

**THE UNIVERSITY OF TEXAS AT AUSTIN
SCHOOL OF SOCIAL WORK**

COURSE/UNIQUE NUMBER: 60470/SW 387R
60660/ SW 360K

INSTRUCTORS: MONICA FAULKNER, PH.D., LMSW
JOHN SPECIA, JD

SEMESTER: FALL 2015

OFFICE NUMBER: 3.212CA

MEETING TIME: TU 5:30-8:30PM

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SOCIAL WORKERS IN THE LEGAL SYSTEM

I. Standardized Course Description

This course is intended to demystify the legal system by providing students with substantive knowledge and practical skills that are necessary for surviving in the legal system. In preparation for field education, it will cover confidentiality, disclosure of records, social work privilege, informed consent, subpoenas, witness preparation and testifying. There will be an emphasis on the following areas of law which have a significant impact on social work practice: 1) family law; 2) domestic violence; 3) child abuse; 4) juvenile justice; 5) guardianship; 6) mental health; and 7) Americans with Disabilities Act. The course will offer students an opportunity to observe actual courtroom dockets, read case law and statutes, and review legal documents. Finally, it will cover social worker liability such as civil rights violations, malpractice and sexual harassment.

II. Standardized Course Objectives

Upon completion of this course, students will be able to:

1. Understand the state and federal confidentiality laws and the legal procedures governing the disclosure of confidential information;
2. Demonstrate familiarity with testifying in legal proceedings, including lay v. expert witnesses, direct examination and cross-examination and objections;
3. Understand the role of social workers and other experts in family law proceedings, including guardians ad litem, home/social studies, and court-ordered psychological evaluations;
4. Explain the process for obtaining a protective order in domestic violence cases and the legal effect of a protective order;
5. Identifying the different types of proceedings in child abuse cases, including emergency removals, status hearings, review hearing and merit hearings as well as demonstrate familiarity with child abuse reporting laws, the role of attorneys ad litem, guardians ad litem and CASA volunteers, and the testimony of social workers and therapists in such proceedings;
6. Understand what is meant by informed consent and how it affects social work practice;
7. Understand guardianship proceedings including court visitors, annual review of guardianships and removal of guardians and the impact of such proceedings on senior citizens and persons with disabilities;
8. Demonstrate familiarity with involuntary commitment proceedings, medication hearings, court-ordered out-patient and advanced directives;
9. Analyze the impact of the Americans with Disabilities Act on human service agencies, clients and social workers in private practice;
10. Analyze the impact of this knowledge on diversity and public policy issues;
11. Analyze and apply this knowledge to social work practice; and
12. Demonstrate a knowledge base of the values/ethical issues in social work practice.

III. Teaching Methods

This class is conducted using a variety of teaching methods such as lectures, videos, guest speakers, experiential activities and group discussions. Students are expected to complete assigned readings prior to each class period. Class instruction is designed to encourage student participation and input.

IV. Required Readings

a. Books

Harris Rome, S. (2013). *Social Work and the Law: Judicial Policy and Forensic Practice*. Boston: Pearson. (ISBN-10: 0-205-77689-2)

b. Additional readings

Additional readings from other books and journal articles are assigned. Any additional readings will be available on UT Canvas.

b. Relevant statutes

Relevant statutes are listed for each week on UT Canvas. These are optional and may be used by students as references as needed.

V. Course Requirements

Knowledge Assignment	20
Discussion board posting	8
Court observation	10
Testimony	10
Writing assignments (Affidavit, ARD letter, Social history)	45
Class participation (Can drop two absences in case of emergency)	<u>7</u>
	100

GRADUATE GRADING SCALE

94.0 and Above	A
90.0 to 93.999	A-
87.0 to 89.999	B+
84.0 to 86.999	B
80.0 to 83.999	B-
77.0 to 79.999	C+
74.0 to 76.999	C
70.0 to 73.999	C-
67.0 to 69.999	D+
64.0 to 66.999	D
60.0 to 63.999	D-
Below 60.0	F

A = Superior work: The assignment significantly exceeds expectations listed in the syllabus. Student does more than is required in the assignment and demonstrates a high level of in-depth critical thinking and analysis (i.e., writing coherent, ideas synthesized, discussion well developed).

B = Good Work: The assignment meets all the requirements and demonstrates evidence of in-depth critical thinking and analysis.

C = Average Work: The assignment meets the requirements or has minor gaps but lacks evidence of in-depth critical thinking and analysis. Remember, a C- (73 points) or lower is noted as a course failure and will require re-taking the course.

