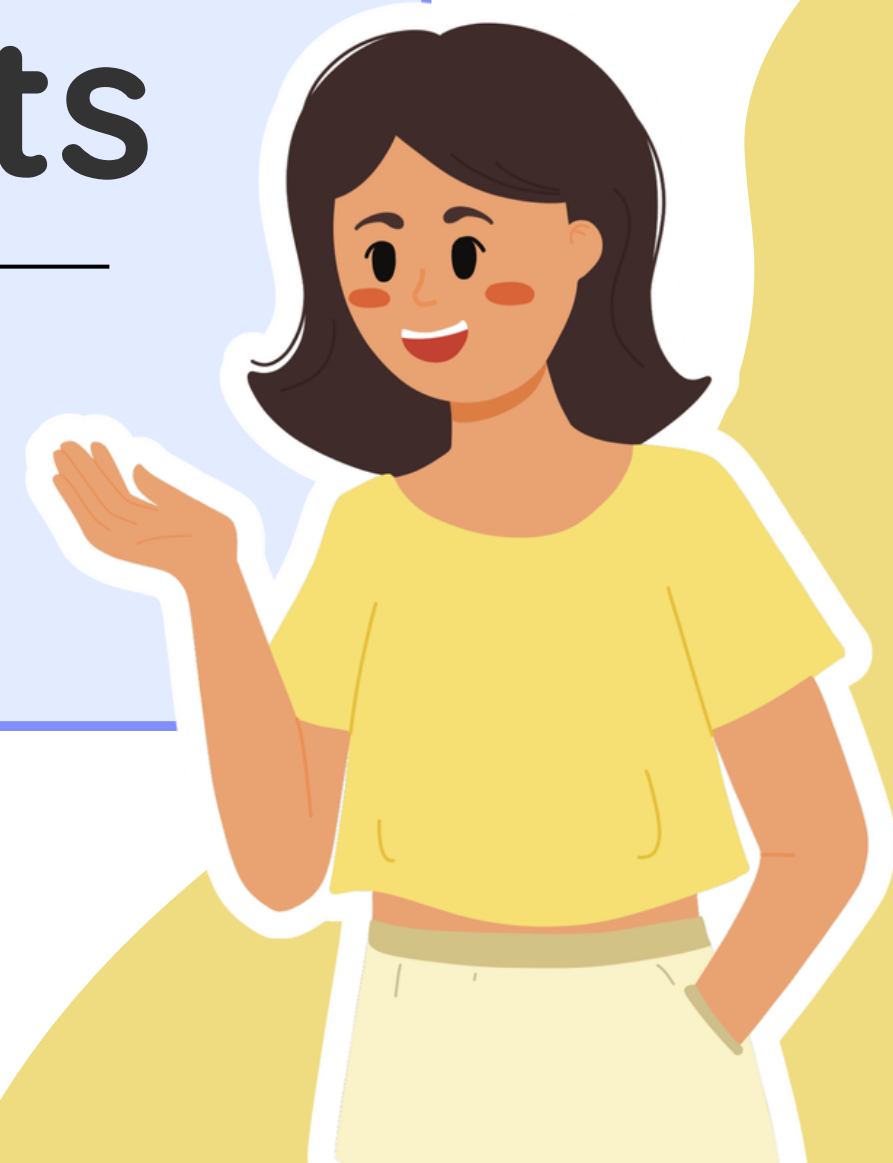
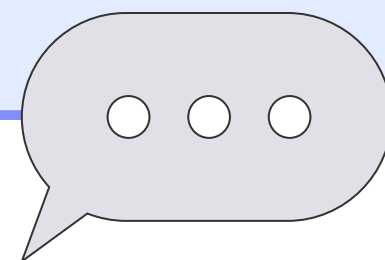


Reflecting on Process Recordings as a Reflection Tool for Law Students

*Jennifer N. Rosen Valverde, Esq./MSW
Professor of Law, Rutgers University School of Law*



Law Is a People Profession!

