

## **Episode 211- Sarah Beck Buchanan, Wright Kaminer, and Dr. Roger Nooe: The Community Law Office: An Integration of Social Work and Criminal Defense**

[00:00:08] Welcome to inSocialWork. the podcast series of the University of Buffalo School of Social Work at [www.inSocialWork.org](http://www.inSocialWork.org). We're glad you could join us today. The purpose of inSocialWork is to engage practitioners and researchers in lifelong learning and promote research to practice and practice to research. We educate. We connect. We care. We're inSocialWork.

[00:00:37] Hello I'm Charles Sims and welcome to this episode of inSocialWork. In the United States, there are more than 10 million criminal arrests each year. As is well known, many of those arrested may also have a number of personal and environmental issues that not only shape their daily lives but can be influential to their arrest and affect their defense as well as sentencing. The effects of poverty, mental illness, addiction to alcohol or drugs, discrimination or family struggles can combine with a lack of access to or knowledge about critical community resources that might ameliorate the stressors that so often confront those arrested. In this episode inSocialWork explores a unique program that has social workers working in collaboration with public defense attorneys with the goal to produce better legal outcomes by addressing the psychosocial needs of their represented clients. Sarah Buchanan is a licensed clinical social worker and director of social services at the Knox County Public Defenders Community Law Office also known as the CLO in Knoxville Tennessee. Wright Kaminer is also a licensed clinical social worker and is a forensic social worker on staff at the CLO. Roger Nooe Ph.D. is professor emeritus of social work at the University of Tennessee. He is the education consultant and former director of social services at the CLO. In this episode our guests describe this collaboration of legal and social services as leading to what Dr. Nooe refers to as comprehensive representation. They identify the services offered by social work staff at the CLO as well as identify the challenges of working in a host legal setting. They discuss the implementation of a social work field practicum at the CLO. And our guests also offer their views on what should be taken into consideration if a social work program was thinking about developing a similar field experience. They closed the conversation by offering their thoughts on the take away experiences of social work student interns placed at the CLO. Ms Buchanan, Ms. Kaminer and Dr. Nooe were interviewed in October 2016 by Laura Lewis Ph.D.. Dr. Lewis is the Assistant Dan for global partnerships and director of field education at the University at Buffalo School of Social Work.

[00:03:27] It's a pleasure this morning having Sarah Buchanan, Wright Kaminer and Dr. Nooe with us to talk about the community law office and Dr. Nooe can you tell us a little bit what is the community law office?

[00:03:41] The community law office or the CLO if we usually refer is a public defender's office with the unique thing about this office is it utilizes the innovative model of holistic client centered representation for indigent clients who've been accused of criminal offenses. In brief it's an integration of legal and social services to provide comprehensive representation.

[00:04:08] I see. So the individuals who are coming into your office not only receive legal services but they also receive information about community resources access to social services. It really addressed the whole continuum of services including legal. Well you call yourself a community law office. Can you say a little bit more about how the community is involved?

[00:04:33] The community is involved in a number of ways. First off, in being a holistic office we traded up partnership and linkages with various community resources and agencies and other professionals ranging from the traditional social services to the university departments so linkage with the community is key ingredient. Beyond that we encourage community participation. We try to find ways to invite the community to become involved to understand what we're trying to do. For

example we have several youth programs and we use volunteers in those programs extensively. We have an annual ethics conference where this has been our 12th year that we have in the neighborhood of a hundred and twenty five or so LCS members who participate and gain ethics credit. We have other programs like a homeless initiative which we cooperate with the district attorney to try to remove legal barriers for US veterans and civilians who have criminal court costs or charges that may be barriers to them achieving housing. We partner with a wide variety of community groups and in addition we provide field placements from students from the university. But as well as educational learning experiences from various departments sociology in addition to social work Child and Family Services.

[00:06:12] I see it really sounds like you're providing a whole spectrum of services and you know getting at providing support in ways that will help stabilize the lives of people and help them get out of the criminal justice system.

[00:06:27] Very much so.

[00:06:29] Sounds terrific. I'm going to ask Sarah now if you can talk a little bit Sarah about the social services department at the CLO.

