

***BACK TO FREEDOM:
FROM SURVIVING TO THRIVING
AN INTRODUCTION***

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Yes, I feel justice was served, as I hear people say . . . The worst part that I experienced is going to Court and knowing that my life is not safe because of these people. . . [E]ven if now she [Maude Paulin] is in jail, I don't know when she is out, what will happen. . . It is facing them again that brings emotional things and that makes me cry when I was in the Court, to explain everything again. That was the worst part, going to Court.

Ms. Simone Celestin+
Restavek Survivor

Trafficked persons, even before they are tricked, coerced or forced into domestic servitude generally come from vulnerable and/or disadvantaged groups consisting primarily, though not exclusively, of women and children.¹ Kevin Hsu observes that historically, domestic servants and victims of domestic servitude in the United States tend to come from poor and marginalized groups, and that their day-to-day relations with their 'master' is one of "dependence and subjection, of discipline, governance, and control."² The economic relation of subordination is commonly

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¹ See generally Katrina Lynne Baker, *Don't Forget the Family: A Proposal for Expanding Immediate Protection to Families of Human Trafficking Survivors*, 30 *FORDHAM INT'L L.J.* 836 (2007); Suzanna L. Tiapula & Melissa Millican, *Identifying the Victims of Human trafficking*, 42 *PROSECUTOR* 34 (2008).

² Kevin Shawn Hsu, *Masters and Servants in America: The Ineffectiveness of*

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reinforced by social or sub-cultural mores, which hold trafficked persons responsible, and even grateful to the trafficker, despite the fact that the trafficked persons understand at a deep and personal level the suffering they themselves go through.³ Good example of this are the *Restavek* system in Haiti,⁴ the *Kafala*⁵ system in Middle

Current United States Anti-Trafficking Policy in Protecting Victims of Trafficking for the Purposes of Domestic Servitude, 14 GEO. J. ON POVERTY L. & POL'Y 489, 499 (2007); see also generally TERESA L. AMOTT & JULIE A. MATTHAEI, RACE, GENDER, AND WORK: A MULTI-CULTURAL ECONOMIC HISTORY OF WOMEN IN THE UNITED STATES (1996). This situation is also true in other parts of the world. See James Muldoon, *Spiritual Freedom--Physical Slavery: The Medieval Church and Slavery*, 3 AVE MARIA L. REV. 69 (2005).

³ Part of the problem is that this relationship exists even in situations that do not neatly fit into the definition of trafficking, therefore making vulnerable groups subject to mistreatment or sub-standard working conditions that may very well be legal at least from the point of view of trafficking laws. For examples see Dina Francesca Haynes, *Exploitation Nation: The Thin and Grey Legal Lines between Trafficked Persons and Abused Migrant Laborers*, 23 NOTRE DAME J. L. ETHICS & PUB. POL'Y 1 (2009).

⁴ *Restavek* is a system of child servitude in which parents give away their children to relatively wealthier families or families in the urban centers. The assumption is that these wealthier families will raise the children with better housing and nutrition in exchange for the children undertaking domestic chores. See Lori Lee, *Haiti*, in SLAVERY IN THE MODERN WORLD: A HISTORY OF POLITICAL, SOCIAL, AND ECONOMIC OPPRESSION 297-99 (Junius P. Rodriguez ed., 2011); see also Jennifer S. Abrams, "The Kids Aren't Alright": Using a Comprehensive Anti-Trafficking Program to Combat the *Restavek* System in Haiti, 24 TEMP. INT'L & COMP. L.J. 443 (2010); Mildred T. Aristide, *Haiti: Commemorating 200 Years of Independence and the Fight to End Child Domestic Service*, 61 GUILD PRAC. 137 (2004).