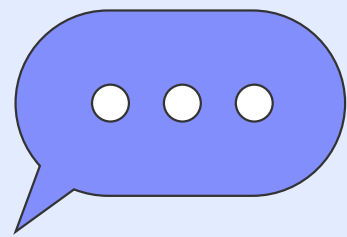
WHAT SKILLS ARE ESSENTIAL TO A "PEOPLE PROFESSION"?

- Emotional intelligence (includes reflective practice)
- Critical thinking – forest and trees
- Problem-solving
- Collaboration
- Negotiation and persuasion

#1 skill: Communication



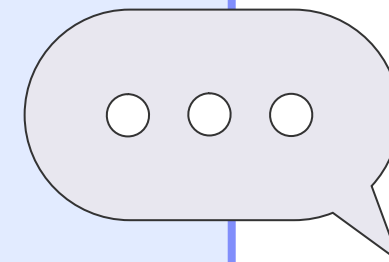
Reflecting on Communication: How?



HOW DO WE REFLECT ON COMMUNICATION?

- Case rounds
- Supervision
- Journals
- Individualized Clinic Plans
- Role plays/simulations that prompt reflection
- Exercises that prompt reflection (e.g. collaboration)
- Post-client/client-related meeting debriefs

What's missing?



Reflection on Communication



**VERBAL (SUMMARY V.
PRECISE)**



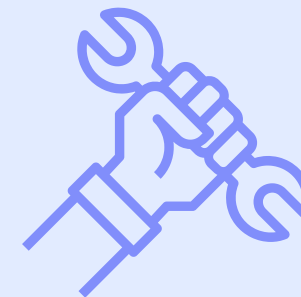
NONVERBAL



**NORMS/ASSUMPTIONS/
BIAS**



BREAKDOWNS



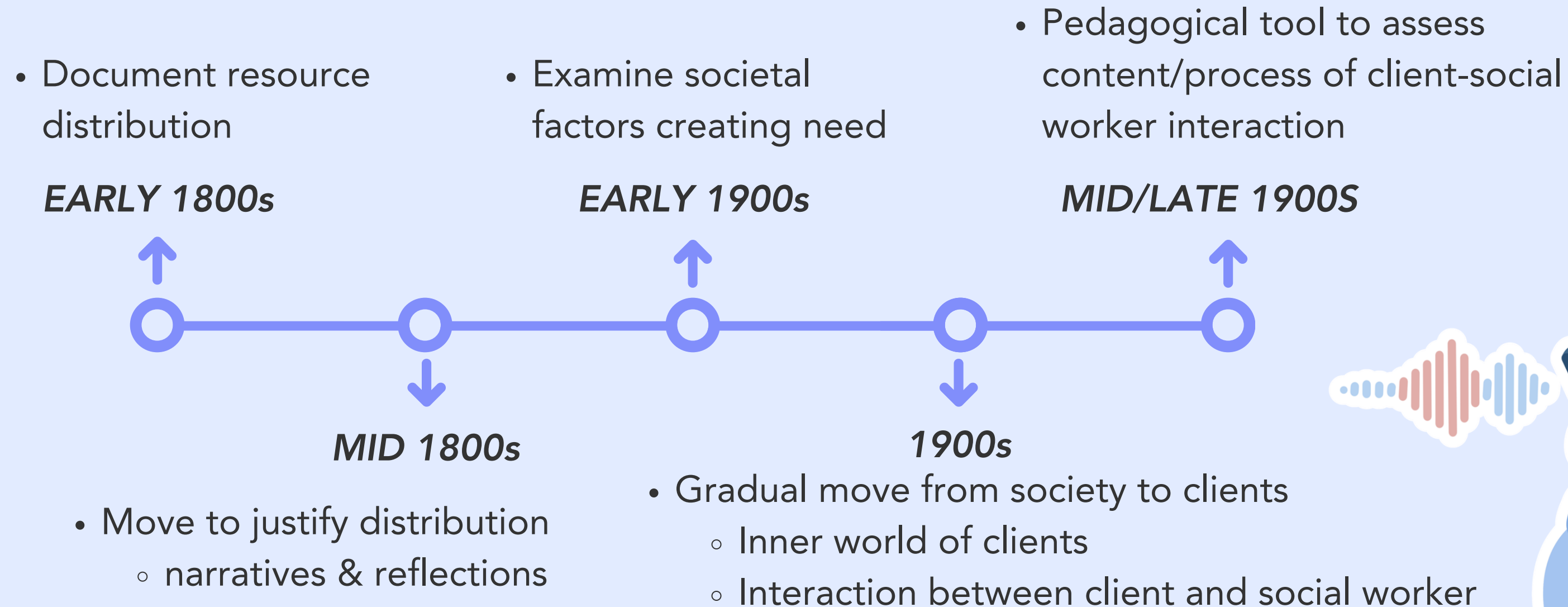
REPAIRS

How to move from Narrative/Summary to Dialogue/Specific?

—— **PROCESS RECORDING** ——

