

**DEVELOPING A NEW MODEL OF SUPPORT AND EMPOWERMENT TO
FAMILIES IN NEED: OVERCOMING HISTORIC AND ETHICAL BARRIERS
TO INTERDISCIPLINARY PRACTICE**

**Deborah Weimer
Law School Professor
University of Maryland School of Law
(410) 706-8316
February 11, 2009**

- I. Historical Roots of Non-Collaboration Between Social Workers and Lawyers
- II. University of Maryland's Interdisciplinary Project – Grandparent Family Connections
- III. How We Addressed Different Ethical Rules Governing Social Workers and Lawyers to Create Effective Interdisciplinary Practice
 - A. Prohibitions of Joint Practice for Lawyers – Concerns About Professional Independence
 - B. Defining the Client
 - C. Concerns about Abuse/Neglect Reporting
- IV. Lessons Learned
 - A. Structuring an Interdisciplinary Practice so the Legal Case Always Takes Precedence Can Limit the Ability of the Practice to Provide Necessary Assistance to Clients
 - B. Advance Planning and Ongoing Communication are Critical
 - C. Benefits and Challenges of Joint Practice for Clients/Families
 - D. Benefits for Student Social Workers and Student Attorneys of Truly Interdisciplinary Practice

INTRODUCTION

It is surprising how rarely poverty lawyers and social workers practice together, given their shared goal of empowering poor clients.¹ And even when joint practice occurs, it

¹ Currently the primary area where it appears that social workers and lawyers are truly acting as partners in providing services to the poor is where elderly clients are being served. Lawyers and social workers have recognized the varied, interrelated and complex needs of their elderly clients, and have created joint practices designed to meet these needs. Perhaps one of the earliest entities to establish this kind of practice was the Institute on Law and Rights of Older Adults at the Brookdale Center on Aging of Hunter College,

tends to be a social worker brought in to facilitate work on legal cases. The legal cases drive the service provision. There are various explanations of this reality, including historical reasons and concerns about conflicting ethical rules. Funding for legal services programs often specifies it must be used for legal, not social work or other services. A related problem is that professional education intentionally segregates students. Students are indoctrinated in one way of thinking, with little opportunity to understand the perspectives of other professions, or to understand how other professionals could benefit their client/patient.

Developing opportunities for truly interdisciplinary practice between social workers and lawyers offers great benefits not only to the clients served but also to the professionals delivering the service. Working with social workers to assess a families' needs and deliver services most likely to contribute to the welfare and stability of the family is an alternative to the current model of legal service delivery.² The predominant

founded in the fall 1977. The Institute began with three staff members – an attorney, a social worker and a director, who worked as an interdisciplinary team to provide services to clients and to educate social workers and attorneys in the community who were working with elderly clients. More recently, the Institute initiated a joint social work/legal approach to reforming public benefit programs on both the legislative and administrative levels. Social workers in the community provided the information about what issues their clients needed assistance with – e.g., the inadequacy of the SSI benefit and the need to increase it. The Institute was able to conduct research and provide guidance to the advocacy effort, which was ultimately successful in increasing the benefit rate. S. Aaronson, A. Koski, N. O'Brien, N. Polimeni, E. Rosenzweig and D. Sacks, "The Successful Marriage of Law and Social Work," *Clearinghouse Review* 450, Summer 1989.

There has been some recognition of the benefits/skills social workers can bring to legal services programs, but these bright spots have unfortunately not been duplicated. Heather B. Craig and William g. Saur, "The Contribution of Social Workers to Legal Services Programs," *Clearinghouse Review*, April 1981, p. 1267.

Though most law schools that have any social work components in their clinical program (and this is a minority) treat social work as a subordinate skill, there have been at least a couple attempts towards developing an interdisciplinary approach. For example, the University of Windsor's Clinical Law Program at Legal Assistance of Windsor placed law students in a legal services office staffed by both social workers and lawyers.

The developers of this program recognized the many barriers to its successful achievement, and the importance of preparing students to engage in interdisciplinary practice.

Rose Voyuodic and Mary Medcalf, *Advancing Sociual Justice Through and Interdisciplinary Approach to Clinical Legal Education: The Case of Legal Assistance at Windson*, 14 *Wash. Univ. J. Law Policy* 101 (2004). See also, Toby Gulick and Janet Lessem, *A Law and social Work Clinical Program for the Elderly and Disabled: Post and future Challenges*, 14 *Wash. Univ. J. Law Policy* 183 (2004).

² In fact, the stated goals and aspirations of the social work profession are in many ways more compatible with the goals of lawyers for poor people than are the goals of the legal profession as a whole. As Jane Aiken

model of legal services practice for the poor tends to serve many clients on one or more legal issue, often with no lasting impact on the family's well being. The attorney may be able to prevent the eviction this month, but the family is back six months later with the same or similar issue. In addition, of course, there are many more poor clients than legal services funded at current level can serve. That model leads to attorney burnout within a couple of years, as attorneys serve clients victimized by poverty over and over in similar cases, but see no real change in the circumstances that brought the clients to the attorney in the first place.³ A new model is needed.

The University of Maryland Law School Clinical Program has had a social work component for seventeen years. It follows the model of social workers coming in to assist with legal cases, and in its way has been very successful. Student social workers are asked to step in to help clients solve problems of various kinds, e.g/, making a plan for children in the event of the parent's disability or death, accessing drug treatment for a client facing criminal charges, etc.

In the last five years, in addition to our existing program, we have initiated a new approach to collaboration with social workers in a special new project which has proved to be innovative and exciting. This new project involves interdisciplinary collaboration between the Schools of Social Work, Law and Nursing at the University of Maryland.⁴ We agreed from the beginning on an interdisciplinary approach where no profession's values predominate, and where we strive to work towards consensus on our approach to each case.

The project was designed to serve the needs of at-risk grandparent families, with the

and Stephen Wizner point out in their article, "Law as Social Work," the social work profession identifies working for social justice as an ethical mandate."

³ "Practicing Law for Poor People" Yale L.J.

⁴ The original structure for Grandparent Family Connections included a healthcare component. We had a partner from the School of Nursing to help grandparents and grandchildren with unmet healthcare needs. Unfortunately, the resources under the grant were insufficient to sustain this aspect of the original plan.

goal of providing sufficient support/services to these families to help avoid the placement of the grandchildren in foster care.⁵ Goals are developed in a partnership with each family. A service plan is put together with the full participation of the client. The primary focus in delivery of legal services is identifying what will best serve the stability of the family and welfare of the children.⁶

The goal is not just to assist the families with today's concrete needs, which are many, but also to work towards empowering family members to be more able to advocate for themselves in the future. In addition, the project has a research component to assess the effectiveness of this interdisciplinary service on family well being. The results so far have been encouraging, as described below. And an important benefit of working as equal partners with our collaborators has been the mutual respect and understanding that has developed between social work students and law students.

This article will briefly describe the history that has led to the present disconnect between social workers and lawyers, the ethical rules that have been perceived as a barrier to effective interdisciplinary practice, including rules about lawyer independence, defining who the client is and mandated reporting of child abuse and neglect. It identifies the importance of advance planning in structuring a truly interdisciplinary practice and anticipating and addressing ethical issues. And it describes the benefits to clients as well as social work and law students of engaging in interdisciplinary practice.

I. HISTORICAL ROOTS OF NON-COLLABORATION

The widespread failure of progressive lawyers and social workers to work together is

⁵ This project was funded by a 5-year grant from the Children's Bureau to research what type of intervention would be most effective in supporting at-risk grandparent families. One of the key questions to be addressed was, would the addition of legal and healthcare services to social work services for families significantly affect the outcome for these families? The first year was spent setting up the infrastructure for the project, which included an extensive system to collect data about services provided and outcomes.

⁶ To qualify for services in this program, a family had to be experiencing difficulty in meeting basic needs. The most common reasons families were referred (and ½ of families were self-referred) were child with

in part a result of the lawyer's lack of understanding of the varied roles social workers can and have played. Lawyers often have limited appreciation for the skills and professional training the social worker can bring to bear in a situation.⁷

Even lawyers who appreciate the skills and insight a social worker may bring to a client may have concerns about the social worker's perceived "paternalism."⁸ In addition, many social workers and community organizers historically have often had a distrust of the conservatism and power of lawyers that has resulted in an unwillingness to work together.⁹

For lawyers and social workers to work together effectively, these misconceptions must be addressed.

A better understanding of history, and of the professional training social workers now must complete, could bring with it a fuller appreciation of the role social workers have played in trying to achieve justice and equity for the poor.¹⁰

For example, settlement workers, such as Jane Adams and the many other women who

special needs that were not being met in school, acting out behavior in school and unmet health needs of grandparent. Difficulty in accessing public benefits was another major issue impacting these families.

⁷ Starkey, Debra L. "A Partnership of Professions – the Need for Social Workers in Public Defenders Offices" NLADA Briefcase (fall, 1981)

⁸ In reality, however, as Debra Starkey pointed out in her article about lawyers and social workers working together in Public Defender Offices, it is the social worker who has the expertise to evaluate clients and recommend appropriate treatment programs for them. It is the social worker's job to screen out clients who really are not ready to participate in a particular program. It is the attorney who is playing the "bleeding heart" role when she asks a social worker to recommend a program for an unresponsive client who is unlikely to participate effectively in it. (Starkey @ 76). See also, Alexis Anderson, Lynn Barenberg and Paul R. Tremblay, *Professional Ethics in interdisciplinary Collaboratives: Zeal, Paternalism and Mandated Reporting*, 13 Clinical Law Review, 659 (Spring 2007).