⁵ The *Kafala* system is a "sponsorship" system whereby families sponsor individuals so that they acquire visas to work in the residence of the sponsor and the employee is not allowed to leave the home of the sponsor for another employer or in some cases even leave the country without the sponsor's consent. Katherine Scully, *Blocking Exit, Stopping Voice: How Exclusion from Labor Law Protection Puts Domestic Workers at Risk in Saudi Arabia and around the World*, 41 COLUM. HUM. RTS. L. REV. 825, 852-56 (2010); Heather E. Murray, *Hope for Reform Springs Eternal: How the Sponsorship System, Domestic Laws and Traditional Customs Fail to Protect Migrant Domestic Workers in GCC Countries*, 45 CORNELL INT'L L.J. 461, 467 (2012); Andrew M. Gardner, *Engulfed: Indian Guest Workers, Bahraini Citizens, and the Structural Violence of the Kafala System*, in THE DEPORTATION REGIME: SOVEREIGNTY, SPACE, AND THE FREEDOM OF MOVEMENT 196 (Nicholas De Genova & Nathalie Peutz eds., 2010); see also

Eastern countries, and the *Kamaiya/Kamlari*⁶ system of Nepal, in which parents entrust their children to supposed benefactors who hold themselves out to be doing the victims and their families a favor. Such practices and beliefs are a common feature of domestic servitude all over the world, and they also exist in the United States. Domestic servants are brought over by their traffickers, who may or may not be wealthy individuals or diplomats who have established residence in both countries.⁷

Once trapped in a domestic servitude situation, victims face appalling treatment that may range from extraordinarily long working hours to physical, psychological and sexual abuse or even death.⁸ Such was the fate of Ms. Simone Celestin, a survivor of domestic servitude, quoted at the beginning of this piece who shared her experiences at the *Justice At the Door: Ending Domestic Servitude* Symposium, sponsored by the Human Trafficking Academy and the Intercultural Human Rights Law Review at St. Thomas University School of Law on January 27, 2012.

Simone was five years old when she was kidnapped. She was

generally Khaled Ali Beydoun, *The Trafficking of Ethiopian Domestic Workers into Lebanon: Navigating through a Novel Passage of the International Maid Trade*, 24 BERKELEY J. INT'L L. 1009 (2006).

⁶ Tatsuro Fujikura, *Emancipation of Kamaiyas: Development, Social Movement, and Youth Activism in Post-Jana Andolan Nepal*, 21 HIMALAYAN RESEARCH BULLETIN 29 (2001); Birendra Giri, *The Bonded Labour System in Nepal: Perspectives of Haliya and Kamaiya Child Workers*, 44 J. ASIAN & AFR. STUD. 599 (2009).

⁷ KEVIN BALES, *THE SLAVE NEXT DOOR* 21, 165-67 (2009); Lee, *supra* note 4 (reporting that some Haitians bring their *Restaveks* with them). For a discussion of how cultural mores reinforce the practice in contexts other than the *Restavek* situation, see Mohamed Y. Mattar, *Trafficking in Persons, Especially Women and Children, in Countries of the Middle East: The Scope of the Problem and the Appropriate Legislative Responses*, 26 FORDHAM INT'L L.J. 721 (2003); BRIDGET ANDERSON & JULIA O'CONNELL DAVIDSON, *IS TRAFFICKING IN HUMAN BEINGS DEMAND DRIVEN? A MULTI-COUNTRY PILOT STUDY* 31 (2003).

⁸ See generally Hsu, *supra* note 2, at 491-501; BARBARA EHRENREICH & ARLIE RUSSELL HOCHSCHILD, *GLOBAL WOMAN: NANNIES, MAIDS, AND SEX WORKERS IN THE NEW ECONOMY* (2002); Kristi L. Graunke, "Just Like One of the Family": *Domestic Violence Paradigms and Combating On-The-Job Violence against Household Workers in the United States*, 9 MICH. J. GENDER & L. 131 (2002).

taken from her mother and grandmother's care to an orphanage in the northern part of Haiti owned by Maude Paulin's mother, Evelyne Theodore and her late husband.⁹ At age twelve, Simone was taken to live and work at Evelyne Theodore's home in Haiti. In 1999, two years later, she was brought to the United States. Originally told she would be coming to the United States to take care of an adopted child, Simone, at the tender age of fourteen, was forced to work on average from 5 a.m. to 8:00 p.m., by Maude Paulin, a school teacher in Miami-Dade County.