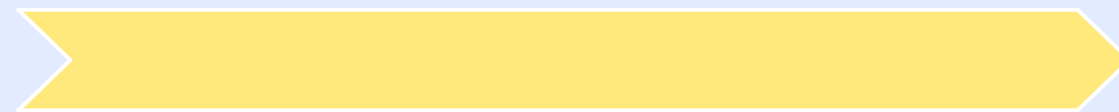
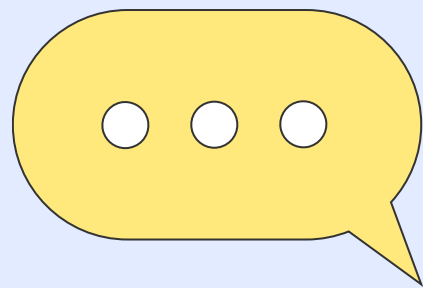
Process Recording: Origins

SOCIAL WELFARE & SOCIAL WORK



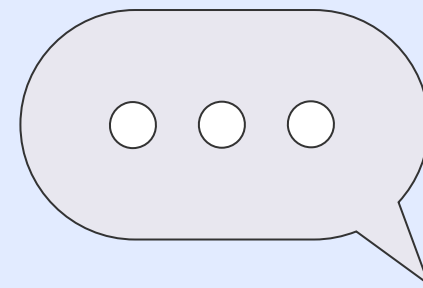
Process Recording: What is it?

SOCIAL WORK TOOL USED TO ASSESS CONTENT AND PROCESS OF PROVIDER-CLIENT INTERACTIONS*



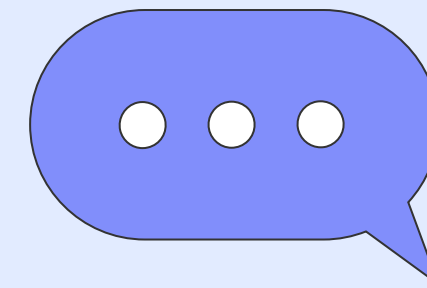
Backward Focus

- Reflection-on-action = **PAST**
 - Evaluation of Practice
 - Evaluation of Self



Current Focus

- Reflection-in-action = **PRESENT**
 - In-the-moment processing, analyzing, & responding



Forward Focus

- Reflection-for-action = **FUTURE**
 - Planning & Next Steps

** Not limited to "provider-client"*

Process Recording: Process

REFLECTIVE PRACTICE



DESCRIBE



EXPLORE



QUESTION



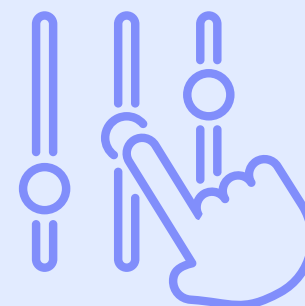
ANALYZE



UNDERSTAND



LEARN



ADJUST & ADAPT

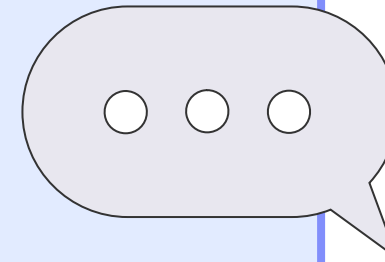


REPEAT

Process Recording: Learning Goals

CHOOSE YOUR OWN PEDAGOGICAL ADVENTURE!