¹⁰ For example, while many lawyers (at least those of a certain generation) may have heard of Jane Addams and her work in Chicago, most are probably unaware of Charlotte Towle's book, "Common Human Needs: An Interpretation for Staff in Public Assistance Agencies," published in 1945. Towle's book was central to social work jurisprudence of the time. She advocated that a beneficiary's interest in welfare benefits should be understood as a right and that clients were entitled to respect.¹ And she felt financial assistance should be conditioned solely on the basis of need. No other judgment was necessary/appropriate. In addition, social work advocates were responsible for insuring that the Social Security Act of 1935 provided that a claimant is entitled to a hearing when she is denied benefits under the Act.

The idea of welfare as a legal right was developed by social workers years before Charles Reich published "The New Property," and lawyers brought the case which resulted in the ruling in *Goldberg v. Kelly*,¹ requiring a hearing prior to termination of a welfare benefit (Starkey @ 65).

helped to fund and staff Hull House, focused on supporting the community and engaging in advocacy for policy change when necessary.¹¹ The settlement movement provided a training ground for many young people who were interested in social reform as well as social work with individuals. Both Frances Perkins and Henry Hopkins, who played leading roles shaping the policies of the “New Deal” in the Roosevelt administration, spent time working as social workers in the settlement movement¹².

Frances Perkins, a social worker whom FDR appointed to be Secretary of Labor, was the first woman to be appointed to a cabinet position in American history. Hopkins and Perkins together advocated for the creation of a social security system which included unemployment insurance, old age pensions, and protection for dependent children.

The New Deal created a variety of programs with the goal of providing the poor a leg up out of poverty. Many of these programs were administered and largely staffed by social workers. Delivery of financial assistance at that time was thought to require the skills of a professional social worker, as the assistance was to be tailored to the need of an individual family. The worker was expected to get to know her client and provide appropriate counseling about parenting and homemaking.¹³

In the 1960s and 1970s, this model of administration of welfare benefits fell out of favor. Many felt that this model of having social workers involved in the administration of benefits led to invasion of privacy and inappropriate judgmental decisions. The

¹¹ Linn, James Weber, *Jane Addams, A Bibliography* U. Ill. Press (2002) (1st Published 1935)

¹² Hopkins spent 20 years in New York City working as a social worker. In 1933, the height of the depression, F.D. R. appointed him Director of the Federal Relief Administration, and put him in charge of the \$500 million appropriated by Congress to distribute to 18 million unemployed Americans. Though Hopkins’s immediate concern was simply to make sure that impoverished families had enough to eat, he later created the Work Progress Administration (W.P.A.). It was his opinion that all able-bodied men were entitled to a job as a matter of right. Rotman, Gerald at 110-111. Simon, William, "The Invention and Reinvention of Welfare Rights, 44 Md. L.Rev. 1,3 {Fall, 1985). Id. @

system was dramatically overturned, and new rules put in place to minimize the need to know a family and exercise judgment.¹⁴ Formal rules about benefit eligibility were put in place, and workers became technicians charged with carrying out the rules.¹⁵

Though some local legal aid programs existed, federal funding for legal services for the poor became available for the first time as part of the War on Poverty with the passage of amendments to the Economic Opportunity Act in 1966. The Economic Opportunity Act was premised on the idea that local community action agencies would decide how to address poverty on the community level. They had the option not to include legal services as part of their poverty fighting strategy.

In practice, most CAA's did not fund legal services, at least in part due to concern that a legal services program would take positions in opposition to the CAA. Because of this, and also because of the A.B.A.'s insistence that the legal services program should be entirely free of lay control, locally, regionally and nationally, funding for legal services programs was earmarked separately, irrespective of local CAA plans.¹⁶

This history thus effectively insured that in most places a newly funded poverty program would not be working collaboratively with social worker and community representatives who in theory shared the goal of eradicating poverty. The few programs that proposed an integrated approach to delivery of services were often not funded. For example, a CPI in New Haven proposed a multidisciplinary approach including professionals from a variety of disciplines including lawyers.¹⁷ The lawyer was to function as part of a team, and the goal was intensive

¹³ Simon, Williams, Papers from the Yale Law Journal Symposium on the Legacy of the New Deal: Problems and Possibilities in the Administrative State," 92 Yale L.J., 1190, 1214 (June 1983).

¹⁴ Ibid @ 1215.

¹⁵ Ibid @ 1216.

¹⁶ Houseman, Alan W. and Linda Perle, "Securing Equal Justice for All: A Brief History of Civil Legal Assistance in the United States, Center for Law and Social Policy, p. 7-8 (Nov. 2003).

¹⁷ Programs with law and social work components were originally funded by foundations, particularly the Ford Foundation, who were interested in innovative approaches to trying to address issues of poverty. Mobilization for Youth (MFY) in New York City which is known today as one of the most successful and innovative programs in the country, was one of the programs receiving foundation funding to support in its innovative work. Joint programs also were developed in New Haven (Legal Assistance Association),

and comprehensive assistance to families -not individuals. The proposal authors did not agree with the prevalent model of high-volume, but relatively superficial service.

The proposal was rejected because of an objection to the apparent subordination of lawyers to other professions, but also because of the proposal's focus on intensive services to families. The concern was the proposal would simply not serve large enough numbers of clients.¹⁸

This unfortunate history has led us to a place where it appears that the predominate model of lawyers and social workers working in the same office is a model where the legal "problem" or case predominates and a social worker is brought in to assist with some aspect of the case identified as a problem by the lawyer. While this model may be appropriate in some instances, it tends to under value and under utilize the skills a social worker could otherwise bring to a client/family, and to advocacy for the poor more generally. It often does not address the underlying problems that may have led to the legal issue in the first instance.

One concern that lawyers have expressed over time has been that social workers permit their judgmental reactions to clients to influence their treatment of clients. Of course, this is a danger that poverty lawyers face as well. The stereotype of social workers as judgmental do-gooders does have some historical roots.¹⁹ One of the historical antecedents of social workers is "friendly visiting" that was carried out by well-meaning volunteers trying to bring some aide to the poor. Charity organizations around the turn of the century tended to be conservative and paternalistic.

In addition, those working with the poor had to please the philanthropists who funded their work who tended to emphasize serving only the "deserving poor. Mary Richmond, identified by many as one at the founding mothers of social work, emerged in one way

Washington, D.C. (United Planning Organization) and Boston (Action for Boston Community Development). Alan W. Houseman, Political Lessons: Legal Services for the Poor – A Commentary, 83 Geo. L.J. 1669, 1672 (1995).

from this tradition.²⁰

After working in a charity organization for a while, one of her goals was to establish a model of casework that would emphasize client participation and eliminate the patronizing overtones that had been associated with philanthropy in the past.²¹ Her focus was on working with individuals and families, as opposed to trying to address societal conditions that led to poverty, which was the approach favored by the settlement movement described above.

Today, social work students today typically receive a great deal more education about respect for clients and overcoming cultural differences than law students do.²² Ideas of client centered counseling and decisionmaking prevalent in clinical legal education were to some degree borrowed from our social worker colleagues. The social work code of ethics today provides social workers must respect and promote their clients'

¹⁸ Feldman, Marc, "Political Lessons: Legal Services for the Poor," 83 *Geo. L.J.* 1529 (April 1995).

¹⁹ religious impulse with social-scientific means for addressing poverty and related societal ills. Rothman

²⁰ Mary Richmond, however, was not a well to do volunteer. She was orphaned as a young child, and went to live with her grandmother in a poor area in Baltimore. Her grandmother was politically involved and valued education. Richmond was able to finish high school, but then was compelled by circumstances to go to work, rather than continue her formal education. After a several years of clerical work, she managed to find a job with the Baltimore Charity Organization Society. The Society was founded by the President of Johns Hopkins University and religious leaders seeking to combine religious impulse with social-scientific means for addressing poverty and related societal ills. Rothman, Gerald Charity "Organization Philanthropist Therapist and Activists" p. 50.

²¹ Lubove, Roy, "The Professional Altruist – The Emergence of Social Work as a Career" Harvard College (1965) Harvard Press (1971)

²² Social work students are also more likely to explore the nature of prejudice and issues of racism, sexism, homophobia, etc. See Ethical Standard 1.05, Cultural Competence and social diversity which provides: (a) social workers should understand culture and its function in human behavior and society, recognizing the strengths that in all cultures; (b) Social workers should have a knowledge base of their clients' cultures and be able to demonstrate competence in the provision of services that are sensitive to clients' cultures and to differences among people and culture groups; (c) Social workers should obtain education about and seek to understand the nature of social diversity and oppression with respect to race, ethnicity, national origin, color, sex, sexual orientation, age, marital status, political belief, religion, and mental or physical disability.

Law school clinics often try to incorporate education about these issues in preparing students to work with clients. Often they rely on ideas developed by social workers in client interviewing and counseling. The idea of active listening, for example, was borrowed from social workers.

In my clinical practice with law students, we usually devote at least one class to identifying the impact of difference in our relationships with clients. We also look at the impact difference may have on how our clients are treated, and how student attorneys may be treated by a judge of opposing counsel. I ask students to write up a relevant experience before class.

In my experience, this class is almost always much richer when we have a joint class with social work students. Because of their experience in social work school, social work students tend to be more comfortable discussing these issues and acknowledging their own reactions in a variety of circumstances.

rights to self determination.²³

With the advent of more communication between social workers and lawyers, the old barriers are coming down. However, a legacy of the old distrust remains in our current system of administration of public benefits.

