McDonald, Director of Domestic Violence Victims Assistance Program with the YWCA of Oklahoma City. Survivors of domestic violence have many issues they need to work through, whether their abuse was coercive, emotional, financial, and physical, so the YWCA also provides access to various counseling groups and support services. For more information, check out the YWCA website.

McDonald explains that children of domestic violence survivors also have traumas that they need to work through. The YWCA also provides children access to counseling programs designed specifically for them to help them learn how to break the cycle of violence. These programs give children tools to live a healthier life.

Leaving an abusive spouse can be a frightening notion, especially when the abusive spouse is the sole income earner. This is why the YWCA also provides financial help. The Economic Empowerment Program provides survivors with career and life skills, mentoring, and job placement so that survivors can recover from

the financial toll of being in an abusive relationship.

Lastly, the YWCA provides specialized health care for survivors of sexual assault or rape. The YWCA employs specially trained domestic violence nurses that can examine you and help you through the healing process after trauma. These nurses specialize in collecting and preserving evidence after trauma. They provide strangulation assessments that document injuries, signs, and symptoms and give medical referrals if needed. The nurses provide these services at no charge through the YWCA, and without the necessity of having to press charges on the abuser.

- *Oklahoma Domestic Violence Programs:* <http://www.oag.ok.gov/certification#list>
- *Tribal Domestic Violence Programs:* <https://oknaav.org/>
- *Victims Information Notification Everyday (VINE) Oklahoma:* register at [www.vinelink.com](http://www.vinelink.com)
- *Palomar: Oklahoma City's Family Justice Center*

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## Bar Observer

### HORNBECK VITALI & BRAUN P.L.L.C. ANNOUNCE NEW ASSOCIATES

Hornbeck Vitali & Braun, P.L.L.C. is pleased to announce that **Natasha Prado** and **Maxwell West** have become associates with the firm.

Mrs. Prado received her Bachelor of Arts Degree *cum laude* from the University of Oklahoma in 2010 and her Juris Doctorate from Oklahoma City University School of Law in 2013. While in law school, Mrs. Prado was a Dean's List Student, Member of Phi Delta Phi Honor Society and the Oklahoma City University School of Law Review, where she was published in *Jones v. Oklahoma City Public Schools: Misapplication of Reeves in Age Discrimination*, 37 Okla. City L. Rev. (2012). Since graduating from law school and her admission to the Oklahoma Bar in 2014, Mrs. Prado has been an attorney with Chesapeake Energy Corporation focusing on Regulatory Compliance and Joint Venture Management. Mrs. Prado will be concentrating her practice on litigation, with a special emphasis on the defense of Rural Electrical Cooperatives and AT&T.

Mr. West received his Bachelor of Arts Degree *magna cum laude* from Rogers State University in 2018 and his Juris Doctorate from Oklahoma City University School of Law in 2021. While in law

school, Mr. West was a Dean's List Student, a Hatton W. Summers Scholar and Recipient of the Dwain Box Appellate Advocacy Award. Mr. West is a member of the William J. Holloway Inn of Court. Mr. West has been associated with the firm Hornbeck Vitali & Braun, PLLC as a law clerk and intern since 2020 and will be concentrating his practice on litigation with a special emphasis on the defense of municipalities, corporations and individuals.

Hornbeck Vitali & Braun, P.L.L.C. is a litigation law firm located in Oklahoma City, Oklahoma. The firm's offices are at 3711 North Classen Boulevard, Oklahoma City, OK, 73118, (405) 236-8600.

### DOERNER WELCOMES NEW ATTORNEY EMILY E. ALLAN

Doerner, Saunders, Daniel & Anderson, LLP (DSDA) welcomes **Emily E. Allan** to its Oklahoma City office.

Previously, Emily began her law career as a licensed legal intern at several Oklahoma-based law firms where she developed experience in and out of the courtroom with a variety of clients. She now joins DSDA as an experienced associate attorney by bringing a range of knowledge on complex commercial disputes, including construction, contracts, employment, family law, insur-

ance disputes, product liability claims and transportation matters. Emily also counsels clients on commercial transactions, intellectual property rights and non-profit organization matters.

She received her Juris Doctorate from the Oklahoma City University School of Law, where she landed on the Dean's List, served as an Academic Fellow, and was honored as a Merit Scholar. Emily obtained her Bachelor of Arts degree in English and Cultural Studies from the University of Oklahoma.

### CROWE & DUNLEVY NAMES FIRST DIVERSITY SCHOLARS EXTERNS

*Program to provide practical experience, mentorship to law students*

Two Oklahoma law students have been named as the inaugural members of Crowe & Dunlevy's Diversity Scholars Externship Program.

Members of the first class are **Alyssa Sloan**, a second-year student at the University of Oklahoma College of Law and **Miguel Figueroa**, a third-year student at Oklahoma City University School of Law.

The externship opportunity is designed to provide practical experience, mentorship and academic credit for law students attending Oklahoma City University School of Law, the University of Oklahoma

College of Law and the University of Tulsa College of Law.

Crowe & Dunlevy's Diversity Scholars Program also includes scholarships awarded annually to outstanding law students based on academic achievement, financial need and commitment to the law. Recipients can receive up to \$10,000 during their law school tenure based on satisfactory progress and performance. Since the firm's Diversity Scholars Program was established, more than \$250,000 in scholarships have been awarded to exemplary law students.

For more information about the Diversity Scholars Program, visit [crowedunlevy.com/about-us/diversity](http://crowedunlevy.com/about-us/diversity).

### RIGGS ABNEY HIRES DAVID TY MOWDY IN OKLAHOMA CITY

Riggs Abney Law Firm announces **David Ty Mowdy** has joined the firm as an associate attorney in its Oklahoma City office.

Mowdy graduated from the University of Oklahoma College of Law in 2021, where he was on the Dean's Honor Roll. He received a bachelor's degree in Agricultural Economics from Oklahoma State University in 2018. He began his career working with Riggs Abney as an intern from May 2020 through September 2021.

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