- Communication Skills (verbal / nonverbal)
- Listening Skills
- Observation Skills
- Recall Skills
- Cultural Awareness / Competence Skills
- Surfacing Skills (e.g., thoughts, feelings, assumptions, bias)
- Analysis Skills
- Thinking and Acting in Moment Skills
- Integrating Theory with Practice Skills



Process Recording: Reflective Practice

CONTENT/ DIALOGUE

Transcription of communication during exchange (verbatim-verbal & nonverbal); read the people and read the room

FEELINGS/ THOUGHTS

In-the-moment thoughts, feelings, and reactions during exchange re client, content, message, process

ASSESSMENT/ ANALYSIS

Observations & impressions

- Interpretation of events; effects of norms, assumptions, judgment, bias, etc.
- Context
- Patterns & themes
- Parallel processing

PLANNING/ INTERVENTION

Next steps: How to proceed and why? Re:

- Self
- Client
- Relationship

What theory, strategy, other bases underlie choices, actions, decisions?

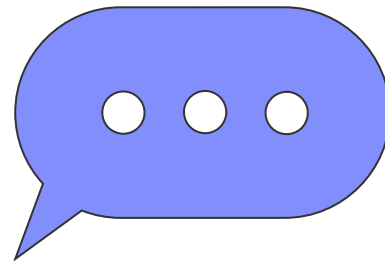
Lessons learned

SUPERVISOR COMMENTS

Comments based upon learning goals

Formative feedback

Process Recording Usage: Example 1



SETTING THE STAGE

- Special education legal matter
- Child (age 10) diagnosed with autism, ADHD, anxiety, ODD
- Stays home often due to severe anxiety, school-resistance
- Parent asked Clinic about seeking emergent relief and effects of absences on legal claim for special education evaluation by school
- Students researched issues and called parent to discuss

Example 1: Content & Dialogue

LS = Law Student, P = Parent, C = Child

P: Yes, she is there. *[Sounds frazzled. Child screaming in background]*

P: Yes.

P: *[Audible sigh.]*

LS: We want to start by asking if **C** is back in school?

LS: Are you still considering filing for emergent relief to get her home instruction?

LS: Well, we did some research on the issue and don't think you'll succeed without medical or behavioral support stating she needs home instruction pending the evaluation. As we explained when we last spoke, we also would not represent you in an emergent hearing because that is outside the scope of our retainer.

Example 1: Content & Dialogue

P: Uh, OK. *[Sounds exasperated. Yells to child "Please stop screaming so Mommy can talk on the phone."]*

P: *[Interjects]* I'll do what is best and safest for my daughter. Thank you. *[Anger/upset]*

LS: We also want to remind you that you need to make sure that C attends school regularly. Otherwise, you are risking a truancy action against you or possibly child welfare involvement initiated by the school...

Parent hangs up the phone. Later that day, parent sends an email to the LS expressing her frustration and belief that students lacked empathy for her situation.

Example 1: Feelings & Thoughts



LS: We want to start by asking if C is back in school?

P: Yes, she is there. *[Sounds frazzled. Child screaming in background]*

I'm eager to answer her questions. I worked extra hours this week so I could give a quick response.

She sounds defensive.



Example 1: Feelings & Thoughts



P: Yes.

LS: Are you still considering filing for emergent relief to get her home instruction?

LS: Well, we did some research on the issue and don't think you'll succeed without medical or behavioral support stating she needs home instruction pending the evaluation. As we explained when we last spoke, we also would not represent you in an emergent hearing because that is outside the scope of our retainer.

P: [Audible sigh.]