D-failing = Poor/failing Work: The assignment has important gaps, both in terms of not meeting the requirements and lacking in-depth critical thinking and analysis.

1. Knowledge assessment. The purpose of this assignment is to assess understanding of the course material. Students have two options for this assignment. The first option is to take the traditional mid-term and final exams. The second option is to create a resource that can be used by a non-profit to help explain a legal issue to their clients. The second option is the preferred option for graduate students.

2. Discussion board postings. Students will respond to 10 instructor developed questions posted on Canvas. Students will post a response to Canvas by 8am on the class day that it is due. Responses do not have to be a particular length, but should demonstrate critical thinking. The purpose of these responses is to help the instructors understand the degree to which students have absorbed information from the readings.
3. Court observation. Students will be required to observe courtroom proceedings for a minimum of one hour. Students will write a reflection summary of their observation detailing what courtroom they were in, what they observed and any reactions and reflections to what they observed. This paper should be no more than two pages double-spaced. Additional information will be provided in Canvas.
4. Testimony. Throughout the semester, students will practice giving testimony related to a hypothetical child abuse investigation. At the end of the semester, each student will testify in a mock courtroom setting where they will be direct and cross-examined. Additional information will be provided in class and on Canvas.
5. Writing assignments. Students will complete three writing assignments during the semester. They will complete an affidavit for removal in a child abuse investigation, a formal letter for an ARD committee and a social history on a juvenile justice case. In order to improve writing skills, students will be required to submit multiple drafts of these items. Additional information will be provided in class and on Canvas.
6. Class participation. Students will receive five points for class attendance, class participation and professional conduct. Attendance will be taken every class period. A student may miss two classes without penalty. For each additional class missed, one point will be deducted from the class participation grade. In addition, students who inappropriately use cell phones, computers or any other technological device during class will have one point deducted from their participation grade each time the behavior occurs. If all participation points are deducted from a student's class participation grade and continued absences and/or class disruptions occur, additional points will be deducted from the student's final grade in the same manner in which they were deducted from the class participation grade.
7. Extra Credit Points. Up to three points may be obtained for attendance at approved events related to social welfare issues. Information about approved events will be posted on Canvas. One point can be earned for each event. Points will be added to the student's final grade. Attendance at these events must include at least two hour participation at the event. Students may bring a copy of the event program signed by the speaker or an event organizer to verify attendance or write a brief summary of the event. Evidence from event attendance should be turned into the professor as soon as possible after the event. All attendance materials must be turned in to the professor by the last class day in order to receive extra credit points.

VI. Class Policies

1. *Class Attendance.* Attendance will be taken each class. It is the student's sole responsibility to sign the attendance sheet each class. Students are allowed to drop two absences due to unforeseen circumstances. Any class material missed due to a class absence is the students' sole responsibility.
2. *Class participation.* Students are expected to complete the readings prior to class, and should be well prepared to participate in discussions and experiential learning assignments. Failure to demonstrate through discussions that one has completed the readings will be considered in assigning the class participation grade.
3. *General assignment requirements.* All assignments must be typed, be double spaced and have one inch margins unless assignment requires a different format. References/sources used in papers must be in APA format and be academic/scholarly sources. If questions about the credibility of a reference

arise, consult with the instructor. The instructor is available to assist students in proof reading and formatting papers. However, students must contact the instructors 14 days before an assignment is due to arrange for assistance. The instructor is also available by email to answer questions about assignments. Students should submit questions or requests for clarifications at least 24 hours before an assignment is due. If an assignment is due in less than 24 hours, the instructor cannot guarantee a timely response.

4. *Assignment due dates.* Students will be penalized 5 points for each calendar day that an assignment is late. UT does not allow Incompletes (grade of X) to provide additional time to complete assignment. Students will be informed of any changes in assignments, due dates, and other class content. If an assignment is due on a date the student cannot attend class or during a time when a student is having difficulties printing a paper, papers may be emailed to the professor by the start of that day's class.
5. *Use of technology in class.* No cell phone use, ipod or other devices are permitted during class. Computers may only be used for taking notes or relevant in class activities. Any inappropriate use of computers for emailing or internet usage is not permitted. Professional conduct includes respectful and meaningful efforts to participate in group projects. Failure to appropriately use technology may result in a deduction from attendance points.