[00:06:38] Sure. So we have five social workers here at the CLO we have two licensed clinical social workers and three licensed master's level social workers. And then Dr. Nooe is also here part time doing consulting work and supervising students for us. We have one administrative assistant working with us and we work with about 26 attorneys. We average about 25 to 30 referrals per week from the attorneys and we do everything from helping clients find and access housing to providing supportive counseling to creating alternative sentencing plans and doing mitigation work. We've broken the cases down by the expected time commitment. So we have two social workers who handle things like alternative sentencing plans and larger and more time intensive cases and then we have one social worker who does case management and handles housing assistance and general referral cases. Now we have one social worker who is assigned full time to our juvenile defense team. So in addition to the staff we also have right now this year we have four social work interns. We have three second year master's level social work students and we have one senior bachelor's level social work student and we also have an undergraduate sociology student and an undergraduate child and family student working with us.

[00:08:01] That is really quite an extensive staff that you have and as the director of field education here I'm going to ask Dr. Nooe in a little bit about the field placement experience. I'm particularly interested in that part myself. But maybe Wright can you tell us a little bit about a typical day for a social worker?

[00:08:21] Sure. That is a fairly difficult question to answer. So we meet with clients who are incarcerated. We have three jails that are here locally that we go and meet with clients there. They were incarcerated were also able to meet with clients in the office. Probably the bulk of my time at least is spent out at the local jails and then following up with whatever needs might be identified. We'll have an identified referral need when we initially make contact with a client but we will complete a much more thorough needs assessment to try and understand what is bringing this person into the criminal justice system. The client's perception of the problem and then we'll try to collaboratively work on a plan to address what's going on. We are able to provide supportive counseling and generally work with clients around the community to identify and access appropriate resources.

[00:09:17] Wow. It really does help me understand a little bit better about what Dr. Nooe was saying earlier about how holistic services are here. You really are providing almost a whole

spectrum and meeting the needs of people who are incarcerated and come into the criminal justice system. Thank you Wright. What are some difficulties and challenges Sarah faced by social workers at the CLO?

[00:09:45] A very large challenge we face is we're obviously working with an indigent population of people who are involved with the criminal justice system. So we have limited treatment options. We have limited access to benefits limited access to health insurance that sort of thing few housing options generally by the time a client reaches us options are quite limited. We also have extremely large caseload. Social workers are you know getting five plus new clients each week. So there's quite a bit of challenge in addressing those needs. So another challenge we face is that we're often constrained by probation or court requirements. So we might not necessarily agree with the plan that's been outlined or detail for our client but we have to work to make that plan or work to find the resources to make that plan.

[00:10:38] Interesting. To me that really calls to mind the need to be very knowledgeable about systems where you can intervene and where you potentially can't areas that you don't have control over.

[00:10:49] Absolutely.

[00:10:50] I think social work as a real challenge here. We strongly believe that the work we're doing is cost saving. This cost efficiency that it's much more economical to get someone in that community than keeping them locked up. It's a very costly thing. At the same time we've got to be able to demonstrate that. And that's going to require research. We're going to have to do more outcome studies. I know Sarah is actively engaged in research and we've got to expand that. We've got to have evidence that this is a workable model that it is a cost saving model. And I think it's critical and I think social workers don't have to take a major role and take a lead in doing this.

[00:11:36] Absolutely. Thank you for expanding on that. And that's an important next step it sounds like. Dr. Nooe can we get back to field placements. Can you describe the field education model at the CLO and the importance of training students in a forensic setting?

[00:11:54] Okay well we talk about field education model in a public defenders or community law office. I think we have to stop and recognize that being on the defense side of the equation is a relatively new experience for social workers. Social workers have long been trained in child abuse investigation and Child Protective Services. Look at the conditions of our institutions. We have a history of that. But being a part of the defense team for persons who've been accused of a crime is relatively new. We have some history of it but it's a different type of experience. Schools have been slow to teach preparation for defense or criminal representation. So I think you have to keep that in mind that when we interview students who are possibly interested in this placement we want to see if they have an openness to representing and advocating for the clients that we serve in. And that's very important. On a lighter note we have many students who will come and say when we asked what got you interested in forensic setting they'll say well I'm a fan of CSI or something and that's usually not a very good sign that it's going to work out. But as far as our field placement model I often refer to it as sort of a teaching or learning center because we're going to do find with ways to address the college's learning objectives which are pretty standard, as for all students. But we're going to address these in a forensic saying so we have to be very clear as to what our model is and what type of experience that we will offer the student. Now we have a designated field instructor but I would emphasize that all our staff are actively involved in field education. We want any student who comes here to be exposed to the different staff members their unique talents their strengths and the type of cases that they will work with. Generally we start the field experience with lots of orientation presentations on forensic social work including readings on the role of social