To some degree, historical lawyer insistence on procedural fairness and not permitting discretion in administration of benefits have led us to a situation where those administering benefits are no longer professionally trained social workers, but clerks with very little training who are asked to enforce often very complex rules regarding who is eligible for benefits. In addition, the legal protections that used to exist to protect recipients of public benefits have been eroded and the availability of Aid to Families with Dependent Children has been dramatically reduced.²⁴ Rules about work requirements and who can qualify have become much more complex.

The result is that many families need assistance in navigating this morass but such assistance is seldom available. Legal services offices typically get involved in benefits cases only after a client has been denied benefits. They seldom help with initial applications. And most people never find their way to a legal services office. They simply give up.

This is where social workers, doing outreach in communities to families in need, can provide tremendous service. They can accompany clients to the Department of Social Services offices where necessary. And when they identify situations where rules seem to not be fairly applied, they can bring in lawyers to help. The Grandparent Family Connections Project has experimented with just this approach to service delivery, with

²³ §1.02 of the Social Work Code of Ethics provides that: Social workers' respect and promote the right of clients to self-determination and assist clients in their efforts to identify and achieve their goals. Social workers may limit clients' rights to self-determination when, in the social workers' professional judgment, client actions a potential actions pose a serious, foreseeable and imminent risk to themselves or others.

²⁴ Now known as TANF (Temporary Assistance to Needy Families), this assistance is limited to 5 years for most income eligible families.

substantial success, as described below.

II. UNIVERSITY OF MARYLAND'S INTERDISCIPLINARY PROJECT

Grandparent Family Connections

In 2001 The School of Social Work's Center for Family's approached the University of Maryland Law Clinic about the possibility of doing joint work in the form of a small pilot project serving grandparent families. That pilot involved collaboration between an experienced social worker and student attorneys and their supervising attorney. After this successful beginning, the partners agreed to initiate a more ambitious collaboration. The School of Social Work received a grant from the Children's Bureau to replicate its successful work with at-risk families with grandparent caregivers. The project was set up to compare the effectiveness of several different models.²⁵

The interdisciplinary model involved the most intensive services, including legal and medical as well as social work services. A description of the interdisciplinary partners follows below.

(1) University of Maryland Law Clinic Partner – The Interdisciplinary Practice with Grandparent Families Clinic

The Law Clinic's interest in working with grandparent families grew out of our longstanding work with relative caregivers in the AIDS Legal Clinic.

The AIDS Legal Clinic was created in 1987 to provide civil legal services to individuals and families impacted by the AIDS epidemic. We represented clients in discrimination claims and public benefits appeals, as well as family law cases. We advocated for standby guardianship legislation so that single parents with HIV illness could authorize someone to assist them in caring for children without having to give up

their own right to custody. We also assisted family members, including many grandparents in seeking custody after the parent had died. The social work services available in our clinic program were helpful, but were tied to the needs of the legal cases. Social work services generally had to be connected to a legal issue and ended when the legal case ended.

Our approach to working with families was to work with parents and other family members to try to achieve the best possible outcome for children, which fit well with the Family Connections model.

(2) Social Worker Partner: Families Connections, University of Maryland
School of social Work Center for Families

The Center for Families began as a partnership between The School of Social Work and the Department of Pediatrics and the Schools of Medicine at the University of Maryland. The Center for Families develops innovative best practice interventions, helps bridge the gap between research and practice, and educates professionals to address the problems of child maltreatment and associated issues (substance abuse, depression, neighborhood violence, poverty, etc.) more effectively.

Family Connections was created to assist families who were struggling to meet the basic needs of their children. The goals of the original design were to provide a variety of services to parents and children that would help decrease risk factors (e.g., parental depression, stress, substance abuse) and help increase protective factors (e.g., parenting attitudes, attitude towards change, social support).

The data collected as a result of the first five year project showed that the social work intervention had been successful in reducing risk factors, particularly parental depression, and increasing protective factors, namely, parenting sense of competence, family functioning and support. Family Connections has been recognized by the Children's Bureau as being effective in reducing child neglect, and the program is being

replicated around the country.

The Family Connections Approach to Working with Families

Family Connections trains social workers to use practice principles that will be most effective in supporting at-risk families. These principles include developing a partnership with the family to empower the caregiver to address issues after the social worker intervention has ended. One way to achieve this is by identifying and emphasizing the caregiver's strengths and helping her to build on those qualities. This idea of building on strengths is a fundamental component of the Family Connections approach.

Another way to empower the caregiver is to connect her with other people in the community who may be facing similar challenges. The families help support each other. As a result, another piece of the program is organizing events for families to get together. This gives caregivers an opportunity to meet other grandparents and reduce their sense of isolation. The new responsibility of caring for grandchildren often leads to isolation, which can contribute to depression.

In addition, parents and grandparents can see that their struggles are not just their individual problems, but stem at least in part from structural problems in society – e.g., underfunded and inadequate schools, lack of employment opportunities in the inner city, the epidemic of drug use, lack of affordable housing, etc.

Family Connections and the AIDS Legal Clinic share the goal of trying to involve clients as advocates for themselves and the communities in which they live. Though it is not the primary focus of our joint work in the initial Grandparent Family Connections grant, we are planning to work together with the grandparent community on advocacy about the issues identified. Family Connections has received funding support to develop

a model of housing for grandparent families.²⁶

Family Connections' social workers work with families has several different components. The social worker meets with the family to conduct a family assessment. Working with the caregiver, goals for the family are identified and a service plan is agreed upon. The social worker will often assist with concrete services – provision of food and clothing if needed, help in avoiding a gas/electric cutoff, etc.

The social worker strives to develop a helping alliance with the family and work with the caregiver to achieve mutually agreed upon goals. Depending on the families' needs, this may include such things as connecting the caregiver to a medical provider to ensure her health needs are being met and intervening for a disabled grandchild whose needs are not being met at school.

B. STRUCTURE OF OUR JOINT PRACTICE --

DAY TO DAY FUNCTIONING OF PROJECT

As a primary goal of this Project is to help stabilize grandparent families, the first criteria is that the grandchildren must have been living with their grandparent for at least six months. In addition, the family must be struggling with issues that put the children at risk for foster care placement. Possible risk factors include lack of financial support, acting out behavior of children, unmet health or mental health needs of grandparents or children, etc.

A social worker meets first with grandparent to do a family assessment and also to ascertain if there are any crisis situations that need emergency attention from legal or medical staff- e.g., eviction threatened, severe health risk. If so, an immediate referral to legal or nursing staff is made. If not, the nurse meets next with the family to do an overall health assessment of grandparent and grandchildren.

²⁶ They have held a series of meetings to gather input from the affected community and are visiting models

At the first meeting, social work staff also discusses with the client the collaborative nature of the practice and the sharing of information among social, legal and nursing team members. The client is asked to sign a consent form agreeing to this sharing of information.

Then the social work student communicates to the legal staff her/his initial assessment, including any legal issues the client has identified that she may need assistance with. The student attorney assigned interviews the client about her goals and legal needs, does any necessary research, and generally will bring this information to the Team Meeting where social work, law and nursing are each represented. The student attorney informs the Team of her/his assessment of the applicable law and the client's options, and discussion of the pros and cons of these options take place.

Shortly thereafter, the student attorney meets with the client about the options s/he has identified. Depending on the client's wishes and the subjects to be discussed, the social work student may also participate in the counseling session.

An overall service plan will be prepared to address client goals which generally will include social work, law and health related plans for action. Often there will be overlapping responsibilities, requiring close coordination among the various service providers. The social work student will meet with the client to review the service plan. If legal action is part of the plan, the student attorney will meet separately with the client to sign a retainer which specifically describes the legal action to be taken, the limits of our representation, etc.

Law students enroll in the Interdisciplinary Practice Clinic for two full semesters – fall and spring. Social work students are in placement with Family Connections for two semesters. A three hour joint orientation for all participants takes

place at the beginning of the first semester, giving students an overview of the goals of the project including, both service and research. A description of the issues likely to be addressed by each discipline is provided, with case examples to illustrate. Potential conflicts in ethical rules, the importance of confidentiality and related case management issues are discussed. Three additional joint classes are scheduled typically in November, February and April. These classes are opportunities to do case rounds with an eye towards addressing a particular issue. Joint classes have addressed such topics as client engagement, client empowerment, endings with clients, dealing with cultural differences/barriers in working with clients, legal issues facing grandparent families, etc.

The Interdisciplinary Team also meets on a regular basis, at least twice a month, to review progress in each case, discuss issues as they arise, make decisions about case management, etc.

As part of trying to achieve the goals of client empowerment, social work services are limited to a six month period of working with each client, which is explained to the client in the beginning. The goal is to work intensively with the client, address their priorities, and try to help them identify new ways of coping and advocating for themselves. The relationship is terminated before the client becomes dependent on the social worker for assistance.

Legal services often cannot be fully accomplished within this time frame. We follow through on whatever commitments we have made – e.g. representing clients in hearings regarding custody petitions we have filed, which often take place after the social work case has been closed.

In addition, we have identified systemic issues that we will address together

or separately in the future.²⁷

III. HOW DID WE ADDRESS DIFFERENT ETHICAL RULES GOVERNING SOCIAL WORKERS AND LAWYERS TO CREATE EFFECTIVE INTERDISCIPLINARY PRACTICE?

The interdisciplinary practice described in this article is a collaboration of professionals. We were clear from the beginning that because we did wish to work collaboratively as equals, no one profession would be in charge, and therefore no one set of professional rules could govern. To address the issues this could create, we spent planning time anticipating conflicts that could arise and developing a plan for how we would respond.

