

0117 Adding Immigrant Hardship Evals to Your Practice

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Welcome back to the Abundant Practice Podcast. I'm your host, Allison Puryear and today I have Juan Santos with me from SantosCounseling.com. We're going to be talking about immigration hardship evaluations, marketing a bilingual practice. I'm really, really excited about this conversation. So, thank you so much for being with me, Juan. I appreciate it.

Juan: Yeah. I'm so excited. I'm very excited to be here with you.

Allison: Yay! So, maybe let's start with what is an immigration hardship evaluation?

Juan: Yeah. And I want to paint this vivid picture so you're able to understand it and know you, as a clinician, I would love if you would consider this area. Its an area that supports immigrants, supports individuals from different countries such as Mexico, to be able to obtain a legal status here and remain in the US, which as US citizens, we know this is the dream place. And I'm from the Dominican Republic. So, I came here at seven. And I experienced so much growth in myself and my family system from being a US citizen. So, going back, with immigration hardship evaluation, you have this client, and the client is going to have a certain status and may be undocumented. Or overall, they are trying to remain here in the US. They are going to work with an attorney who is going to support them on the legal side. So, we'll use an example. Let's say they are doing a U-Visa. A U-Visa case is where your client, being undocumented, experienced a trauma here in the US. Let's say they were going to the ATM machine and they were attacked and robbed there. That trauma caused PTSD like symptoms. The attorney is going to help them process that case they are able to hopefully achieve a legal status here in the US. And mind you, please I am not an attorney. So, I do want people to keep that in mind.

And then, the clinician, our role, we are going to write an evaluation. Now, an evaluation goes into a lot of different components. One of the big ones, in that type of case, the U-Visa type of case, is we're trying to identify what took place that day, and how that impacted the individual. So, maybe some of you sitting there listening to this as clinicians, you're thinking, okay, I can use psychometric inventories. I could use [unknown 3:41] oppression. Or, a trauma inventory. And you're right. In these evaluations, you are trying to understand utilizing whether its research, statistics, you're using inventories, overall to identify that, because that individual was at the ATM, they went through a trauma. You're highlighting all the symptoms in the evaluation. You're highlighting how you got to the conclusion. And then, you're submitting to the client who then gives it to the attorney, so it's this really team approach. You have the client, you as a clinician, and the attorney to support the individual, navigate the legal proceedings.

Allison: Got it. So, is it only for somebody who has been a victim of crime? Or are there other circumstances where they might be eligible for these?

Juan: Correct. So, there's other circumstances, depending on the case. That's one case. Another major case includes a T-Visa, T stands for Trafficking visa. An asylum case. A VAWA case, VAWA stands for Violence Against Women's Act. Now, that can be women or man, such as being in a relationship where you experienced some sort of abuse. And with each major case, there's one more, a hardship case. That one is one I think a lot of individuals do hear about. Overall with these cases, and I'll give you a little gist of each one. We'll kind of go back in a second. But, overall in them, as a clinician, your role is to write the evaluation that parallels with the type of case that's taken place. And a lot of the questions you may have as far as, you know, what needs to go into the evaluation, etc. etc. Those questions, you'll receive support through the attorney. They are going to guide you as far as hey, make sure you talk about this. Or insert these types of notions if you will to further understand what took place.

Allison: And so, can we go through each of those and talk a little bit about just what folks would need to know?

Juan: Yeah. Let's do it. Let's hold hands and go for a walk. We'll start with the hardship. Now, that would be between let's say you and I, let's say Allison that, you're the wife and husband, and I do not have legal status here in the US. And you do. So, you'll be petitioning that you would go through some sort of emotional or psychological, some sort of hardship if you will, because of my removal. I would have to go back to the Dominican Republic. And maybe we have kids involved, maybe we have 2 or 3 kids. Or, you're suffering from a medical condition, let's say diabetes. Or some sort of circumstances. So, as the clinician working with us, they would try to address all of these areas. They would look at, what would happen if Juan went back to Dominican Republic? How would that impact Allison's life? The life of the children? What type of safety do they have in the Dominican Republic versus here in the US? And then, you keep digging and digging into this evaluation which can go from 10 to I've had some that are close to 30 pages. In there, you are trying to have validity where if, let's say if I wrote in the

evaluation that you, as the wife, would go through an emotional hardship. I may find statistics, some really strong, valid research that highlights the impact of deportation on a family system. And then we would represent the evaluation. The VAWA violence against women's act, that would be, in a similar situation such as this, again, you know, husband and wife. But let's say you were just really cruel to me. You told me things like, Juan, you have to keep working, or I'm going to call ICE, or I'm going to deport you. Juan, you can't go out anywhere. You just go to work and come right back home. I would be going through a lot of emotional challenges there. I would be in fear because I don't have legal status. And I feel like you, as my spouse, are controlling my life. And if you know some of those references, you're controlling it in a negative way. There may even be some physical abuse taken place. So, as a clinician, they are documenting all of this information to try to come to some conclusion. Conclusion as far as what type of emotional hardship, physical hardship, took place.