workers in the defense setting we'll talk about the role very early in the placement. Students will shadow staff and we'll gradually take on cases where they are observed by staff leading up to full case assignments where they will take primary responsibility. And this comes very quick in the semester. We want to get the students actively involved. Oh yes that being the primary social worker for an individual as well as being a member of the defense team. Because when you're integrating social services you have to become a member of the defense team you've got to interact with the attorneys and understand their role. So students are assigned cases there will be a weekly supervision as well as active participation in staff meetings and the activities of the departments. One of the unique things I think we do here is we have what we call our mini lectures after a windspeed supervision or staff meetings. Time to set aside for myself or one of the MSWs will deliver what we call our mini lectures. This may be focused on the role of forensic social workers. It may be focused on developing mental status examinations or evaluating confidants or some other aspect of forensic practice. So we had the many lectures as well as readings that will be assigned and may be case examples that they will view that are taped Case Examples. So learning is the most faceted interaction with their field instructor as well as with staff participation in the many lectures. One of the things that the placements noted are is that students have to do intensive write ups. In any kind of legal system records are extremely important and so our students have to do extensive write ups of any type of contact with clients or with families or relatives because it's going to become part of the record. And it carries a great deal of responsibility because what that student does and feel can have an impact on a person's liberty or our freedom. That's a quick overview of our placement. Wright and Sarah may want to add to that.

[00:16:44] It really sounds terrific from my perspective as a director here of field education. It has a lot of ingredients you know that I can see help to make it so successful. Dr. Nooe you talked about extensive training for students. Students are fully integrated into the team. And it sounds like they're really doing meaningful work.

[00:17:06] There's no question about that. And that says something about the type of students that we select our students are quite capable they have to be bright and they're going to deal with some very very difficult cases. A number of our clients are on the sex offender registry or have been accused of child abuse. And so you're asking that student to develop a relationship with that individual to respect that individual and to be willing to advocate for that. And that's often a very different type of experience. Let me add one other thing that is very much important in our field experience as well as throughout the office. We emphasize the importance of collaborative relationships. And the students will say that they hear that over and over again. And that's reflected in our client centered orientation to the office. And it is a very unique part of the office as compared to traditional lawyering. But it's an important part in many of our clients have been oppressed have been excluded who continue to be stigmatized. And so the collaborative relationship becomes even more important for those clients and I think that's one of the hallmarks or one of the defining characteristics of this office.

[00:18:29] I see. I really like that notion of the collaborative relationship. Knowing what you've just described and in terms of what sort of student will be successful here. What advice do you have to people who might be interested in starting a program like this in a forensic setting?

[00:18:47] This is Sarah. I think my advice would be to really think about your level of commitment to your program and the commitment that you are able to afford to the studio. We invest a lot of time in our students in their education and their learning experience here. So definitely evaluation of commitments and ability to commit.

[00:19:08] I think there's a couple of things I agree wholeheartedly. I think Sarah did a good job of defining that need for commitment. But I think you have to be able to define your model and your

roles that you have to know what you are getting into and you have to make sure that it is pointed out. And I would just underscore this organization is committed to education. It's not free labor. There's a big cost here and you've got to see it in systems terms. You can't just bring students in and introduce them you've got to bring the staff you've got to bring the attorneys on board and that's going to vary by attorney. It's an ongoing process as this develops and evolves.

[00:19:51] It is quite a commitment absolutely. But the outcome on the other side of that seems to be a very deep and profound one in terms of students being able to engage this way in the community. Are there any stories that any of you might want to share with our listeners where you have had particular success and working with a client or with student involvement in the CLO?

[00:20:18] I think we've seen a number of stories and I think one of the things that throws us off a little bit is such a high emphasis on confidentiality. There's much worth about telling stories but I think the thing that impressed me is how willing the office is to stick with the clients and to stay with them. And we've had folks who are living out under a bridge somewhere who been accused of some minor crime such as a criminal trespass, have gotten locked up because of their mental illness or substance abuse spend an excessive length of time in jail. I look at some of those clients today who are now living in supportive living and who check back in with us I think is very very touching.