Among the potential barriers to interdisciplinary practice we identified initially were rules of professional conduct for attorneys that prohibited certain forms of joint practice, concerns about different ways lawyers, social workers and medical providers define who the client or patient is, concerns about social workers and medical providers being mandatory reporters of suspected child abuse or neglect concerns generally about confidentiality obligations and the impact of our joint practice on the attorney/client privilege. Social workers had concerns about the tendency of lawyers to dominate situations, and lawyers often adversarial approach to cases. Below, I describe how we experienced each of these issues and thoughts about how each can be addressed in a truly interdisciplinary practice.

²⁷ For example, it has come to our attention through this joint work that indigent grandparents are being required to enter a work program to qualify for a TANF grant to help them care for their grandchildren. This is a clear violation of The Department of Social Services own regulations on this subject (see COMAR §___). We plan to schedule a joint meeting with appropriate officials to request that they take steps to correct this local practice.

Another concern that has repeatedly come to our attention is the frequency with which families who have inherited real property that is already fully paid for often lose this property to a tax sale because of their lack of understanding about how the tax laws work.

A. PROHIBITIONS OF JOINT PRACTICE FOR LAWYERS – CONCERNS
ABOUT PROFESSIONAL INDEPENDENCE

One of the first issues we needed to address was how the rules about the importance of lawyers' maintaining their professional independence would impact our planned collaborative practice. In this connection, we reviewed MD Rule 5.4 and the ABA Model Rule.

The primary focus of Md Rule 5.4, and the very similar ABA Model Rule of Professional Conduct, is on the dangers inherent in lawyers sharing legal fees of profits with a non-lawyer. So, for example Md. Rule 5-4 begins, “(a) A lawyer or law firm shall not share legal fees with a non- lawyer, “ subject to certain exceptions. And “(d) A lawyer shall not practice with or in the form of a professional corporation or association authorized to practice law for a profit, if:...(3) a nonlawyer has the right to direct or control the professional judgment of a lawyer.”

But Rule 5.4 also provides that “(a)(5) a lawyer may share court- awarded legal fees with a nonprofit organization that employed, retained or recommended employment of the lawyer in the matter.”

After discussion and consultation, we concluded that these Rules were not intended to prohibit the collaborative practice we proposed to undertake. First of all, we would not be practicing law for a profit. We would not be sharing legal fees with a non-lawyer. In addition, there would be no situation where a non-lawyer would have the right to direct or control the professional judgment of a lawyer.

Though we would consult with our collaborators and give their opinions appropriate consideration, ultimate decisions in whether to take on a particular legal matter and how to conduct the case would remain the province of the lawyer in consultation with the

client.²⁸

But a lingering doubt remained. Even if our work would not technically be in violation of the professional rules, would such close collaboration with social workers exert some influence on our representation of clients that would in some way result in interference with our judgment, or harm to the client?

Simply being aware of the question made us vigilant to observe what took place in our day-to-day collaboration. Certainly the nature of a collaborative practice is that we do often influence each other's perception of the client and the case. We educate each other about the client's legal and psycho-social issues. We share impressions of the client and often arrive at a more complete understanding of the client's needs and motivations.

One answer to this concern about independence of judgment would be simply to conclude that this is intended to govern the legal aspects of a situation – e.g., what information to include in a petition for custody, what witnesses to call, etc. It can be argued that there is no value in a lawyer's maintaining independence of judgment about issues outside of his/her expertise – e.g., whether a child needs in-patient mental health treatment. Clearly it is necessary and appropriate to look to an expert for this type of opinion.

However, upon further reflection, we realized it could be argued that to truly be able to exercise independent judgment, the lawyer must be knowledgeable and educated about the judgments the social worker will be making. She must know enough to raise questions where appropriate. An analogy could perhaps be made to the preparation a lawyer goes through in preparing to cross examine an expert witness. She/he must be sufficiently knowledgeable to ask probing questions to challenge the underpinnings of the

²⁸ See MD Rule of Professional Conduct 2.1.

expert's opinion.²⁹

So in our joint practice, we set aside time to have in depth discussions of the various issues facing each client, and the role that each of us would play in trying to assist them. We did not simply accept a social work recommendation of a particular course of action without fully understanding the reasoning behind it. Often we would influence each other and the client about the appropriate course to take.

To ensure that lawyer independence of judgment was maintained (as well as for pedagogical reasons), we took steps to see to it that each student attorney would have the opportunity develop a client attorney relationship with each client, independent of the social work students' relationship. We wanted to be sure we had a clear sense of the client's goals, independent of any filtering that might happen by hearing things only through the social worker. Though (depending on the client's wishes, time constraints, etc.) the social work student is often present at the first meeting between the student attorney and the client, thereafter client and attorney would communicate separately at least occasionally.

It was important for pedagogical purposes that the student attorneys develop these independent lawyer-client relationships. One of our primary goals for the student attorneys was for them to begin to develop effective interviewing and counseling skills. They could (and did) learn from their social work partners about how to develop trusting and open relationships with clients. But we did not want them to simply depend on the relationship the student social worker had begun to develop, to the detriment of their own learning.

²⁹There is an increasing recognition that lawyers often end up in positions of power where their legal education alone does not give them the expertise they need to deliver quality representation.

For example, the family court system increasingly recognizes that to be effective in their representation of clients, lawyers in family cases need education beyond knowledge of family law. Maryland recently enacted an Appendix to the Rules of Professional Conduct encouraging lawyers representing children in Child in

RESULT IN PRACTICE

One impact of working with social work partners in some cases simply was slowing things down, e.g., making sure the client has thought through the ramifications of a decision to seek custody of her grandchildren, and was really ready to take on the responsibility.

In our joint practice, in those situations where the social worker has a concern about a legal step the client proposes to take, the lawyer typically has shared that concern. See case example #5.

A primary goal of our social worker partners is client empowerment. By providing support and encouragement to the client to tackle difficult issues, they hope to leave the client in a stronger place when the relationship ends. The social worker may have opinions about what steps the client should take, but her job is to meet the client where she is and develop goals together, not to push her to some other place she does not want to go. This was consistent with our belief in client centered decisionmaking.

In some cases, the social worker felt that the grandparent was so ambivalent about having custody that perhaps filing a custody petition was premature. In these situations, we would still meet with the grandparent to be sure that she was aware of the potential benefits of filing for custody, as well as the potential downsides. We want to be sure that grandparents understand that obtaining custody was not necessarily a permanent condition, unlike adoption. Even after a custody order was entered, the parent(s) would still maintain their parental rights and could return to court to seek custody in the future. In addition, obtaining a custody order from family court provided some protection for grandparent and grandchild in the event a neglect or abuse action was ever brought against the grandparent by Department of Social Services. With a custody order, the

grandparent would be treated as a party to the CINA case.

In these situations, we would counsel the client, as would the social worker. The decision was always ultimately left to the client.

We found that rather than social workers inappropriately influencing lawyer judgment, it was more likely that the lawyers will be tempted to direct the social workers in getting thing done. Lawyers tend to be more goal directed and driven to accomplish concrete objectives. For example, the lawyer may want to go ahead and get the custody petition filed so the grandchildren involved will have some protection. The social worker may feel that the client (grandmother) is not really ready to make that commitment, and needs more time to decide how to proceed. In this situation, the decision about how to proceed is left to the client, after both the lawyer and social worker have assisted the client to identify pros and cons of moving ahead or waiting.

A related concern to the concern about lawyer independence that is sometimes expressed is that working with a social worker/collaborator is likely to temper the zealous advocacy of the lawyer,³⁰ though some would dispute whether unfettered zealous advocacy can truly be justified.³¹

Certainly, in many kinds of cases, collaboration has no impact. For example, if the student attorney is seeking rent escrow with a client whose house is in poor shape, the social work collaboration would not impede the zealous advocacy. In fact, the social worker could help the advocacy by testifying about the problems s/he has observed in the house or apartment, or assisting the client in finding funds to have rent money to put into escrow.

The social worker might have opinions about what decision is best for a client,

dysfunction, including substance abuse and mental illness.

³⁰ Anderson, Alexis, Barenburg, Lynn and Tremblay, Professional Ethics in Interdisciplinary Collaboratives: Zeal, Paternalism and Mandatory Reporting, *Clinical Law Review*, spring 2007.

e.g., whether buying (and maintaining) a house is something the client can really handle. But in our experience, the social worker will help the client think through the pros and cons of the decision and respect the client's right to make the ultimate decision.

The primary area we have observed where zealous advocacy might be tempered somewhat is in the area of intra-familial disputes. But this tempering is often appropriate to the nature of the dispute.

Lawyers historically have not observed the unintended consequences of their actions. The result has been harm that could have been avoided. The movement for therapeutic jurisprudence has arisen as a result.³² Some appreciate that tempering of lawyer independence and zealous advocacy, particularly in the family law area, is overdue.

The damaging effect of zealous advocacy in the context of family disputes regarding custody of children is increasingly being recognized. Steps are being taken on many different levels to address these issues. For example, the American Academy of Matrimonial Lawyers has prepared guidelines for family law practitioners to alleviate the potential damage to families and children. The guidelines encourage mediation and a problem solving approach to divorce and take the position that there should be no winners or losers in a divorce situation. The guidelines recognize that considering what is in a client's best interest includes considering the welfare of the children and the family as a whole. The guidelines criticize adversarial tactics, e.g., lawyer participation in clients' attempts to use seeking custody of children for revenge against the other spouse or as leverage on financial issues. Many family courts are requiring divorcing parents to attend classes about lessening the adverse impact of divorce (and the process of divorce and custody disputes) on their children.

