COURSE DESCRIPTION
This course introduces students to the field of law as it relates to social policy and social work practice. Students will learn both theory and practice by examining the role of law in society, and how law affects social welfare programs and services. This course builds on the knowledge of social welfare institutions first introduced in Social Welfare Organization. It integrates knowledge from the social policy curriculum by exploring the role of law in the shaping of social policy. By exploring the legal environment in which clinical social work practice takes place it also integrates knowledge from the foundation curriculum.

The first part of the course examines the role of law in social change and social justice. Through an analysis of Supreme Court decisions, the interplay between law and social change in issues involving race, class, gender, and sexual orientation are examined. Students will learn basic constitutional law principles, including equal protection and due process.

The second part of the course focuses on the legal environment in social work practice, with particular emphasis on the skills and knowledge necessary for using the law to advocate for clients. Advocacy skills in administrative and court settings will be taught through an examination of the hearing process. Substantive knowledge in areas of greatest relevance to social work practice, including family law, health and mental health law and professional practice issues, will be explored. Selected court decisions will be used to illustrate various aspects of the law.

This part of the course is the application of social work to questions and issues relating to law and legal systems. It includes social work practice which in any way is related to law and legal systems. It includes social work practice which in any way is related to legal issues and litigation, both criminal and civil. Child custody issues, involving separation, divorce, neglect, termination of parental rights, the implications of child and spouse abuse, juvenile and adult justice services, corrections and mandated treatment all fall under this course.

It includes diagnosing, assessing, and treatment criminal and juvenile justice populations, diagnosing, treating, and making recommendation about mental status, assessing children’s interest, incapacities, or inability to testify, and serving as an expert witness.
LEARNING OBJECTIVES

By the end of the course, students will:

1. Understand the basic structure of the legal system, legal reasoning and basic legal and constitutional principles

2. Understand the forms and mechanisms of oppression and discrimination and the strategies and skills of change to advance social and economic justice.

3. Understand the impact of oppression and cultural and ethnic diversity in regard to distributive justice in American society.

4. Understand the differences and similarities in values, ethics and approaches to problem solving between the legal and social work profession, including conflict resolution approaches.

5. Know about substantive areas of law that directly affect the practice of social work.

6. Know how to communicate and work with lawyers to serve the best interests of their clients.

7. Know the methods of social and political actions that seek to ensure equal access for all people to the resources, employment, services, and opportunities they require to meet basic needs.

8. Understand the importance and mechanism, of conducting forensic interview, custody evaluations, and the incorporation of clinical assessments, psychosocial assessments, and family group interventions.

COURSE COMPETENCY OUTCOMES

Upon successful completion of this course, students should be able to:

1. Practice personal reflection and self-correction to assure continual professional development. 2.1.1, PB2

2. Recognize the extent to which a culture’s structures and values may oppress, marginalize, alienate, or create or enhance privilege and power. 2.1.4, PB1

3. Gain sufficient self-awareness to eliminate the influence of personal biases and values in working with diverse groups. 2.1.4, PB2

4. Understand the forms and mechanisms of oppression and discrimination. 2.1.5, PB1

5. Engage in activities that advance social and economic justice. 2.1.5, PB3
Identify as a professional social worker and conduct oneself accordingly.
PB 2. Social workers practice critical reflection and self-correction to assure continual professional development.

Educational Policy
2.1.4 Engage diversity and difference in practice.
PB1. Social workers recognize the extent to which a culture’s structures and values may oppress, marginalize, alienate, or create or enhance privilege and power.
PB2. Social workers gain sufficient self-awareness to eliminate the influence of personal biases and values in working with diverse groups.

Advance human rights and social and economic justice.
PB1. Social workers understand the mechanisms of oppression and discrimination.
PB3. Social workers engage in practices that advance social and economic justice.