From 1999 to 2005, Celestin was forced to do Paulin's bidding. Although Paulin had a guest room at her house, she made Celestin sleep on a mattress on the living room floor. Celestin was required to wake up at 5 a.m. to begin her chores, which included cooking the family's meals and spending the day cleaning the house on her hands and knees. She was not allowed to sit with Paulin's family to eat the meals that she prepared. Instead, she had to wait until after they had finished and then go out to the back porch to eat whatever was left over. She was also forced to bathe outside, using a bucket of cold water. When Celestin objected to her treatment or otherwise "got fresh" with Paulin, Paulin beat her or threatened to send her back to Haiti. Paulin did not enroll Celestin in school. Celestin was not even allowed to leave the house unaccompanied or to make friends,¹⁰[except when her cleaning services were "rented out" to Paulin's and Theodore's friends.]¹¹

⁹ Author's conversation with Simone Celestin and her attorney Sabrina Salomon.

¹⁰ *Maude Paulin*, 329 Fed. Appx. at 233-34. This case is one of a small number of cases that was successfully prosecuted. The accused were sentenced to a little over seven years in prison and eighteen months of probation, respectively, and were ordered to pay the victim \$162,765 jointly in restitution. *Id.*

¹¹ Author's conversation with Simone Celestin and her attorney Sabrina Salomon. Simone Celestin never received payment for any of the housekeeping

In sum, Simone was subjected to inhumane living and working conditions which required fifteen hours of physically excruciating work, seven days a week for six long years.¹²

Escape for victims of domestic servitude comes in the form of running away in a style reminiscent of the days of the Underground Railroad, through the intervention of a Good Samaritan, the police or a combination of the above. After escaping their captors, trafficked persons will not even have begun their journey to what could be described as a “normal” life. Many face the risk of revictimization, as the situation that created their vulnerability still exists.¹³ They face challenges such as where they will live and how they will feed themselves. For a child or a teenager who has never used a phone or a credit card, or never called or used a cab or taken a bus, and who has the exploiters’ household or a marriage broker as their only social network, the experience of freedom itself is daunting.¹⁴

It is out of this multi-level system of coercion that often brutalized trafficked persons come out into a world of uncertainty.

work she was forced to perform either in the Paulin/Theodore household or any other households she was instructed to clean.

¹² Other successful prosecutions were victims of a young age when brought to the United States and subjected to extreme physical and psychological violence, and sometimes even sexual abuse. Such indignations included sleeping on the ground for years, ‘discipline’ with beatings with household and kitchen objects, with boiling water thrown on them and them being forced to stand in a corner for ten hours -- a top of putting in long hours of work. See *United States v. Udeozor*, 515 F.3d 260, 264 (4th Cir. 2008); *United States v. Calimlim*, 538 F.3d 706 (7th Cir. 2008); *United States v. Sabhnani*, 599 F.3d 215, 226, 227-28 (2d Cir. 2010).

¹³ See Andreas Schloenhardt & Jarrod Jolly, *Honeymoon from Hell: Human Trafficking and Domestic Servitude in Australia*, 32 SYDNEY L. REV. 671, 672-675 (2010); Cherish Adams, *Re-Trafficked Victims: How a Human Rights Approach Can Stop the Cycle of Re-Victimization of Sex Trafficking Victims*, 43 GEO. WASH. INT’L L. REV. 201 (2011); see also Denise E. O’Donnell & David A. Hansell, *N.Y. State Interagency Task Force on Human Trafficking*, Interagency Task Force: Implementation of the 2007 Law 19 (2008), http://criminaljustice.state.ny.us/pio/humantrafficking/human_trafficking_rpt_aug08.pdf.