[00:21:11] I remember a student working with a client who was dying of cancer who had had cancer treatment because of lack of funding and he was locked up because he tried to rob a convenience store with a pocket knife and his companion had encouraged him to go in and steal some beer. He was sort of inept and didn't have any experience with the robbery he wasn't a very good robber and you have developed a relationship with the social service department and even after he was out and was able to get into care he was in the main stages of cancer and he died with a degree of dignity. We helped him get into housing. He used to stop in periodically from his housing and have coffee with the social worker. Not a big problem was very very appeased. So I see those type of things. I often say that the social workers here are dealing with the individuals that nobody else wants to fool with. That people have given up on, that they are stigmatized by record and agencies would prefer not to deal with them. And so the idea that they can come in and be accepted and find a listening ear and engage in a respected relationship I think is a real powerful story in itself.

[00:22:34] Yes, this is Sarah and I just want to add that I do think one success we have here is just that what he just described in its opening the eyes of some of the students to the potential and the potential relationships that can be developed with this population. So I have students come in labeling our clients as offenders or criminals or what have you which is really easy to do. And I think that they learn here through some challenging circumstances or what have you that we're working with a population of people who are worthy of relationships and help and things like that. So I think we're pretty successful in opening some eyes.

[00:23:12] Sure. Well that really is a compelling story. And thank you to you both for sharing a little bit more. It really seems to me like a testament to the need to provide a more holistic approach and to offer beyond just the legal services the social services and what a perfect role really for social work what a perfect opportunity for social workers to do what we do best. I noticed in your CSWE Presentation you did address the issue of confidentiality of the way social work students in the setting might address differently the issue of confidentiality. Do you want to talk about that?

[00:23:52] This is an ongoing discussion I think amongst social workers working in this environment in general but it's definitely something that we have to talk about with students because they definitely come in with a certain idea in mind that often is unrealistic for the setting as

a matter of fact Wright had a situation with a student recently. Do you want to talk a little bit about that?

[00:24:17] Sure. One of our students had met with a new client for an initial needs assessment and the client had voiced some concern about her child who was in the custody of a family member about the child potentially not getting their needs met and the student's questions to me was is this situation where we need to break confidentiality and involve other agencies and in this setting and I'll invite everyone to chime in with me, but we are practicing social work in a home setting and we are employees of the Knox County public defenders office. And so we fall under attorney client privilege and this is again this is an area that is continuing to be discussed and defined. But our ability to break confidentiality is different in this setting because we are employees of attorneys and the students fall under that umbrella as well. And so what that means practically here is that when situations like this occur they involve a great deal of consultation. Obviously with a field instructor with the director of social services. Our conversation also has to do with the attorney and about whether or not there is an imminent need to break confidentiality or not. And that's just different from other social services settings. In this office we take that very very seriously and so we have probably about six conversations with different people talking about this situation from all different angles and trying to understand what was actually going on and in the end we were able to reach a resolution or make a decision that was very much a team decision that everybody was comfortable with that's met a need for the client and the client's trial to be OK and also further be able to protect the client's legal address.

[00:26:15] So you're really raising an issue about having important services needed services and a host stunning that sometimes a social worker's role and responsibility in that setting is going to be different.

[00:26:29] This is Sarah, and I just want to say absolutely I agree with that. I think one thing we offer here is a field setting is just a great opportunity to interact amongst systems. So not only are we interacting with the community and community agencies and clients and our client families and those relationships but also interacting with the legal staff here and learning those professional boundaries and roles and that sort of thing. So I think it's a very rich setting in that regard.

[00:26:55] I'm really excited about the idea. I think it would be fantastic to have a similar opportunity in our region for students. So thank you for sharing. I've really been honored to learn about the work that you're doing and I want to say thank you to each of you for the time that you've spent today and I look forward to hearing more about your work going forward.

[00:27:18] Thank you.

[00:27:20] You had been listening to a discussion with Sarah Buchanan, Wright Kaminer and Dr. Roger Nooe on Social Work and Social Work Education in the Knox County Public Defenders Community Law Office. We hope you enjoyed it and will join us again at inSocialWork.

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