Her minimal responses make me nervous. Is she angry with me? I am just giving her answers. I can't help it if she does not like what I have to say.

Example 1: Feelings & Thoughts



P: Uh, OK. *[sounds exasperated. Yells to child "Please stop screaming so Mommy can talk on the phone."]*

LS: We also want to remind you that you need to make sure that C attends school regularly. Otherwise, you are risking a truancy action against you or possibly child welfare involvement initiated by the school...



Parent tone sounds annoyed and defensive, which frustrates and annoys me. I'm just the messenger and I worked really hard to get her answers before the weekend so that she would not feel anxious not knowing them.

Example 1: Feelings & Thoughts



P: *[Interjects]* I'll do what is best and safest for my daughter. Thank you. *[Anger/upset]*

Huh? This catches me off guard. If acting like this with me, then maybe she is not so innocent in interactions with school.

P hangs up. **LS** feels angry, disrespected, and shaken.



She needs to understand how much she is putting her legal case at risk by not requiring her child to attend school every day.

Example 1: Assessment & Analysis

LANGUAGE/LS VERBAL WORD CHOICE

- Language not neutral
- Focused on her and us, not what law and court say/will say

LANGUAGE/LS VERBAL OMISSION

- Did not acknowledge challenges Parent facing/display empathy
- Did not encourage Parent to share thoughts, feelings, concerns

LANGUAGE/PARENT NON VERBAL CUES

- Tone, sighs, frustration/exasperation – let hang instead of fronting

CONTEXT

- Maybe not good time to talk (one-word responses); Child screaming in background; preoccupied/stressed

Example 1: Assessment & Analysis

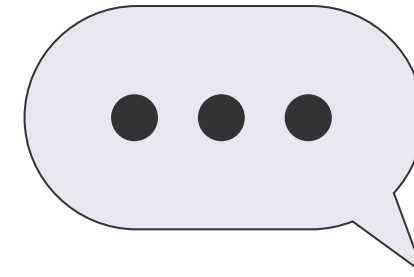
PATTERNS/THEMES

- Blamed by school and now feeling blamed by us

ASSUMPTIONS/JUDGEMENT

- Immediately personalized situation [is she angry with me?]
- It's her, not me
 - Unable to see outside myself in moment [she is defensive; I did nothing wrong]
 - Shift to negative view of client [maybe she is not so innocent]
- Expected **P** to know how much extra effort I put into finding answers quickly for her

Example 1: Assessment & Analysis



QUESTIONS & EXPLORATION

1.

How do I display empathy while ensuring mutual respect?

2.

At what point does understanding a client's actions or reactions turn into excusing inappropriate behavior?