V. University policies

1. *The University of Texas Honor Code.* The core values of The University of Texas at Austin are learning, discovery, freedom, leadership, individual opportunity, and responsibility. Each member of the university is expected to uphold these values through integrity, honesty, trust, fairness, and respect toward peers and community.
2. *Professional Conduct in Class.* The professor expects students to act as professionals in class. This means students should arrive on time for class, be prepared to participate in the class discussion, and show respect for one another's opinions. A course brings together a group of diverse individuals with various backgrounds. Students are influenced and shaped by such factors as ethnicity, gender, sex, physical abilities, religious and political beliefs, national origins, and sexual orientations, among others. We expect to learn from each other in an atmosphere of positive engagement and mutual respect. Social Work also deals with complex and controversial issues. These issues may be challenging and uncomfortable, and it would be impossible to offer a substantive classroom experience that did not include potentially difficult conversations relating to challenging issues. In this environment we will be exposed to diverse ideas and opinions, and sometimes we will not agree with the ideas expressed by others. Nevertheless, the professor requires that students engage one another with civility, respect, and professionalism.
3. *Unanticipated distress.* Students may experience unexpected and/or distressing reactions to course readings, videos, conversations, and assignments. If so, students are encouraged to inform the professor. The professor can be responsive and supportive regarding students' participation in course assignments and activities, but students are responsible for communicating clearly what kind of support is desired. If counseling is needed, students may contact a service provider of their choosing, including the UT Counseling Center at 512-471-3515 or online at www.utexas.edu/student/cmhc/.
4. *Policy on social media and professional communication.* Public social networks are not private. Even when open only to approved or invited members, users cannot be certain that privacy will exist among the general membership of sites. If social work students choose to participate in such forums, please assume that anything posted can be seen, read, and critiqued. What is said, posted, linked to, commented on, uploaded, subscribed to, etc., can be accessed and archived, posing potential harm to professional reputations and prospective careers.

Social work students who use social media (i.e. Facebook, Twitter, etc.) and other forms of electronic communication (i.e. blogs, etc.) must be mindful of how their communication may be perceived by clients, colleagues, faculty, and others. Social work students are expected to make every effort to

minimize material which could be considered inappropriate for a professional social worker in training. Because of this, social work students are advised to manage security settings at their most private levels and avoid posting information/photos or using any language that could jeopardize their professional image.

Students are asked to consider the amount of personal information posted on these sites and are obliged to block any client access to involvement in the students' social networks. Client material should not be referred to in any form of electronic media, including *any* information that might lead to the identification of a client or compromise client confidentiality in *any* way. Additionally, students must critically evaluate any material that is posted regarding community agencies and professional relationships, as certain material could violate the standards set by the School of Social Work, the Texas Code of Conduct for Social Workers, and/or the NASW Code of Ethics.

Social work students should consider that they will be representing professional social work practice as well as The University of Texas at Austin School of Social Work program while in the classroom, the university community, and the broader area communities.

5. *Policy on Scholastic Dishonesty.* Students who violate University rules on scholastic dishonesty are subject to disciplinary penalties, including the possibility of failure in the course and/or dismissal from the University. Since such dishonesty harms the individual, all students, and the integrity of the University, policies on scholastic dishonesty will be strictly enforced. For further information, the student may refer to the Web Site of the Student Judicial Services, Office of the Dean of Students (<http://deanofstudents.utexas.edu/sjs/>).
6. *Use of class materials.* The materials used in this course, including, but not limited to exams, quizzes, and homework assignments, are copyright protected works. Any unauthorized duplication of the course materials is a violation of federal law and may result in disciplinary action being taken against the student. Additionally, the sharing of course materials without the specific, express approval of the professor may be a violation of the University's Student Honor Code and an act of academic dishonesty, which could result in further disciplinary action. This sharing includes, among other things, uploading class materials to websites for the purpose of distributing those materials to other current or future students.
7. *Documented Disability Statement.* Any student who requires special accommodations must obtain a letter that documents the disability from the Services for Students with Disabilities area of the Division of Diversity and Community Engagement (471- 6259 voice or 471-4641 TTY for users who are deaf or hard of hearing). A student should present the letter to the professor at the beginning of the semester so that needed accommodations can be discussed and followed. The student should remind the professor of any testing accommodations no later than five business days before an exam. For more information, visit <http://www.utexas.edu/diversity/ddce/ssd/>.
8. *Religious Holidays.* By UT Austin policy, students must notify the professor of a pending absence at least fourteen days prior to the date of observance of a religious holy day. If the student must miss a class, examination, work assignment, or project in order to observe a religious holy day, the professor will give the student an opportunity to complete the missed work within a reasonable time after the absence.
9. *Title IX Reporting.* In accordance with Title IX of the Education Amendments of 1972, the University of Texas at Austin is committed to maintaining a learning environment that is free from discriminatory conduct based on gender. Students who report incidents of sex discrimination, sexual harassment, sexual violence, or sexual misconduct to faculty, instructors, and/or staff who supervise students, will be provided a list of University resources. If the incident is impacting the academic environment, a report will be provided to the University's Title IX Coordinator. Further information, including student resources related to Title IX, may be found at <https://www.utexas.edu/student-affairs/policies/title-ix>.