Allison: Got it.

Juan: For the U-Visa, T-Visa, the T-Visa and the asylum, each of those really work in the same category as the one that I mentioned before. The Violence Against Women's Act. Or the U-Visa. Because they are all trauma related. So, overall, the clinician is trying to dig into that individual's life in an evaluation process to understand, how did those circumstances impact them? And how can they continue to impact them in the future? And the family system.

Allison: Yeah. So, I'm curious, when I hear things like asylum, how much geo-political knowledge must a therapist have to be able to do this effectively?

Juan: And that's where, I remember when I first started this, that was my first question, because I'm like Juan, you are not an attorney. I'm not one of those that I like to get on CNN or Fox or whatever news it may be. Because it really impacts my mood. So, my knowledge was not up to par. And when I met with this attorney, who the consultation that I utilized and the courses that I created, an attorney here in North Carolina, Alex, he supported me as far as the education. So, I think as clinicians, we went through school and we were okay with having a professor support us of education. We do CEU's and we're okay with having these other professionals support us with education. So here, really, its okay if you don't have a lot of this legal knowledge. There is support around you. When you work with a client, they are already working with an attorney. All you have to do is reach out and say hey, I am X clinician. I am working with this client. They are navigating a U-Visa case. Could you give me some information as far what are the circumstances? What's the legal and political factors that I need to know to be able to best support my client.

Allison: Got it. It's great to hear that, and I can imagine because there are not enough of us doing these evaluations, that if an attorney has time to walk us through what might be necessary to make their case stronger, or to just make it more accurate, it's good to hear that there's some willingness there. I can imagine, though, it sounds like, well, my knowledge of

most attorneys I know, they might not always have that time. You mentioned that you have a course. Can you tell us a little bit about that?

Juan: Yes. In that course, there are three separate ones. One if you just want to learn how to write it. One if you want from introduction all the way to the end, everything that's in there. And the other, if you are already doing it, and you want to learn how to market it at a stronger level.

Allison: Awesome.

Juan: With the course, I connected with an attorney in my area, and then we both just sat down, knocked out some videos, had some coffee. No beer. And then, brought his legal education, my clinical education and then created this course. There's a lot of different students in there. We are getting really good feedback. I think with the question you brought up, I kind of want to go on a short tangent to let clinicians know that, as long as you're licensed, you're able to write these evaluations. There's a couple of factors you want to look at, though, depending on where you're at. One is your licensing board, give them a call. Let them know you want to write these evaluations just to make sure everything is even [unknown 10:45] over there in your area. Another is making sure with your professional liability, make sure that this is an area you have covered, right? Cover your bootie. As my 5-year-old says. And the last one is something I think most of us and all of us hopefully do, fingers crossed, is continuing professional development. So, if you are utilizing CEU's, we all have to get those. Get some in the legal area. Get some in the clinical evaluation, writing evaluations. So, you feel more competent. And you feel more ready and prepared.

Allison: Got it. Yeah, those are really good tips. Do you ever have to testify to this? Or is it kind of, you write the report, you give it to the attorney, and you're done?

Juan: You can do that one where you write the report, you give it to the attorney, and you're done. Depending on your geographic area. I have a colleague named George Ramos. He's upstate in New York, yes? And I believe the last time I connected with him, because we're [unknown 11:40] at school, he's had to do some testifying. And my area, I've had a few cases where I've went to court, I was there, I was ready, and it just got dismissed or they found what they needed in the evaluation. And there's a little trick that I've learned along the way. I'll share it with you, to reduce the likelihood. And there's no statistics to this, if you will. It's just something that I've learned through time. When I first wrote the evaluations, I gave the big pointers of what the person needed to know. now, as I write them, I write sufficient detail so that if I were, if they need me to go to court, the questions they are going to ask are already answered in the evaluation.

