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Experiencing COVID-19 as Both a Mother and Domestic Violence Attorney

As I write this and reflect on the last few months, I stare out into my backyard from my makeshift home office, hearing the laughter and playfulness of my children—and the screaming in my ear asking for food every 30 minutes. While it’s been an adjustment to go from working exclusively outside of the home to working primarily from home (while simultaneously homeschooling and parenting no less), it has also been a welcome change and an opportunity for us as a profession to experiment with ways in which we can work more flexibly. To put things into perspective, let me take you through the last several weeks from my point of view as a mother of three young children and a domestic violence attorney.

About two months ago, as COVID-19 was just beginning to be recognized as a pandemic, I was anxiously awaiting my daughter’s Make-A-Wish trip to Disney World and praying to dear God that she didn’t get sick while we were there so she could fully enjoy her experience. You see, my five-year-old daughter has a type of primary immunodeficiency which makes her more susceptible to infection than the average person—hence the Make-A-Wish trip. Thankfully, she did just fine leading up to and during the trip. However, the day after we returned home on February 28th, she spiked a fever and was struggling to breathe. My first thought was, “Oh crap!” I immediately and anxiously thought of the COVID-19 media reports I started to hear while standing in the ride lines at Disney. Thankfully, my daughter is under the care of amazing specialists and they quickly diagnosed her with the Flu...and two other viruses, none of which were COVID-19.¹ Yes, she really had three illnesses at the exact same time—that’s how susceptible she is to infection. She eventually recovered after about two weeks and I had a major wake-up call: If the Flu and a handful of viruses can make my immune-compromised child that sick, what could COVID-19 do to her or our family?²

Adding to that anxiety, my husband and I both work in fairly crowded environments where we interact with a lot of people. I am a domestic violence attorney, and a very proud one at that. I truly view my work as a calling and consider it a privilege to use my degree and training for such a worthy cause. However, that cause comes with significant in-person client and court interaction. During a pandemic with a high-risk child, I can palpably feel the anxiety each time I walk into the courthouse to appear for a case. However, I wanted to continue to do

¹ To be clear, my daughter was never tested for COVID-19 because at the time she did not satisfy the then-existing criteria for testing. However, after the Flu diagnosis, along with the other three viruses she tested positive for, her treatment team is fairly certain she did not have COVID-19.

² “Coronavirus Disease 2019 (COVID-19): People Who Are At Higher Risk,” U.S. Centers for Disease Control and Prevention, available at <https://www.cdc.gov/coronavirus/2019-ncov/need-extra-precautions/people-at-higher-risk.html>.

my part and did not want to ask for any special type of accommodation, partly because I enjoy helping people and partly because I knew my absence from the courthouse would mean another colleague's increased exposure. So, fairly early on, I started to take significant precautions going to work. I was that person wearing masks and gloves before the CDC recommended we do so.³

Thankfully, the leaders at our firm had the wisdom and foresight to implement a work-from-home policy prior to the stay-at-home order issued by our Governor.⁴ So when I was not in court, I was at home. I also found our judicial districts doing everything they could to implement social distancing and safety protocols while maintaining access to justice, which was no easy feat.⁵ Some districts did not initially have the same capabilities as others, and consequently attending hearings remotely was not an immediate option in every district. This meant that courts and attorneys were tasked with having to think critically and quickly in order to serve our respective populations. And no matter how hard I struggled with it, some colleagues still stepped in to help with my caseload without my asking; because that's who we are as an office, and as a firm. We're helpers.

So how has it been working from home during a pandemic, with a high-risk child, a full-time domestic violence caseload, and all while trying to balance homeschooling and parenting? Well, I strongly believe that we as humans are not meant to homeschool, work full-time, go to court, and at the same time serve as a caregiver to young children and/or elderly parents! It's a quick recipe for a mental-health break down or a way to develop a substance abuse problem.⁶ Thankfully, by the grace of God, I haven't succumbed to either; although I do take walks at lunch and in the evening to maintain my sanity. However, there are very useful things about working from home. Ideally, if these arrangements were implemented under normal conditions, when our kids were in school and daycare, and when there wasn't pandemic-related anxiety looming over our heads, we'd have more tools to successfully cope. I believe this because I have experienced glimpses of this prior to COVID-19. While the firm I work for has never before worked exclusively from home, and we never could because of the types of law we practice, our firm is significantly more flexible with employee work schedules than some other firms.