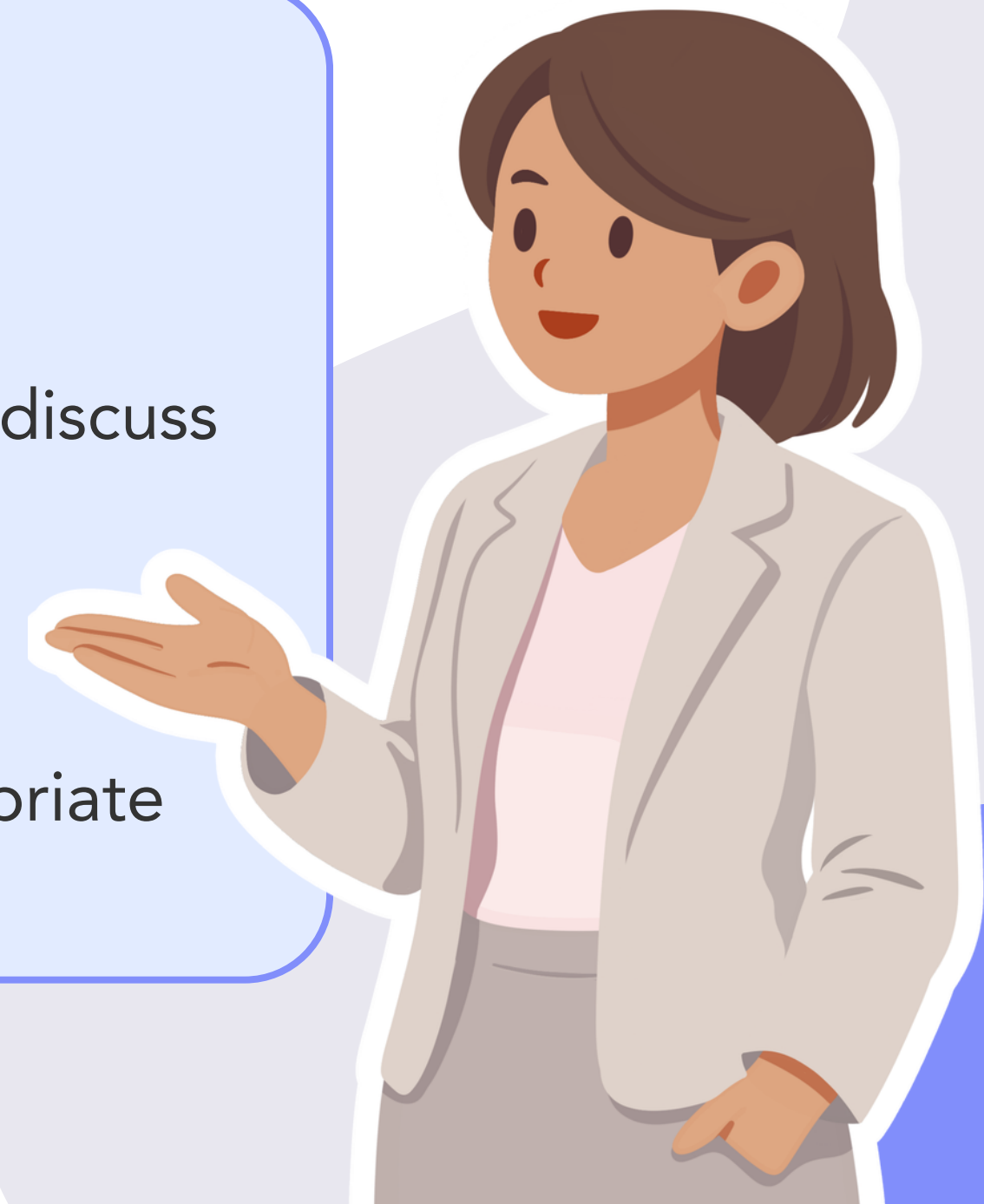


Example 1: Planning & Intervention

SELF, OTHER, & RELATIONSHIP

Verbal and Non-Verbal Communication Skills, Listening Skills

- What are some factors I will consider when calling a client to discuss important issues?
 - Red flag verbal and non-verbal cues
- How will I present information next time?
 - Depersonalize w/r/t client; neutral where able and appropriate