Allison: That's really smart. So, it's kind of different from the way a lot of people do documentation in general. Instead of it being skeletal, it's very clear. I'm imagining that 30-page report you mentioned was probably chock full of good information and anticipated answers to questions. Yeah. So, I know that not all of the folks that therapists do the evaluations with

speak different languages. But I know that you mentioned being bilingual and marketing that. how many of the evaluations, what percentage maybe, of the evaluations you do in a year, come to you because you're bilingual?

Juan: I would say 99%. The majority. I am so, so grateful that my parents forced us, if you will, to speak Spanish within the home, even though it did cause some bullying. I am so glad they forced us to do that. Because now, as an adult, as a professional who's able to support individuals in their lives, I can utilize that skill. But, let's say you want to write these evaluations. And you're thinking, Juan, Allison, I don't speak Spanish or a different language. I speak English. That's okay. You can hire a translator to support you. To be able to sit there with you and to navigate that process so that you're still able to support that client.

Allison: And does that usually need to be in person? Can it be using something like Language Line? What are some options you've seen people use there?

Juan: So far, the only options I've seen, and I'm sure there's plenty, is utilizing a physical person to be there with you. However, in providing these evaluations, myself and other colleagues that write them, we utilize face to face and virtual sessions.

Allison: And so, I think about just the bilingual piece in therapy marketing in general. I've had a number of people come to me and just kind of mention kind of like doorknob therapy, almost. But like in consulting they'll mention at the very end, and oh yeah, I'm bilingual. And I'm like, oh my gosh, that's gold! Like, if your ideal client speaks another language, holy cow! Let's get the word out. As somebody who is a bilingual therapist, how do you market that?

Juan: It's been such a blessing. Again, I'll share that with you. I know there are so many opportunities I've been granted in life because of that component. I market it very directly. I share with individuals that I am from Dominican Republic. I value family. Very culturally sensitive to that upbringing. When I reach out to attorneys I send, and if you want to go into marketing, we can. I send information in both languages, so they are able to provide that to their clients.

Allison: That's really smart. Yeah. and I can imagine, it's such an asset, in the evaluation itself, to be able to hear the information and understand it yourself. I think translators are amazing. But I can imagine there's some richness to being just you and the client in the room and you being able to conceptualize as you go.

Juan: Yeah. there are times when I'm having a session and we're just going back and forth in Spanish. And my brain will go into like, if I'm visiting family, just that atmosphere where it's that native primary language. It's a very rich feeling. I think it also connects to culture. Right? Language is a multi-cultural factor. So, if you're looking at you speaking a certain language that can benefit a client, maybe that's connected to you having a certain skin color. And that connects to a certain client. Allowing them to feel more at home with you.

Allison: Yeah. So, I'm wondering, just thinking about the marketing piece more. You mentioned networking with attorneys or sending attorney's offices marketing materials. Are we talking primarily immigration attorneys? Does it make sense to send it to the DA's office for those who, those clients who have become victims of crime at some point? Who are your primary referral sources among attorneys?

Juan: My primary referral sources are immigration attorneys or the individuals that work within that attorney office, such as paralegals. And the reason it's then is usually, 99% of the time, the client you are going to receive is going to come from the referral from the attorney.

Allison: Got it.

Juan: I do network with, my brain went into Spanish, sorry. With small clinics, small medical offices that are [audio broke 16:50] So I'll reach out to them. And build that relationship. And usually in those realms there's a higher number of undocumented individuals. Or, I'll reach out to places like [unknown 17:00] International here, in my local area. Letting them know that we do provide that service. Because they also support that population in our community.

Allison: Got it. And how do you price this service? How should people go about thinking about what to charge? Especially those of us who don't typically write reports and are used to just face to face for a set amount of time. How do you think through that?

Juan: Oh, it gives me such a headache when I first started. Because I would be going in so many different directions. I priced mine right now between \$800-\$1100. Depending on the type of case. Because I know certain cases need more work and more research from my end. My recommendation would be that you look at your geographical area. And you look at just what the market value is. There's a lady named Cecelia, and I'm blanking on her last name. but there's a Georgia upstate, there's Georgia King, and I think DC area, but Georgia King, that's her name. And you're going to look at these figures, these individuals and identify how much they're charging. And then look at what your hourly rate is. Because you're still doing that hourly type of work. Then, add another 1-2 hourly rates to it. Because you're going to take time to write the evaluation. And then there's also time that goes into the thing that most of us, including I, Juan, do not like. And that's where you go on statistics, and you're looking up all these research journals, because you're going to do a lot of that to back up your data. So, there's time invested.