¹⁴ On the practice of mail order brides see Schloenhardt & Jolly, *supra* note 13, at 680-82; Suzanne H. Jackson, *Marriages of Convenience: International Marriage Brokers, “Mail-Order Brides,” and Domestic Servitude*, 38 U. TOL. L. REV. 895 (2007).

Afraid that they might have shamed their families, concerned with the perceived or real threat to their families, afraid of the very police officers from whom they have been hiding because of a real, or perceived, threat of deportation, trafficked persons begin the task of navigating the complexities of our legal and social services systems.

The first thing that comes to a recently freed trafficked person's mind is that the police and authorities are going to punish or deport them. The threat of reporting to authorities constitutes one of the more common coercion mechanisms used by traffickers. Our laws reinforce this concept in some aspects. For instance, if a person trafficked into domestic servitude were to legally cross the border holding an A-3, G-5 or B-1¹⁵ visa he or she is expected to remain employed by his or her sponsoring employer or face deportation, unless trafficking is proven and he or she collaborates in the investigation or prosecution of the case.¹⁶ Regardless of the trafficker, trafficked persons also have reason to fear those in place of influence back home as they may cause harm or shame to the trafficked person or his or her family. In situations where the perpetrators are diplomats not only would they have considerable influence back home, but they may be immune to local laws, leaving the trafficked person feeling vulnerable to direct attack.¹⁷

By the time a trafficked person makes it to an attorney's

¹⁵ A-3 visas are given to personal employees of diplomats (I.N.A. § 101(a)(15)(A)(iii)); G-5 visas are allocated to personal employees of employees of intergovernmental organizations and international agencies (I.N.A. § 101(a)(15)(G)(v)); while B-1 Visas are given to business or pleasure travelers visiting the US temporarily (I.N.A. § 212(d)(8)).

¹⁶ See generally Kathleen Kim & Kusia Hreshchyn, *Human Trafficking Private Right of Action: Civil Rights for Trafficked Persons in the United States*, 16 HASTINGS WOMEN'S L.J. 1, 20 (2004).

¹⁷ Human Rights Watch, *Hidden in the Home: Abuse of Domestic Workers with Special Visas in the United States* 32-33 (2001); see also Janie A. Chuang, *Achieving Accountability for Migrant Domestic Worker Abuse*, 88 N.C. L. REV. 1627, 1644 (2010). For more discussion on strategies to hold Diplomats accountable see Prepared Statement of Martina E. Vandenberg, J.D. Senate Judiciary Subcommittee on Human Rights "Legal Options to Stop Human Trafficking" March 26, 2007, www.judiciary.senate.gov/hearings/testimony.cfm?id=e655f9e2809e5476862f735da123775c&wit_id=e655f9e2809e5476862f735da123775c-0-3.

offices in search for legal assistance, she or he has suffered serious trauma¹⁸ that she or he is trying to forget. Most trafficked persons are still in fear of their victimizers, uneducated, poor, and vulnerable.