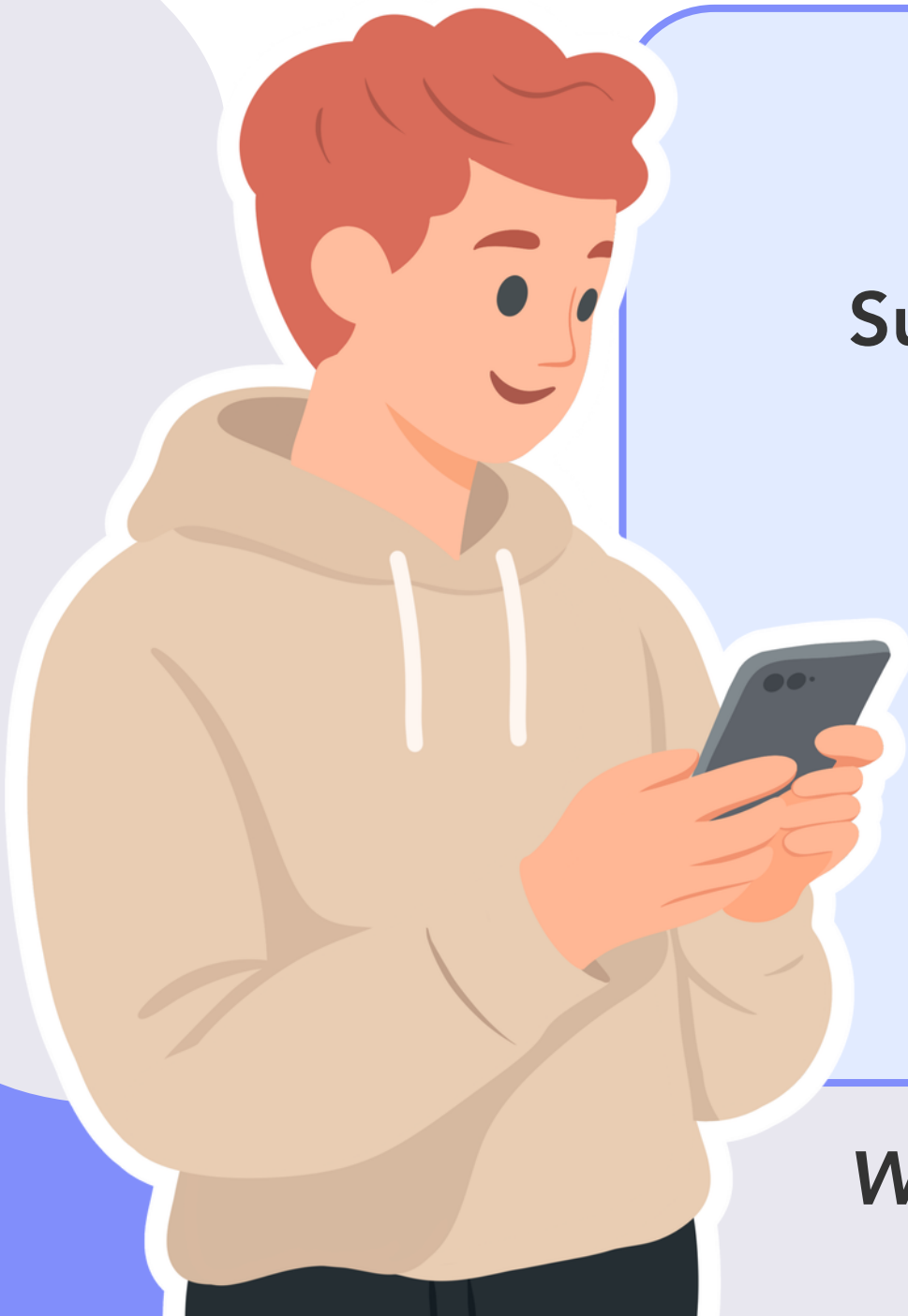
Example 1: Planning & Intervention

SELF, OTHER, & RELATIONSHIP

Surfacing Skills, Thinking- and Acting-in-Moment Skills

- How do I respond if I sense frustration, defensiveness, upset in client?
 - Politely point out elephant in the room/"front" the uncomfortable
- How do I respond if I sense frustration, defensiveness, upset in me?
 - Deep breathing, reality testing, parallel processing

WHAT WILL I DO TO REPAIR THE RELATIONSHIP DAMAGE?