³¹ See: Luban, David, "The Adversary System Excuse," *Good Lawyer*, ch. 3.

³² See: *Law in a Therapeutic Key: Developments in Therapeutic Jurisprudence*, David B. Wexler and Bruce J. Winick, eds. (1996).

Our joint work has highlighted significant differences in how lawyers and social worker define their role in working with clients. Lawyers are taught and encouraged to take responsibility for the client's problems and do their best to resolve them for the client. Social workers, on the other hand, are taught that their job is to empower the client to solve their own problems. From the social worker's point of view responsibility for change and getting things done is ultimately with the client. Though the social worker will usually begin with trying to be sure the family's basic needs are being met, they will gradually step back to allow the client to step in and take over. Social work education discourages students from taking on too much responsibility, because the goal is empowering the client.

In our joint practice, the impact of this difference was generally a positive one. It forces us as lawyers who believe in client centered decisionmaking and client empowerment to slow down and think through whether our actions on behalf of our clients were really achieving the goal of client empowerment. Were we really deferring to the client's wishes? Were we taking sufficient time to explain our actions and court processes, etc. to our clients? What actions can/should we take to be sure client is in a stronger, more knowledgeable position when we close her case?

B. WHO IS THE CLIENT?

One of the difficult questions we faced in planning our collaborative practice was defining who the client is. This can be a difficult issue even for lawyers practicing alone,³³ but it is made more complex by the addition of social work collaborators. Our social work partners in this setting tended to see the family as their client. Part of their goal was often to work with the family to address issues to improve the functioning of the

³³ E.g., special education cases, impact of representation in family cases with children

family system. Though their focus was supporting grandparent families, this would sometimes involve meeting with and working with other family members, e.g., parents of the children who were living in their grandparent's care.

Our goal also was to provide support to the family as a whole, but we also had to be aware of conflicts rules that could impact our ability to offer assistance to members of the family group. Generally speaking, we defined the client as the grandparent, and we were careful not to take steps that could impede our ability to assist that client.

Interestingly, so far it has worked out to define client slightly differently. Again, the key is to identify this issue up front and be clear about how we are addressing it.³⁴

However, we continue to have to be thoughtful about contact with extended family members. For example, sometimes a student social worker working with a family will invite a student attorney to a meeting with grandmother and mother. The goal is to discuss how custody should be resolved. Though we would be glad to assist them in reaching agreement as to custody, we have to be aware of the consequences of our involvement. If we attend the meeting without clearly identifying who we represent, we may be later be precluded from representing anyone if a conflict should arise.

We sometimes do not have sufficient information to decide if pursuing custody on behalf of the grandparent is feasible or advisable. In other situations, e.g. where the children have been with the grandparent for many years and the children have spent very little time with the parent, we may feel that representing the grandparent in a petition for custody is a likely outcome. However, if we attend the meeting with the parent as lawyer for the grandmother, this may introduce an adversarial tone. Sometimes the grandparent

³⁴ A related ethical concern that has come up in theory, though not in practice, is that the social worker in her meeting with parent and grandparent might obtain adverse information from the parent in the course of their discussion. If the situation was later to become an adversarial custody dispute, would there be any problem with (the lawyers) using this information against the parent? If we had been present for the conversation, unless we clearly identified ourselves as counsel for grandmother, we would be precluded from using this information. Are we one practice or two separate practices working in collaboration?

will express her feeling that bringing in a lawyer will make the situation more difficult. In these cases, we will not participate, and leave it to the social worker to see if the parties are able to reach an agreement on their own. Then, we are free either to step in later to help formalize the agreement that has been reached, or to pursue a custody petition on behalf of the grandparent if appropriate.

Because the goal of our project over all is to stabilize grandparent led families, the dilemmas about defining the client have not been substantial. Our social work partners develop a service contract with the grandparent, not the parent. In other kinds of practices, however, this issue would warrant further attention.

C. ABUSE/NEGLECT REPORTING

Another area of potential conflict arises because social workers must report any child abuse or neglect that they observed or have reason to believe is occurring.³⁵ Lawyers on the other hand, are generally required by confidentiality rules to protect their clients confidences, and only have discretion to report if they have a concern regarding a future risk of serious physical harm.³⁶

Often when social workers are employed in law offices, the lawyers employing them take the position that the social workers, as employees of the law office, are bound by the lawyers' rules of professional conduct, and therefore cannot abide by the usual mandate that social workers must report any suspected abuse or neglect.

However, this reliance on the idea that social workers are employees of the law office, similar to administrative staff or paralegals, does not take account of the fact that

In fact, social workers do enter into contract with the grandparent, not with the entire family.

³⁵ Md. Code Ann. Family Law §5-704 (2007).

³⁶ Rule 1.6 of the Maryland rules of Professional Conduct provides that: (a) A lawyer shall not reveal information to representation of a client unless the client gives informed consent, the disclosure is impliedly authorized in order to carry out the representation, or the disclosure is permitted by paragraph (b); (b) A

social workers are professionals with their own legally mandated obligations.

Depending on the type of practice, social workers may contest the conclusion that their statutorily mandated reported requirement must give way to the lawyer's obligation to protect her client's confidentiality, and feel that their professional obligation cannot be so easily dismissed.

In Maryland, an Attorney General's opinion issued in 1990 concluded that social workers working in law offices are in fact still bound by their reporting responsibilities, unless the client they are working with has been criminally charged.³⁷

As a result, in our clinical practice that predated the GRC collaboration, we were already compelled to consider this issue when deciding whether to refer a client to our social work program. Most often, we would discuss the available services with the client, and explain the reporting obligation. If the client wished to have services, which they typically did, then we would ask them to sign a consent form acknowledging that the reporting issue had been explained to them.

The District of Columbia Bar Association Ethics Committee, in addressing this question, at first concluded that a social worker employed by a law firm is bound by the confidentiality rules governing lawyers. However, the opinion then goes on to say that "the Rules of Professional Conduct cannot insulate a social worker from obligations

lawyer may reveal information relating to the representation of a client to the extent the lawyer reasonably believes necessary: (1) to prevent reasonably certain death or substantial bodily harm.

³⁷In his Opinion (Opinions of the Attorney General, 1990, Opinion No. 90-007) dated 2/8/1990, Maryland Attorney General J. Joseph Curran, Jr. concluded that the only exception to the requirement of a mental health care worker to report child abuse or neglect is if they learn of the abuse or neglect from a client, referred by an attorney as part of the attorney's trial preparation, after the initial of criminal proceeding against the client. In this case, the social worker is covered by the attorney's confidentiality. This exception is very narrowly defined in that it is only applicable if the social worker is working with a client who has already been charged and is referred by the attorney to assist in preparation of the client's defense (i.e., perhaps to identify appropriate treatment alternatives). As our social work collaborators felt very strongly that their reporting obligation could not be alleviated by the argument that they were working as employees in our law office (a viewpoint that the Attorney General's opinion vindicated), the following compromise was agreed to. Before any client is referred to the Law Clinic's social work component they must be informed about the social work reporting obligation, and given the option to decline services. As a practical matter, this compromise has meant that there are times when we simply do not refer cases to social work because of a concern about this

otherwise imposed by law”, but later acknowledges that it is arguable that the social worker has no reporting obligation in this circumstance. Ultimately, the advice offered was for lawyers and social workers in this situation to warn clients that the social worker may have a statutory obligation to report suspected abuse revealed by the client.

With the GFC project, where we agreed to enter the project as equals, we were compelled to address this potential conflict in a slightly different way. The easy case would be the situation where we all agreed that a child was at imminent risk of serious bodily injury, and we could all agree that a report was appropriate. The more difficult question would be about abuse that had occurred in the past or neglect of a less serious nature where a lawyer would definitely not breach confidentiality, and a social worker would be mandated to report.

We resolved this by deciding we would each abide by our own professional rules, and not try to impose these on each other. Thus, if a client made a disclosure to the social worker, the social worker would follow his or her usual procedures regarding disclosure. The social worker could bring her concern to the Team for discussion before making a report, if time permitted, but was not required to do so if time is of the essence. If a disclosure was made to the lawyer, the lawyer would not have a reporting obligation. She would however bring the information to the attention to the social worker if it appeared to be relevant to any current risk to the child.

Importantly, all clients were informed up front about the social work reporting obligation, and about the fact that the lawyers, social workers and nurses are working collaboratively and sharing information. Clients sign a release when they enter the program consenting to the sharing of information among the three entities, and acknowledging the reporting obligation. If they do not wish to sign the consent, they are

not eligible for services in this program.

In the three years we have practiced together, we have on several occasions discussed whether the information we had all received required reporting by the social workers, but only three reports were made.

The Department of Social Services did not find it necessary to remove the children in any of these cases because it was aware that Family Connections social workers were working with the families trying to address the issues that led to the report in the first place.

In the only case (from the early pilot project) where the Department of Social Services decided to remove the child, the grandparent was in agreement with this outcome. The grandparent had informed her social worker that she had been so frustrated by her granddaughter's dangerous acting out behavior that she hit her in the face. The grandmother had on an earlier occasion asked the Department of Social Services to take the child temporarily because she was having difficulty handling her behavior. The child, at age 11, was running away from home and having sex with older boys.

The social worker felt she must report the situation the grandmother described to her. She explained this to the grandmother before making the call to the Department of Social Services. The Department of Social Services investigated and ended up placing the child in a group home. The grandmother agreed with the placement but did want to remain involved in the case to be sure her granddaughter got the help she needed.