³ "Coronavirus Disease 2019 (COVID-19): Recommendations for Cloth Face Covers," U.S. Centers for Disease Control and Prevention, available at <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/cloth-face-cover.html>.

⁴ Executive Order No. 121: Stay At Home Order and Strategic Directions for North Carolina In Response to Increasing COVID-19 Cases, Governor Roy Cooper, State of North Carolina (March 10, 2020), available at <https://files.nc.gov/governor/documents/files/EO121-Stay-at-Home-Order-3.pdf>.

⁵ Bill Cresenzo, "Virtual Hearings are now more than a 'remote possibility,'" North Carolina (April 8, 2020), available at <https://nclawyersweekly.com/2020/04/08/virtual-hearings-are-now-more-than-a-remote-possibility/>.

⁶ Andrew Solomon, "When the Pandemic Leaves Us Alone, Anxious and Depressed: We are in a dual crisis of physical and mental health. But there are ways to head off breakdowns," New York Times (April 9, 2020), available at <https://www.nytimes.com/2020/04/09/opinion/sunday/coronavirus-depression-anxiety.html>.

For instance, when life happens (because it always does), I am able to craft my hours around my family's then most pressing needs and work while I'm tending to those needs. If it's time for my daughter's immunoglobulin infusion, no problem! My husband and I just make it happen and work on our laptops, whereas in another setting, I would have constantly had to take full days of paid leave just to be at the hospital with my daughter, or worse, been penalized for taking care of her. It also means that I can attend all of my oldest daughter's practices, games, and school events, while still fitting in my work hours and making sure I'm available to meet my clients' needs. When my son gets sick at daycare, I'm able to virtually "meet" with my firm's team or a client while I'm home taking care of my son. Or if I need some space to breathe and just be in nature, I can take a much needed walk without worrying that I was away from my computer for 30 minutes. These are all techniques that have worked for me to balance my personal life and practice, much to the thanks of an amazing local office and a wonderfully supportive spouse and family. However, they are also techniques that I believe can be adapted for many other practices and personal situations, even if perhaps it took COVID-19 to realize it.

However, these arrangements do have to be tempered with balance and reality to make sure we are representing our clients to the best of our ability. As a domestic violence advocate, the reality is that I still must regularly appear in-person in the office or courthouse. It's just the nature of the job. I also like to be able to hold a client's hand or give them a hug if they want it; to assure them that I will advocate my hardest for a good outcome and console them when we do not get a desired outcome. I cannot do that over the phone, or even by video. The humanity in the practice will be missing if it becomes mostly virtual after this crisis. There needs to be a balanced approach and I think that's something that can be creatively addressed with the bright minds in our profession.

On a final note, as a domestic violence service provider, I think it is imperative to shed light on what many domestic violence survivors are experiencing right now during this pandemic. Being at home, especially under these circumstances, means that some victims of domestic violence will not realistically have access to our assistance because they are stuck at home with their abusers.⁷ Even though the courts are open for them to file for emergency relief and our firm is open to serve them, they are not as likely to have a safe opportunity to call us or make it to the courthouse to file for protection. It also means that children who are being beaten or neglected don't have as easy of a way out, as they are stuck at home with their abusive caregivers. For many of them, schools are their safe havens and often those schools are the first to notice if something is off with a child's home life. So as our profession takes this pandemic experience as an opportunity to have these discussions about work-life balance, and reflect on our personal experiences, I think it's worth noting that not everyone has that privilege. In the meantime, we can only hope that some people are still able to access our services and the courthouse for emergency help. We can also be ready for the influx of people who will need us

⁷ Amanda Taub, "A New Covid-19 Crisis: Domestic Abuse Rises Worldwide" (April 6, 2020), *available at* <https://www.nytimes.com/2020/04/06/world/coronavirus-domestic-violence.html>.

at the end of all of this. Only this time, hopefully it will look a little different—more balanced for all parties involved.⁸

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*The preceding article was researched, written and reviewed as part of the work of the NCBA Professional Vitality Committee (“PVC”). The lead author was **Larissa Mañón Mervin**, Legal Aid of North Carolina, Concord, NC. Please direct comments and suggestions to [Erna Womble](#), Committee Chair, and Communities Manager [Holly Morris](#). See more of the [PVC’s compendium](#) of articles and blog posts at <https://ncbar.org/members/committees/professional-vitality/>.*

⁸ If you would like to help bring about the cessation of family violence, Legal Aid of North Carolina, Inc. would love to have you as a volunteer. Please go to www.legalaidnc.org/give-help/volunteer to learn more about how you can help.