¹⁸ According to Webster's Dictionary, trauma is a disordered psychic or behavioral state, resulting from severe mental or emotional stress or physical injury. See Merriam-Webster.com, Dictionary, Trauma, <http://www.merriam-webster.com/dictionary/trauma> (last visited Nov. 27, 2012). While there are many studies that define trauma in different ways, the Psychiatric Association's Diagnostic and Statistical Manual of Mental Disorders (DSM-IV) indicates trauma can exist when "the person experienced, witnessed, or was confronted with an event or events that involved actual or threatened death or serious injury, or a threat to the physical integrity of self or others; and the person's response involved intense fear, helplessness or horror." See Joel B. Eisen, *The Trajectory of Normal After 9/11: Trauma, Recovery and Post-Traumatic Societal Adaptation*, 14 *FORDHAM ENVTL. L.J.* 499, 512 (2003) (citing AM. PSYCHIATRIC ASS'N, *DIAGNOSTIC & STATISTICAL MANUAL OF MENTAL DISORDERS (DMS-IV)* (4th ed. 1994)). Also, while some victims of human trafficking may suffer from Post-Traumatic Stress Disorder (PTSD), practitioners should be careful not to generalize or label trafficked persons. For a general discussion of trauma and biological and behavioral responses to traumatic events and PTSD as it relates to human trafficking see Hussein Sadruiddin, Natalia Walter & José Hidalgo, *Human Trafficking in the United States: Expanding Victim Protection Beyond Prosecution Witness*, 16 *STAN. L. & POL'Y REV.* 379 (2005). Generally, trafficked person's experience: betrayal, physical or psychological violence, loss of identity, choice and independence, reputational harm, uncertainty, fear, and helplessness. They may therefore have symptoms of trauma such as anger, fear and/or flat affect, loyalty, gratitude or dependence from the trafficker, shame, fear of rejection and punishment. Victims of trafficking may have flashbacks, repeated memories, nightmares, and strong reminders of the trafficking experience; emotional numbing and avoidance, lack of interest in normal activities, inability to remember aspects of the traumatic event, or have a lack of interest in normal activities; inability to concentrate, hyper-vigilance, irritability, and sleep disturbances. Also, they may have difficulty trusting others. As a result, it becomes indispensable that the attorney or anybody else working with trafficked persons be able to engage survivors on a personal level if access to legal assistance or any other assistance is to be meaningful. Florrie Burke, Panel Discussion at the St. Thomas University School of Law Human Trafficking Academy Workshop: Avoiding Burnout When Working on Human Trafficking Cases (April 20, 2012). See also Elizabeth Hopper & José Hidalgo, *Invisible Chains: Psychological Coercion of Human Trafficking Victims*, 1 *INTERCULTURAL HUM. RTS. L. REV.* 185 (2006), and Jonathan Todres, *Moving Upstream: The Merits of a Public Health Law Approach to Human Trafficking*, 89 *N.C. L. REV.* 447 (2011).

They might not speak our language, and even if they do, the pre-trafficking social experience and the experience while in domestic servitude is so different, that one cannot expect them to understand or pick up social cues.

It is to illustrate this point that the symposium panel “Back to Freedom: From Surviving to Thriving,” in which Simone shared part of her trafficking experience as well as her experiences accessing our system of justice, legal and social services, was put together. There were two goals for having a panel in which a trafficked person shared her experiences and perceptions of our legal system. First, it highlights the legal needs of victims and particularly a very different approach to practicing law. Second, it recognizes that trafficked persons have to play a critical role in any discourse that attempts to design an effective response to the issue. Simone provided reflections and guidance from her experience in accessing legal and other services to those who attempt to help the victims. In addition, this panel provided her a forum to speak in public for the first time and thus begin her journey as an advocate for other trafficked persons.

In her comments, Simone made some very interesting observations applicable to victims of domestic servitude and other forms of trafficking. In describing her experience, she reveals that the only thing that she wanted to do was to run, run as far as she could. Bringing the perpetrators to justice, let alone meeting them in court, was not her highest priority. She did not want to confront them in her dreams or memories. Yet, this is exactly what, as attorneys and law enforcement personnel, working within the confines the profession, had to ask Simone to do if the goal to see her traffickers punished was ever to be achieved.

Moreover, one can appreciate how successful her attorney was in understanding the situation. Simone reports that she did not have to relive her memories immediately, as her attorney understood her with just a few words. This created a comfort zone. Simone saw her attorney not as a distant and cold professional in a position of power—a common perception—but as an equal that she could trust, a friend. She saw her as someone that she could call at any time and ask any question, however mundane it was. It is this relationship that

helped Simone through a process she simply wanted to run from.