Because the grandmother had never obtained a custody order in regular family court, the Department of Social Services and the Court treated her as a legal stranger to the child. Despite the fact that grandmother had been the child's primary caretaker for most of her life, she was not treated as a party in the CINA proceeding. We assisted the

grandmother in filing a Petition to Intervene, so she would have a voice in decisions being made about her granddaughter's future. The granddaughter had been diagnosed with bipolar disorder. Because the group homes in which she was held also could not manage her behavior (she continued to run away), she eventually ended up in a residential treatment center for teenagers with emotional problems. Her grandmother now participates in family therapy with her granddaughter at the Center. The plan is that the child will return to her grandmother's care when she is ready to leave residential treatment.

Working with this grandmother has made it very clear how important it is for grandparents caring for grandchildren to obtain legal custody of the children they are caring for. This will provide some legal protection for the family in the event that Department of Social Services does get involved. Grandparents are often reluctant to pursue custody, because they are hoping the parents will step in and take responsibility. However, in most situations we see this as unlikely, at least in the short term. Typically, the parents have serious drug or alcohol addiction problems which they have not begun to address. Often one parent has died or has simply never been a presence in the child's life. Because of the turmoil in their upbringing, the grandchildren are often more challenging to care for than the average child, putting the family at risk for Department of Social Services intervention. So we are clear that one thing we can do to protect families and children is to inform grandparents of the risk of Department of Social Services intervention, and how much more power and authority they will have if such a situation arises if they have obtained an order of legal custody in family court. Grandparents don't realize (not surprisingly) that the custody that was granted to them by the CINA Court that removed children from their parents due to neglect or abuse, can just as easily be taken away from them by that Court and they have no standing to object.

The bottom line is that with advanced planning and mutual understanding and trust, including notice to and consent from clients, the social work reporting obligation does not have to be the impediment to joint practice which it has been in the past. Difficult situations do arise at times, but with advance planning they can be appropriately addressed.

IV. LESSONS LEARNED TO DATE

A. STRUCTURING AN INTERDISCIPLINARY PRACTICE SO THE LEGAL CASE ALWAYS TAKES PRECEDENCE CAN LIMIT THE ABILITY OF THE PRACTICE TO PROVIDE APPROPRIATE ASSISTANCE TO CLIENTS

Concerns about neglect/abuse reporting should not be permitted to prevent the delivery of greatly needed social work services to clients. Clients should at least be informed about the availability of services and the potential risks regarding report, and given the option if they wish to accept the services.

To have a social worker as part of a legal team, but with no ability to develop a relationship with the client, greatly limits the assistance a social worker can deliver. Certainly there is a consultant role a social worker can play in some situation, but client will often need more direct assistance.

So, for example, consider a case example used in the article -- “Lawyers Ethics in Interdisciplinary Collaboratives: Some Answers to Some Persistent Questions.”³⁸ Here the authors describe a situation where a young man has been truant from school, and the school has initiated a “Child in Need of Services” Petition with the Court. The lawyers represent the young man. At the hearing, the judge is to order a service plan to address the truancy.

³⁸ Id. at FN 27.

During the client interview “Joe” mentions that his stepfather is an alcoholic, and when drinking has a bad temper. The stepfather has hit Joe on several occasions over the last two years, and these incidents have been escalating in frequency and intensity. Four weeks ago the stepfather slapped him in the face and pushed him against the wall. This is about the time Joe stopped going to school. Joe’s mother is unaware of these incidents and Joe does not want the team to tell anyone. He does not want DSS involved and, he does not want to be in foster care or a residential placement. He wants to try to graduate from high school with his friends.

This case example is used by the authors to illustrate a situation where a social worker is working as a part of a legal team, and therefore the lawyer’s confidentiality rules trump any reporting obligation the social worker would have to report the situation.

However, the case as described appears to have no role for the social worker, though he is identified as part of the legal team. Certainly there is a problem-solving/counseling role that social worker would consider undertaking in this situation, but nothing of this kind is described. In fact, the lawyers do not even appear to consult the social worker for his opinion about how likely it is that the violence will escalate even further. The lawyer members of the team simply decide they will not betray Joe’s wishes about confidentiality, and do not disclose the violence to anyone. The social worker does not report the abuse because he is a part of the “legal team.”

A report to DSS could result in Joe being removed from his home, which would likely be detrimental and is clearly not what he wants. But leaving the situation untouched, it is likely only to get worse. If the violence continues, the school may become aware of it and make its own child abuse report.

A social worker in this situation who was functioning as part of a truly interdisciplinary team could explore more fully possible ways to address the situation

with Joe. The social worker would explore Joe's worries about disclosing this situation to his mother. With Joe's permission, the social worker could consider helping the family develop a safety plan for Joe's protection. Depending on the situation, the stepfather might also be brought into the discussion. In our experience, when DSS is aware that an experienced social worker is working closely with a family to address issues such as these, they are less likely to seek immediate removal of the child. All of this could and should be discussed with Joe, to help him make the best possible decision.

Joe would benefit from being counseled by an experienced social worker who could help him assess the likelihood that violence in this situation would escalate. S/he could get a more in depth sense of why Joe is skipping school. Is he trying to protect younger siblings? Is he afraid teachers will notice he has been injured and ask questions? Skipping school is, of course, in direct conflict with his professed goal to graduate high school with his friends. So what is really happening here?

For Joe's lawyers to simply get him to promise to go to school has not accomplished much, as it does not address the underlying issues. Joe is unlikely to keep this promise, despite his best intentions, and the situation will just get worse.³⁹

In this case, the services this client most needed to be successful in achieving his goal of graduating with his class were probably social work services. A social worker could help him figure out how to deal with his difficult family situation.

In one recent CINA case, we decided after working with the client for over a year that there was no way she was going to be successful in getting her child returned without the support of a social worker. We discussed the potential risk with her, and she decided she wanted services. Several months after a social work student began meeting with her on a

³⁹ This case example is not what is typically thought of when the concern about breaching a client's confidence about neglect or abuse is raised. More often, the concern is that the caregiver/client has admitted

regular basis, she has made substantial progress towards her goal. She has entered a drug treatment program and started to work part time. She says it was the combination of having someone pushed her a bit, but at the same time really listening and being there, that made a difference for her.

Concerns about social workers' mandatory reporting obligations need not pose a barrier to or significantly limit a true social work/law partnership. This obligation can and should be disclosed to all clients who can decide whether to accept social work services. The social work program can and should be designed so that an experienced social worker would be available to work with the family should such issues come to light. Having such services in place would often obviate the need for aggressive intervention by the Department of Social Services.

B. ADVANCE PLANNING AND ONGOING COMMUNICATION ARE CRITICAL

There are many different ways that attorneys and social workers can work together. Before constructing a collaborative project, it is important that the partners involved have a clear vision of shared goals. The clear sense of goals will help in deciding what sort of structure of practice should be set up. The typical structure where social workers are brought in to assist with legal cases may not be the best structure for serving client needs in every situation.

In planning an interdisciplinary practice, it is important that all participants have a clear understanding of the different professional roles of lawyers and social workers from the very beginning. This is particularly true when working with student attorneys and student social workers.

In addition to addressing possible conflicts in ethical rules, student attorneys need to understand that student social workers will work very hard to engage a client in services, but that the problems the client brings in remain the client's to solve, from the social work point of view. A social worker (as in our joint project) will often step in to help with immediate concrete needs in the beginning, but gradually will step aside and expect the client to assume responsibility.

Attorneys, on the other hand, tend to feel totally responsible for the outcome of the case in which they are involved. Conflicts can arise when the attorney feels the social worker isn't taking care of things that are important for the client's legal case, e.g., finding housing for the client so the client will be successful in getting a child returned home from foster care. The social worker may feel that if the client is not working with them to address this issue, it is not her role to push the client. An understanding of professional differences and ongoing communication are critical to working out these potential conflicts.

C. BENEFITS AND CHALLENGES OF JOINT PRACTICE FOR CLIENTS/FAMILIES

There is no question that offering the combined services of lawyers and social workers provides an excellent opportunity for many families to overcome obstacles to stability and safety for children. Examples of our joint cases are described below.

The downsides are few, but they are significant. In the GFC project, there were a few families who did not follow through with services. In a couple of cases, it appeared that the grandparent simply was not comfortable with having weekly meetings with a social work student. For some families, this is simply too invasive. And of course, some

must be taken to protect him. It raises questions of client decisionmaking and autonomy.

families are not in need of such intensive services.

In addition, offering such intensive services does limit the number of families who can be served. But if our theory is correct and these families are significantly more able to cope in the future because of this assistance, in the long run the project is more than cost effective.

Community Outreach/Education

As part of our outreach to the potential client community, three student attorneys who were working with Grandparent Family Connections clients put together a workshop for grandparents about their legal rights/options when caring for grandchildren. The student attorneys conducted these workshops for grandparents at three different elementary schools in Baltimore City.

The students and the grandparents learned from each other in these workshops, and the students enjoyed the experience a great deal. It benefited the students in that they were able to learn from the grandparents about the challenges they face outside the artificial constraints of the lawyer/client relationship. It benefited the grandparents in that they received information about their legal rights and options. The grandparents also enjoyed sharing stories and learning from each other. For grandparents not experiencing overwhelming financial, health or caretaking issues, it is a relatively simple matter to file a pro se petition for custody in Circuit Court in Maryland. Grandparents often did not realize that there was a custody option that would not terminate a parent's parental rights, that could be modified in the future if a parent's circumstances should change, and they were able to step back into a parenting role.