10. *Classroom confidentiality.* Information shared in class about agencies, clients, and personal matters is considered confidential per the NASW Code of Ethics on educational supervision and is protected by regulations of the Family Educational Rights and Privacy Act (FERPA) as well. As such, sharing this information with individuals outside of the educational context is not permitted. Violations of confidentiality could result in actions taken according to the policies and procedure for review of academic performance located in sections 3.0, 3.1, and 3.2 of the Standards for Social Work Education.
11. *Use of E-Mail for Official Correspondence to Students.* Email is recognized as an official mode of university correspondence; therefore, students are responsible for reading their email for university and course-related information and announcements. Students are responsible for keeping the university informed about a change of e-mail address. Students should check their e-mail regularly and frequently—daily, but at minimum twice a week—to stay current with university-related communications, some of which may be time-sensitive. Students can find UT Austin’s policies and instructions for updating their e-mail address at <http://www.utexas.edu/its/policies/emailnotify.php>.
12. *Safety.* As part of professional social work education, students may have assignments that involve working in agency settings and/or the community. As such, these assignments may present some risks. Sound choices and caution may lower risks inherent to the profession. It is the student's responsibility to be aware of and adhere to policies and practices related to agency and/or community safety. Students should notify the professor regarding any safety concerns.
13. *Behavior Concerns Advice Line (BCAL).* If students are worried about someone who is acting differently, they may use the Behavior Concerns Advice Line to discuss by phone their concerns about another individual’s behavior. This service is provided through a partnership between the Office of the Dean of Students, the Counseling and Mental Health Center (CMHC), the Employee Assistance Program (EAP), and The University of Texas Police Department (UTPD). Call 512-232-5050 or visit <http://www.utexas.edu/safety/bcal>.
14. *Emergency Evacuation Policy.* Occupants of buildings on the UT Austin campus are required to evacuate and assemble outside when a fire alarm is activated or an announcement is made. Please be aware of the following policies regarding evacuation:
 - a. Familiarize yourself with all exit doors in the classroom and the building. Remember that the nearest exit door may not be the one you used when entering the building.
 - b. If you require assistance to evacuate, inform the professor in writing during the first week of class.
 - c. In the event of an evacuation, follow the professor’s instructions.
 - d. Do not re-enter a building unless you are given instructions by the Austin Fire Department, the UT Austin Police Department, or the Fire Prevention Services office.

VIII. Course Schedule

Week	Date	Topic	Reading	Assignment Due
1	9/1	Introduction Overview Skills for forensic practice	Syllabus	
2	9/8	Legal issues in social work practice Civil liberties, civil rights	Read affidavit assignment Ch. 1-5 Social Workers & 2013 Omnibus HIPAA Rule FERPA overview Ch. 16-19	Discussion Response #1 Sign up for court observation
3	9/15	Family law Adoption Custody	Ch. 7-8 Holley v. Adams	Discussion Response #2 First Draft: Removal affidavit
4	9/22	Family violence Sexual assault	ch. 9 Bell Nichols Texas statutes	Discussion Response #3
5	9/29	Child maltreatment	Ch. 6 In the Interest of LVB In the interest of RDS	Discussion Response #4 Final draft: removal affidavit
6	10/6	Rights of youth	Adolescent consent guide Will	Discussion Response #5 Pick mock trial case on Canvas First Draft: Social History
7	10/13	Mid-term exam		
8	10/20	Rights of adults in need of help (Guardianship, commitment) Disability	Ch. 15, 10 TX Guardianship guide Beginner's guide to involuntary commitments Maurer IDEA manual Guide to disability laws	Discussion Response #6 Read through mock trial case Final draft: Social history
9	11/3	Juvenile Justice Criminal justice	Ch. 11-13	Discussion Response #7 First draft: IEP letter
10	11/10	Special topics Presentations		Discussion Response #8
11	11/17	Testimony		Court observation due Final Draft: IEP letter
12	11/24	No class		
13	12/1	Final exam		Any outstanding assignments Final Draft: IEP letter