In addition to grappling with the ghosts of her past, Simone also had to deal with the day-to-day life that most take for granted. Finding a job and housing seems to have put a lot of stress on her. She had also missed out on school. So her difficulties did not only lie in going back to school, but going to school in a foreign land, at an older age, and with a daughter. In this regard, Simone also reports that her lawyer helped her. In observing the body language and the interaction between Simone and her attorney, one could clearly see that her lawyer's success was not primarily measured by her aptitude in the law, but in the social and psychological field. When asked if she felt justice was served or if she felt better after the trial, her answer was that justice being served is what she heard other people talk about and that was clearly secondary to her. Her direct answer was that she felt different because she now makes decisions of her own. It is in this regard that her attorney was perhaps most successful. Simone was "empowered." She understood that she is the decision maker, that attorneys are merely tools to access the judicial system, and that they formed a team. This aim, reached here, is perhaps the most important goal of the legal representation of a trafficked person.

In addition to continuity in the legal representation, trafficked persons will also need one attorney to work as liaison between them and other attorneys representing him or her regarding the myriad of legal issues and remedies involved.¹⁹ A few areas include:

Criminal Law & Procedure:

Attorneys representing trafficked persons will have to be familiar with two aspects of criminal law and procedure: 1) The

¹⁹ Practicing in this area of law requires one to be familiar with the specifics of multiple disciplines, including trafficking law and policy, criminal law and procedure as well as with sociology, psychology, and region-specific history and culture. The practitioner will also have to work with different people from governmental and non-governmental organizations. *See generally* Roza Pati, *Beyond the Duty to Protect: Expanding Accountability & Responsibilities of the State in Combating Human Trafficking*, in *THE DIVERSITY OF INT'L LAW: ESSAYS IN HONOR OF PROFESSOR KALLIOPI KOUFA* 319 (2009).

trafficked person might have committed crimes in the course of the trafficking that they might be disclosing to law enforcement. In this regard, trafficked persons would need to be advised about their right not to self-incriminate and their attorneys will have to negotiate with law enforcement and prosecutors so that prosecutorial discretion is favorably applied; 2) In addition to being familiar with human trafficking law, attorneys representing trafficked persons will also have to be familiar with victim rights laws in addition to assisting the trafficked person throughout numerous interviews with law enforcement and prosecutors; preparation for testifying at a criminal trial; and thereafter, calculation of any restitution she/he might be entitled to and the preparation of victim impact statements. Also, an attorney might have to assist the trafficked person in the enforcement of the restitution order against the trafficker.

Civil Legal Matters:

Trafficked persons will also have a need to understand and decide whether to access the civil justice system. Attorneys will need to screen for violations of contract law, tort law under the Trafficking Victims Protection Act (TVPA)²⁰ and state law, as well as unlawful enrichment. Determinations as to violations of wage and hour laws, and other employment issues including discrimination, and adequate and safe working environment are also necessary. Trafficked persons might also need assistance with the international enforcement of judgments in their home country, where the trafficker's assets might be located.

²⁰ Victims of Trafficking and Violence Protection Act of 2000, Pub. L. No. 106-386, 114 Stat. 1464 (2000); Pub. L. No. 108-193, § 7(7), 177 Stat. 2875, 2885-86 (codified as amended at 22 USC § 7110(9) (2006)); Trafficking Victims Protection Reauthorization Act of 2005, Pub. L. No. 109-164, § 103(a)(1), 119 Stat. 3558 (2005); William Wilberforce Trafficking Victims Protection Reauthorization Act of 2008, Pub. L. No. 110-457, 122 Stat. 5044-5091 (2008). For a discussion of civil remedies available to trafficked persons see DANIEL WERNER & KATHLEEN KIM, CIVIL LITIGATION ON BEHALF OF VICTIMS OF HUMAN TRAFFICKING (2008), available at http://www.splcenter.org/sites/default/files/downloads/splc_human_trafficking.pdf.

Immigration Law:

Attorneys should also be aware of all legal remedies available to victims of trafficking under immigration law. Additionally, because of the complexity of this particular area of the law, and because the remedy specific for victims of trafficking, the T Visa,²¹ requires the trafficked person to collaborate with “reasonable” requests for assistance in the investigation and/or prosecution of the trafficker, the immigration attorney should be involved as early as possible and should be present at interviews with law enforcement and prosecutors whenever possible.