These workshops met the goal of client empowerment that we had rediscovered in our work with our social work partners. Though there are many grandparent caregivers that need the support of an interdisciplinary practice, there are many others who simply

need legal information to take steps they need to stabilize their families.⁴⁰

(1) HAVING VARIOUS SERVICES AVAILABLE AT THE SAME TIME AND IN AN INTEGRATED FASHION MAKES REAL PROGRESS POSSIBLE

Social workers bring to the table not only the ability to assist the family in meeting concrete needs, e.g., dealing with a threatened BGE cut off, making sure the family has enough food to make it to the next pay day, but also to address more complex needs. For example, the social worker may identify and help the client address unmet health needs that interfere with her ability to function on a day-to-day basis. A grandparent who has moved in to care for her grandchildren may become socially isolated and overwhelmed by the needs of her grandchildren, often leading to depression. The social worker can help the grandparent to identify steps to take to alleviate the depression.

In the meantime, the student attorney can be working on other concrete needs identified in collaboration with the grandparent. For example, often the family's housing is in poor condition - depending on the particular circumstances, a rent escrow action (withholding rent until the landlord makes appropriate repairs) may be in order. In many cases, the grandparent may need assistance in obtaining legal custody of the grandchildren. This is often necessary to avoid future problems – e.g., barriers to enrolling children in school for grandparent who does not have legal custody, obtaining housing subsidy that takes children into account, etc.

Case Example #1

In this case, the family was at risk of losing its home because of a tax lien and

⁴⁰ The hallmark of an effective poor people's practice is that the lawyer does not do anything for his clients that they can do or be taught to do for themselves. Stephen Wexler, "Practicing Law for Poor People," 79 Yale L.J. 1049, 1055 (1970).

threatened sale of the house. The grandmother had inherited the house and did not understand the likely consequence of not paying property taxes. Despite the grandmother's work as a day care provider, the family simply did not have the money to meet its expenses each month. The client had long hoped to find a better paying job, but found the obstacles to a job search overwhelming. The social work student, after meeting with her client on a regular basis for several weeks, helped the client achieve her goal of finding a higher paying job doing work she enjoyed. . She began a new job at a flower shop, which was a good match for her interests. The social worker helped both concretely, in providing transportation for the job search, and in providing emotional support to the client that helped her believe that change was possible.

In the meantime, the student attorney researched options to address the tax lien, and ultimately concluded that bankruptcy was the only truly viable option. However, the social worker was also exploring options to address the lien and was successful in convincing a local bank to offer the client a mortgage. The client was please at the idea of being able to qualify for a mortgage to pay off the lien, but ultimately decided bankruptcy would be a safer, less expensive course of action.¹⁹

The social worker also worked with the client on developing a budget and prioritizing bills to be paid to help the client avoid another financial crisis in the future.

The partnership of student attorney and student social worker was critical in this case. Neither profession, working alone, would likely have been successful in helping this client save her home. Without assistance in finding a better paying job, the client would have been unable to make the payment to the bankruptcy court each month. The social worker working alone probably would not have identified bankruptcy (chapter 13) as a helpful option for this client.

(2) ATTORNEYS AND SOCIAL WORKERS BRING DIFFERENT SKILLS AND PERSPECTIVES TO ASSISTING CLIENTS WITH CHILDREN WITH SPECIAL NEEDS.

One major role that social workers often play in our joint cases is helping the student attorneys achieve a deeper understanding of a child's special needs in a particular situation. Then the student attorney is better able, say in an IEP setting, to counsel the grandparent about the child's needs and the options available.

Children and adolescents, especially poor children in the inner city, tend to be misdiagnosed and prescribed medication after a short visit with a psychiatrist. Our social work partners have proved invaluable in being able to critically examine these diagnoses, and support grandparents where necessary in taking children elsewhere for a second opinion and appropriate care.

Grandparents are often appropriately skeptical about mental health diagnoses of their grandchildren, and sometimes refuse to administer medication. Social workers are able to connect families with mental health care providers and ensure that children are properly diagnosed and treated.

Case Example #2

In one case, for example, a grandmother caring for her 7 year old grandson, Justin, was distrustful of the school's recommendation that the child should be moved to another school with a program for emotionally disturbed children. Initially, we shared her skepticism. Too many poor African American boys in Baltimore have been incorrectly labeled as emotionally disturbed and placed in programs where they

should not be.

Kevin had lost his mother when she was age 16 to a drug overdose, and his father to jail (10 year term). The family home had been lost in a fire. Seven year old Kevin had been depressed and anxious for years and was acting out in violent ways in school. The school was worried about his safety and that of his classmates. He had had two psychiatric hospitalizations. He was a bright child, but he was not progressing academically. Nevertheless, his grandmother was adamant that the school should try harder to meet his needs.

The GFC social worker who had been working with the family for several months had a good relationship with the grandmother and a clear understanding of the severity of the child's needs. She connected the grandmother to mental health services at the University of Maryland that could provide a thorough evaluation for Kevin. He was found to be suffering from post traumatic stress disorder and severe depression, as well as ADHD. She talked with us before the IEP meeting and shared with the grandmother her opinion that the neighborhood school really could not meet the child's needs. He needed a school where staff was truly equipped to meet his emotional needs. He needed staff who were trained to hold him therapeutically when his emotions spin out of control. At the new school, with support to deal with his emotional issues, he should be able to show more consistency on his school work and make progress academically. Eventually, he should be able to reintegrate into a regular class setting.

Our client agreed to the placement and after the initial adjustment period, the child's acting out subsided. He is able to participate in school and is making substantial progress academically.

We are in regular contact the grandmother to determine when the child may be

ready to return to a regular classroom and will advocate on his behalf at that time.

We are also assisting our client in appealing a denial of SSI benefits.

If we had not had a social work partner in this case, we might have continued to insist on our client's goal of inclusion in a regular classroom for her grandson, which most likely would have led to further violent behavior on his part and ultimate failure. Instead, because of the trusting relationship our client had developed with our social work partner, our client understood the need for the child to be in a specialized program, and she was glad to work with the new school to see that her grandson received the emotional support and structure he needed.

Case Example #3

ATTORNEY'S ADVOCACY PLUS SOCIAL WORKERS' WORK WITH FAMILY RESULT IN SUCCESS FOR CHILDREN.

We worked with a client who was having a difficult time managing her twin boys, who had just entered kindergarten. They were running wild at school, refusing to stay in class, getting into fights with other kids and generally having an extremely difficult time adjusting to school, despite the fact that they had been in pre-school. They were also acting out at home, refusing to go to bed at night, etc. The elementary school called our client to come in to the school almost every day to help manage their behavior. There was great concern for their safety as well as for the safety of their classmates.

A case plan was developed with the client in which the student social worker would assist the client in working on her skills in managing the boy's behavior at home. The student attorney and student social worker were to work together with the elementary school to determine what assessments might be appropriate to determine

what was causing the boys' acting out behavior. The social work supervisor suggested a Diagnostic Center that would teach and observe the children over a period of several weeks as the best option for a thorough evaluation. This was raised at the first meeting with the school, but the school objected saying there was at least a three month wait to get children into the Center. After this meeting, the student attorney, convinced that the Diagnostic Center was the only option likely to result in a meaningful evaluation for these two 5 year old boys, went in person to the Center and presented the facts about the two boys to the Center Director. The director agreed to come and see the boys at their home school. They were accepted into the program almost immediately. They spent six weeks in this highly structured, supportive setting and were very responsive to the structure offered there. Thorough evaluations of each child were done by staff pediatricians and psychologists and provided to the school when the boys were ready to return.

Upon their return, the boys were placed in the same class (as recommended by the Center) and the various methods for reinforcing good behavior used by the Center were employed in their regular classroom. The transition back to their home school went very smoothly (to everyone's surprise!). And by the end of the school year, they were voted "most improved" students in the entire school!

The student attorney followed up with the school to make sure an appropriate "individualized educational plan" was put in place for each child by the school for next year. The student social worker made sure our client followed up with recommendations made by the Center for therapy for the boys.

Having a student social worker and a student attorney made a big difference for this family. Probably the most significant contribution the student attorney and her supervisor made was to recognize the value of the Diagnostic Program to these boys, and

to pursue it vigorously on their behalf. Their intervention was essential in getting these children on track to be successful in school. This was where the student attorney's sense of responsibility for the outcome and zealous advocacy on behalf of these boys made a big difference! On the other hand, the student social worker was able to work with the client in being able to manage the boys at home, get them into a bedtime routine, etc., which also contributed significantly to their improved behavior at school.

(4) SOCIAL WORKERS IDENTIFY SYSTEMIC PROBLEMS & BRING IN
LAWYERS TO HELP SEEK REMEDY.

Case Example #4 – Assistance with Public Benefits – TCA/SSI

Grandmother raising 11 year old granddaughter. Family living in very poor housing situation – needed income to help with relocation. Grandmother applied for temporary cash assistance, but was told she would need to engage in a work activity to qualify for more than a child only grant. The student attorney and student social worker questioned this – seemed unfair that indigent grandmother who stepped in to care for child would have to do work program to qualify for benefits.

