

FACL x Butterfly Network: Tips for Practitioners Working with Clients in the Asian and Migrant Sex Worker Community

1. Listen carefully to the stories of your client to account for the totality of their experiences, including their non-legal concerns.
2. Be transparent about cost expectations.
3. Adopt a positive attitude even in difficult circumstances. Simply advising your client to plead guilty or pay a fine without attempting to challenge the status quo can be discouraging for your client, who may already feel alienated by the legal system.
4. Communicate regularly with your client about each step of the process. Explain to your client in advance why you're asking certain questions as they relate to your client's address, identification, and immigration status. Reassure your client that you will not report them to the police unless legally required.
5. When executing an agreement with your client, expressly communicate to the client that the client has the power to negotiate the terms and provisions of the agreement.
6. Be honest about the limits of what you can and cannot do for your client. Advise your client about the risks engaged in every stage of the legal process so your client can make informed choices.
7. Validate the concerns of your client in engaging with the court process but set realistic expectations. Explain with compassion the limitations of the court process, including the stigma your client may face - particularly in a child custody context - from judges, opposing counsel, and other parties as a result of their vocation.
8. Try not to acquiesce to the infringements on your client's rights in order to satisfy your client's interest in settling their case. Dismantle stereotypes when you can and advocate for the justice of sex workers.
9. Consult with lawyers outside your own practice area in order to prevent unexpected consequences for your client in other areas of their lives as a result of your advocacy. Due to the nexus between child custody, immigration, and criminal laws, an action in one area of law can result in consequences in another. Be humble about what you don't know.
10. Be mindful of the fact that sex workers do not require rescue from sex work. Sex workers experience harm not from their work but from discriminatory laws and social stigmatization that make it more difficult for sex workers to perform their jobs.