Allison: Right. So, you need to make sure you're covering it completely and not just thinking about your face to face with the person. And then, do you have a clause that says, if you need to go to court, then it's going to be a set amount per hour of you being out of the office? What do you do for the court piece?

Juan: Exactly. You said it. I have the client come in. they do their intake. On that intake they have the information for the evaluation fee. And then there's another form that goes into court appearance. On there it has details of a retainer. If it's work with little bullet points that says

extra work with the attorney, if the case gets continued, and that sort of detail. And I'll share with you, everyone, the internet is a friend. Go on there. Google. You'll find information. If not, give me a call, email me, I am more than happy to share that with you.

Allison: Awesome. Anything else that you want to make sure people know about these evaluations?

Juan: With evaluations, I want you to know that as long as you're licensed, you're able to write them. I also want you to know that right now, I'm not going to go into the whole political conversation, but there is an epidemic taking place. And there are so many individuals, so many families that need support. As a clinician, I came into this field because I love to help people. And I know that if we were sitting together, all our hands would go out there. So, the need is there. You're able to do it. There are professionals around that are able to walk with you and provide guidance, increase the level of competence and skill. And yeah, I would really love to see more individuals focusing in this field. And if you like, we can kind of go into some marketing ideas.

Allison: Yeah. yeah, let's do that.

Juan: Okay. So, the first one I want to share with you is, creating a product. So, the product is going to be your template, your evaluation. And then, giving that to the attorney. So, what you have there is, you have this evaluation, mind you, make sure there's no confidential information on there. And you want to sell yourself as if you're an artist. I like to use my brother, he's an artist. He gets to make these beautiful canvases and he gets to say hey, this is my product. This is how good I am. And then people get to hire him. For us, we can do that, too. We can write our evaluation. Get the key points on there. Then, you give that to the attorney, and you share with them, hey, this is what I can do. This is my product that I can show you. And that's worked very, very well with me and continues to work well.

Allison: That's really smart. Just thinking about, they see what they are going to get. Which is, and also, it makes you write future reports. And makes it so much easier when you have a template. You know?

Juan: Correct.

Allison: So, in your marketing, you're actually taking care of some of the work later.

Juan: Absolutely. Knocking off a few points, I guess. There's a better saying than that, but that's the only one that came to mind.

Allison: Hey, it works. We'll go with it.

Juan: The other one is, video. I was on the podcast with Joe from Practice of the Practice. doing an introvert marketing segment. But I wanted to share with you, in case you're an introvert, you can still do this one. It's just getting on your video and doing a short intro to you writing the immigration evaluation. You're going to discuss how you write it, who's it for, and then, as a

one-time project. Once you finish this project, you share it with the attorney. So now the attorney or any other referral sources are able to say, X clinician is able to provide this service.

Allison: That's really smart.

Juan: Another one that maybe you're already doing is connecting with your, I like to call them buddies. Because I used to have a dog named buddy. I miss him. But, with buddies, you're going to connect with other professionals in the field. Such as right now, I am connecting with Allison. And you connect with these individuals to let them know what you provide. So, let's say if Allison provided immigration evaluations, and I also provide them. We know that at some point, maybe family gets too busy or I'm booked. So, I'm going to need someone to refer to. And that's where you want to build these relationships versus a [unknown 22:25] clinicians. I know I did it. You go in your office and you just like say, goodbye world.

Allison: yeah. I love that idea in any niche, of knowing the people who are working in the same way you are, or with the same population you are. So, that when one of you gets full, you can refer to the other. Its, that's where a lot of my referrals come from when I was first starting my practice.

Juan: Absolutely. And it's interesting. Because if you think about clinicians, mental health professionals, it's a population of people who like to help people. Right? So that's an interesting fact there. And that connects so well to marketing.

Allison: Yeah. Absolutely. When you can look at marketing as service, instead of looking at it as sales. Which, I'm not anti-sales. But it has a connotation in our crew of people of like ooh.

Juan: No way.

Allison: Yeah. Well thank you so much, Juan. And if they are wanting to check out your courses, is that at Santoscounseling.com as well?

Juan: that is. That's Santoscounseling.com. and if it's okay, I can send you some information that you can add to the notes of the podcast. On there, I'll have a 20% discount to the course, that anyone's able to utilize. As well as all the links and that type of information.

Allison: That would be amazing. We'd love that. thanks so much!

Juan: Absolutely. Thank you!

Allison: Have a great rest of your day!

Juan: Thank you. Thank you everyone!

Allison: Bye.

Juan: Bye.

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