Student attorney checked regulations, and found that exemption in fact existed for indigent relative caregivers. She gave this information to the student social worker, who then returned to the local Department of Social Services office, and was successful in helping her qualify for benefits.⁴¹

⁴¹ A major role that student attorneys play in this partnership is to assist grandparents in seeking legal custody of most grandparents caring for grandchildren in Baltimore City do not have legal custody, even though they may have been caring for children for years. In most cases the petition is not contested by either parent, so these cases should be quite simple. In theory, grandparents should be able to file on their own, and a few do. However, despite the availability of pro se forms at the courthouse, barriers still exist to pro se filing. For example, grandparents must give the court an address for an absent parent. If there is no address listed, the court clerk will refuse to file the petition. No explanation of how to pursue alternative service is given to grandparents. In addition, the process to obtain a fee waiver is not user friendly.

Our long term goal is to address these issues. However, some grandparents are so overwhelmed with their caregiving responsibilities that they would still have a difficult time dealing with this process. This is another area where student attorneys can be very helpful – drafting the necessary documents and presenting these

We plan to meet with the Department to be sure all workers are informed of this rule. Armed with this regulation, our social work partners can continue to assist indigent grandparent caregivers in qualifying for full benefits, without the imposition of a work requirement.

(5) SOCIAL WORKERS CAN HELP CLIENTS SORT OUT FEELINGS TO BE SURE THEY ARE MAKING THE BEST DECISION FOR THEMSELVES AND THEIR GRANDCHILDREN BEFORE LEGAL ACTION IS INITIATED.

Case Example #5

The grandmother/client said she wished to pursue adoption of her 6 year old granddaughter, who she had cared for since birth. The child was born with serious medical needs requiring intensive 24 hour care. The child's parents were young teenagers when she was born, and not able to provide the care she needed. The grandmother was very angry at her son for not taking responsibility for his daughter, and seemed to think that her adoption of the child would send him a message/teach him a lesson. However, at the same time, she talked in terms of hoping that her son would eventually step in to take responsibility for his daughter, when she no longer might be able to care for her.

We counseled the grandmother about the consequences of adoption, pro and con, and also about the alternative of seeking legal custody. However, she insisted that she wanted to proceed with adoption, even if it would mean terminating her son's parental rights.

Ultimately, it was the social work student who was best able to help the client separate out her anger at her son from what was best for her granddaughter. The client

decided to file for permanent custody instead, leaving open the possibility that her son could eventually step in.

Student attorneys learned that a client's stated goal may change given time for reflection and more thought about the consequences of the choice.

Clients who work with both a student social worker and a student attorney tend, not surprisingly, to develop a deeper connection to and appreciation of the Grandparent Family Connections program. This is demonstrated in part by their willingness to respond to periodic surveys from Grandparent Family Connections after services to the family have ended. Families in Grandparent Family Connections Interdisciplinary Practice – 6 have a higher response rate.

D. BENEFITS FOR STUDENT SOCIAL WORKERS AND STUDENT ATTORNEYS OF TRULY INTERDISCIPLINARY PRACTICE

Law clinics have already borrowed approaches to client counseling from social workers – e.g., the idea of client centered decisionmaking. But there are additional insights that law students can gain from working with student social workers. For example, the notion of client engagement – the effort it may take, over a long period of time, to truly connect with a client. And that engagement can be achieved and then lost, when other more pressing needs arise in the client's life. Student attorneys tend to become very frustrated with clients who don't follow through, fail to show for appointments, etc. Student social workers are able to help them see this in the context of the clients' lives overall. Student social workers often have to be very persistent to get clients engaged in the Program. (FN re: Termination transition for client)

Our collaboration brings to the forefront interesting differences between how

lawyers and social workers are trained. Lawyers are taught/encouraged to take on responsibility for the client's problem. Social workers, on the other hand, are taught not to take on responsibility for the client's issues. The social worker can and should provide assistance, but the problem remains the client's to solve. It is not the social worker's responsibility. The social worker's goal is to work with the client/family to enable them to solve problems themselves.

Interestingly, the goal of client empowerment is often cited as a primary goal by lawyers for the poor.⁴² It seems to be significantly difficult for lawyers to achieve, however, in part perhaps because of training lawyers receive about the need to be in charge and responsible. One of the great benefits of our joint practice has been that we have been reminded of this goal of empowerment, and forced to review how our work with clients does or does not tend to try to meet this goal.

This goal often comes into conflict with the lawyer's sense of responsibility for solving the client's problem. The sheer volume of cases also tends to put pressure on the lawyer to deal with cases and clients as quickly and efficiently as possible. The goal of client empowerment sometimes gets lost in the rush to get things done. Even worse, the press of too many cases and the goal of achieving a concrete result sometimes results in the lawyer's failure to effectively communicate with her/his client to truly understand her/his goals for the case. In our joint practice, our social work partners remind us of the importance of practicing in such a way that clients are empowered and fully involved in their cases.

Working with another professional helps students in their own role definition. One of the primary goals of clinical education is to give students the opportunity to try

⁴² The hallmark of an effective poor people's practice is that the lawyer does not do anything for his clients that they can do or be taught to do for themselves. Stephen Wexler, "Practicing Law for Poor People," 79 *Yale L.J.* 1049, 1055.

on their new “lawyer” role. How do they define themselves in their new role? What are the limits of the role? How does being a lawyer for a client differ from being a social worker for a client? What is their responsibility when they fear the client in about to make a detrimental decision? Is it the same for lawyers as for social workers? What should they do when a client calls just to talk? Same response or different, depending on role?

Working in collaboration with a student social worker in some ways can make this process of role definition more confusing initially, but ultimately with facilitated discussion and reflection, it leads to a deeper understanding of what role a lawyer can play and the limits of his/her expertise.

One of the great outcomes of working truly as partners is that the student attorneys and student social workers involved tend to develop a much deeper understanding and appreciation for the other’s profession. This is particularly true for student attorneys, who in some clinical settings have been accused of arrogance and a lack of understanding/appreciation for social workers assisting with legal cases.⁴³ In practice together, they are able to overcome stereotypes and gain a better understanding of the goals and skills of each.

Though student social work students and student lawyers have developed positive relationships of mutual respect in both programs, when social work services are seen as support to the legal case, there is sometimes a danger that the law students perceive this as these services being subordinate, and therefore less important. In the GFC model, where students worked truly as partners, students tended to gain a greater appreciation and understanding for the work of their social work colleagues.

Having this knowledge and respect for each other from their joint practice

experience will be particularly invaluable for students entering areas of practice where lawyers and social workers routinely work side by side, for example, in family law, elder law and particularly in child welfare cases.

Another benefit for student attorneys of collaborative practice is the sense of partnership in working with clients. Students in Clinic are out there on their own with clients with overwhelming problems, with the ability to address only a fraction of the needs, as frequently occurs in legal services practice. In our joint practice, the social work partner is available to help meet immediate concrete needs, e.g., taking a client to Department of Social Services office to apply for benefits, or to a soup kitchen for food. In the meantime, the student attorney can move ahead with drafting a custody petition. And the student social worker appreciates that the legal resolution of the custody issue will make seeking benefits easier for the client in the future.

When student attorney and student social worker work well together, it tends to deepen and strengthen the relationship that each has to the client. However, on occasion, a student attorney may rely too much on the social work student's relationship to the client, and fail to really develop their own independent relationship.

In addition, adding interdisciplinary practice and its additional ethical dilemmas to clinic practice can at times feel overwhelming from a teaching point of view. Clinic tends to be overloaded with goals for students as it is. The key is to be clear what goals are being set for student learning. This sometimes involves hard choices in deciding how to use seminar and tutorial time.

CONCLUSION

Receiving interdisciplinary services from lawyers and social workers can provide

⁴³ Golick, Toby and Janet Lessen, "A Law and social Work clinical Program for the Elderly and Disabled:

great benefit to families in need. Ethical barriers to interdisciplinary practice can be addressed by thoughtful planning of the structure of the practice. Legal services offices should consider the larger role that social workers could play in working with their clients and the client community.

It is often the case that people seeking legal assistance have underlying problems that led to the legal problem. We should not allow reporting rules to prevent people from accessing the services they need.

As was pointed out, 40 years ago and is still true today, poor people do not have legal needs in the same way that middle class or wealthy people do.⁴⁴ To truly make a difference in people's lives, new approaches to providing legal services should be explored. Working collaboratively with social workers to provide integrated services to families in need holds out hope of making a lasting impact on the well being of families and children. This is an alternative model of service that warrants further development.

In addition, there is great untapped potential in opportunities for social workers and lawyers to work together with community members to help the poor find a voice on the issues that impact them every day.⁴⁵ Many social workers working in the community have insights about problems clients are facing that need to be addressed.

Joint education of student attorneys and student social workers in a clinical experience enhances their understanding of their roles and of the other profession. It also prepares each group of students for a more thoughtful and informed approach to family

Past and Future Challenges," 14 *Journal of Law and Policy* 183 (2004).

⁴⁴ Wexler, *supra* @ 1049-1050.

⁴⁵ It has long been recognized by some in the field that interdisciplinary training for social workers and lawyers has the potential to greatly improve the responsiveness of the child welfare system to the children and families it is attempting to work with.

Paul Johnson and Katharine Cahn, "symposium: Improving Child Welfare Practice Through Improvements in Attorney-Social Worker Relationships," 54 *UPH L. Rev.* 229.

Others go further and recognize the importance of social workers and lawyers being able work together to try to serve the needs of children and families in the child welfare context.

Fran k P. Cervone and Linda M. Mauro, "Responses to the Conference: Ethics, Cultures and Professions in the Representation of Children," 64 *Fordham L. Rev.* 1975 (March 1996).

law, child welfare cases, working with children with special needs, and assisting families in pursuing public benefits. This is an opportunity that should not continue to be overlooked.