Family/Dependency/Domestic Violence Law:

It is possible for trafficked persons in general to also be married to their traffickers or have children with the trafficker. Therefore, they may need legal assistance in getting a restraining order, a divorce, and/or obtaining a custody and child support order. In cases where the trafficked person is foreign born, as many of the victims of domestic servitude are, victims might need representation in their country of origin in order to reunite with their children here in the United States. Complications with family reunification may arise because the parent or guardian in the country of origin might not want to give permission for the child to travel to the United States. Also, the other parent may be in a third country and be unwilling or unable to sign the permits necessary for the child to travel, thus requiring the trafficked person to obtain a custody order in her country of origin. If the trafficked person is a child, then appropriate measures need to be taken in order to determine whether it is in the child’s best interest to be reunited with their parent (assuming the parent is not the trafficker).²²

²¹ Note that while the T Visa is a specific legal remedy for victims of trafficking under the Immigration and Nationality Act, there are many other remedies available to victims that may or may not require collaboration with law enforcement depending on the victims’ individual circumstances. Such remedies include: U Visa, Battered Spouse Self-Petition, Special Immigrant Juvenile Status, Asylum, and Cancellation of Removal, to name a few.

²² Note that this is true as well of victims who are U.S. citizens. A determination of abuse, abandonment, or neglect is necessary in order to insure

Tax Law:

Attorneys should also be familiar with tax liabilities that might arise out of a restitution and/or damages award, given that in some instances, these might have grave consequences for the victim.²³

While contemplating these issues, the attorney needs to take into consideration that she is dealing with an individual who is in a unique situation. While every case is unique, the attorney should be cognizant that the goal is not the mere provision of legal services to a client. The ultimate end is to ensure that the ‘victim’ becomes a ‘survivor,’ who can live a life that is no longer defined by the trafficking experience, free of future abuse. Given the need not to re-traumatize the victim, through reliving rough memories, the attorney has to develop a relationship of trust with her client so that the survivor feels free to share with her some of the most humiliating indignities that a human being could suffer. In addition to being aware of the trauma suffered by the victim, the legal service also has to be culturally sensitive. This may mean that the attorney ought to be at least vaguely aware of the trafficked person’s culture, gestures, and body language.

One needs to always keep in mind that in addition to abuse and victimization, as well as their legal and non-legal consequences, we are still dealing with a human being. Thus, victims will benefit greatly from a holistic approach to legal representation that is linguistically and culturally sensitive and attempts to address all of the client’s needs.²⁴ Roscoe Pound, one of the most distinguished legal scholars of the last century, described the legal profession as a “common calling in the spirit of public service.”²⁵ This purpose

that the trafficked child does not return to a situation where they might be re-trafficked by a parent.

²³ Restitution Payments under the Trafficking Victims Protection Act of 2000 (Notice 2012-12), www.irs.gov/pub/irs-drop/n-12-12.pdf.

²⁴ Cf. TOM OBOKATA, *TRAFFICKING OF HUMAN BEINGS FROM A HUMAN RIGHTS PERSPECTIVE: TOWARDS A HOLISTIC APPROACH* (2006).

²⁵ ROSCOE POUND, *Jurisprudence* 676 (Lawbook Exchange Ltd. 6th Printing 2008); see also Jerome J. Shestack, *President’s Message: Defining our Calling*, 8

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should never be lost in the provision of legal representation. The public service notion of legal practice is nowhere more reflected than in practice of human trafficking law. The practitioner seeking to specialize in this field is expected to rise above and beyond the minimum requirements of legal professionalism to effectively serve and help trafficked persons.

ABA J. 8 (1997); Robert W. Gordon, *Corporate Law Practice as a Public Calling*, 49 MD. L. REV. 255 (1990).