Process Recording Usage: Other Examples

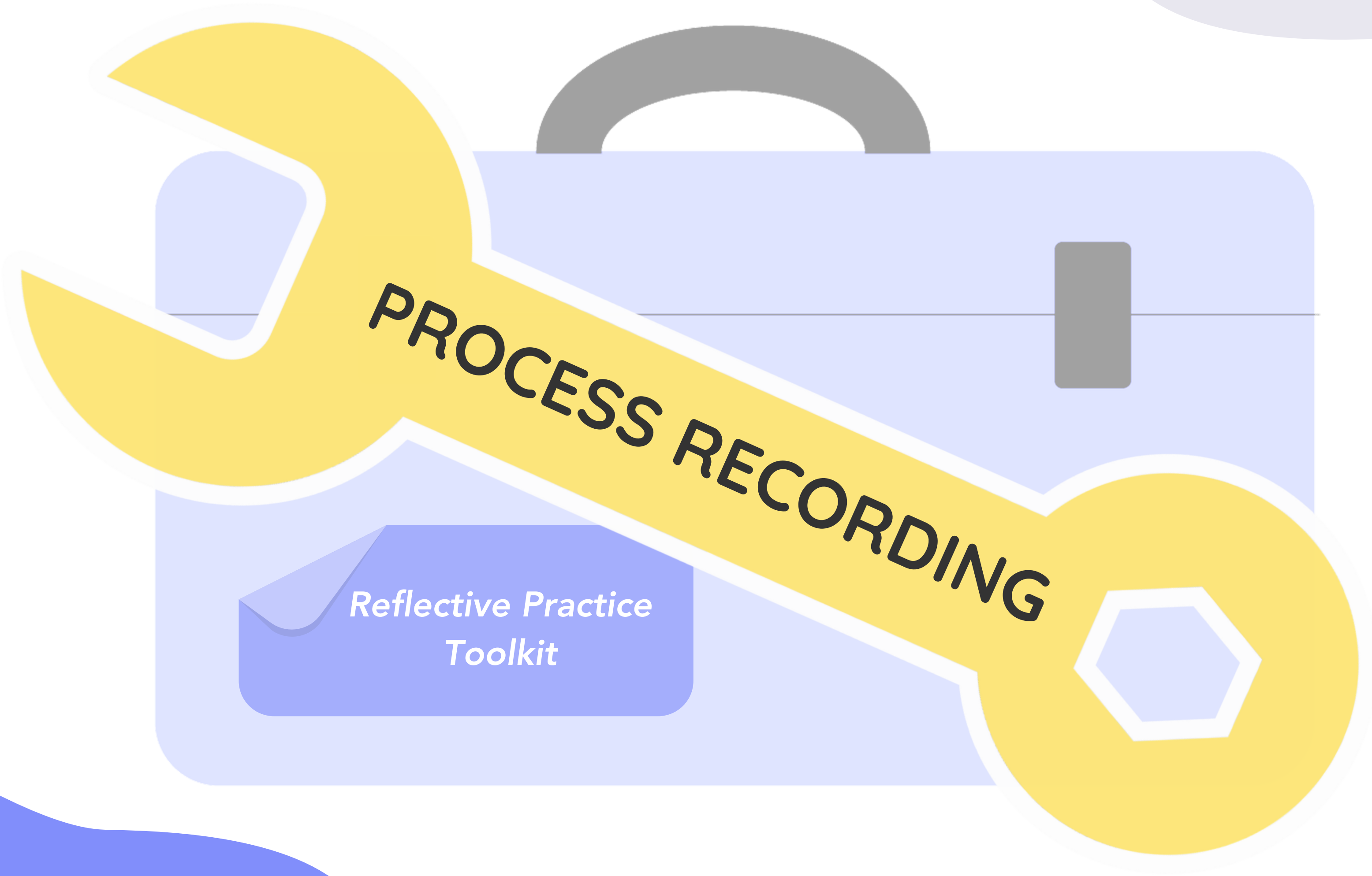
LAW STUDENT EXAMPLES

- Emotional interview
- School meeting advocacy
- Courtroom oral argument

PROFESSOR EXAMPLES (MODELING)

- School meeting advocacy
- Settlement negotiation



A stylized illustration of a blue toolbox with a grey handle and latch. A large yellow wrench is positioned diagonally across the front of the toolbox, with the words "PROCESS RECORDING" written in bold black capital letters along its handle. A yellow gear is attached to the bottom right of the toolbox. Inside the toolbox, a blue folder is visible with the text "Reflective Practice Toolkit" written on it in white.

PROCESS RECORDING

*Reflective Practice
Toolkit*