PLAGIARISM
Students should remember that the School will not condone plagiarism in any form and will sanction acts of plagiarism. A student who presents someone else's work as his or her own work is stealing from the authors or persons who did the original thinking and writing. Plagiarism occurs when a student directly copies another's work without citation; when a student paraphrases major aspects of another's work without citation; and when a student combines the work of different authors into a new statement without reference to those authors. It is also plagiarism to use the ideas and/or work of another student and present them as your own. It is not plagiarism to formulate your own presentation of an idea or concept as a reaction to someone else's work; however, the work to which you are reacting should be discussed and appropriately cited. Any student who can be shown to have plagiarized any part of any assignment in this course will automatically F A I L the course and will be referred to the Associate Dean for disciplinary action that may include expulsion.

HIPAA ALERT
In line with the new HIPAA regulations concerning protected health information, it is important that you understand that any case information you present from your work, will need to be de-identified. What this means is that any information that would allow another to identify the person needs to be changed or eliminated. This includes obvious things like names and birth dates but may also contain other information that is so unique to the person that it will allow for identification, including diagnosis, race/ethnicity, or gender. If diagnosis, race/ethnicity, or gender is directly related to the case presentation it can be included if it will not allow for identification.

CONFIDENTIALITY
Given the nature of classroom discussion and the presentation of case materials and at times personal revelation in class, students are reminded that the same commitment to confidentiality with clients extends to classmates. What is shared in class stays in class.
STUDENTS WITH DISABILITIES
Students with disabilities who are enrolled in this course and who will be requesting documented disability-related accommodations are asked to make an appointment with the Office of Disability Services, Rochelle Kohn, Beren Campus, 917-326-4828, rkohn1@yu.edu, Abby Kelsen, Wilf Campus, 646-685-0118, akelsen@yu.edu, during the first week of class. After approval for accommodations is granted, please submit your accommodations letter to Disability Services Office immediately.

E-RES (Electronic Reserve)
Most of the articles mentioned in the curriculum are available on electronic reserve [E-RES]. You can access the full text articles from your home or from a university computer at no charge.

How do I Use E-RES?
1. Go to the library’s online resources page: http://www.yu.edu/libraries/
2. Click on E-RES. If you are off-campus, at this point you will be prompted for your Off Campus Access Service login and password.
3. Click on the link to your course.
4. Enter the password given to you by your instructor.
5. Locate and click on the item you wish to view. Titles beginning with "A", "An", or "The" are alphabetized under "A" and "T" respectively.
6. When the article text or book record appears on the screen, you can print, email, or save it to disk.

COURSE REQUIREMENTS

A. Texts and Readings

Required Texts


B. Course Assignments

Assignment One

Due Date: Class 7
Length: 8-10 pages. Select a legal/social work of current interest (must be approved by the professor). The paper should reflect the significance of courts and case law to issues of social justice; the role of social workers in judicial proceedings; judicial advocacy and the role of social workers in law suits (impact litigation) used for social reform or protection of civil rights; the use (and misuse) of social science by the courts; and legal regulations and case law that impact social work practice.

2.1.1. PB 2. Social workers practice critical reflection and self-correction to assure continual professional development.

2.1.4 PB1. Social workers recognize the extent to which a culture’s structures and values may oppress, marginalize, alienate, or create or enhance privilege and power.

2.1.4 PB2. Social workers gain sufficient self-awareness to eliminate the influence of personal biases and values in working with diverse groups.

2.1.5 PB1. Social workers understand the mechanisms of oppression and discrimination.

2.1.5 PB3. Social workers engage in practices that advance social and economic justice.

Assignment Two

Due Date: Class 13

In-class exam.

(Learning Objectives 1-6)

2.1.1. PB 2. Social workers practice critical reflection and self-correction to assure continual professional development.

2.1.4 PB1. Social workers recognize the extent to which a culture’s structures and values may oppress, marginalize, alienate, or create or enhance privilege and power.

2.1.4 PB2. Social workers gain sufficient self-awareness to eliminate the influence of personal biases and values in working with diverse groups.

2.1.5 PB1. Social workers understand the mechanisms of oppression and discrimination.

2.1.5 PB3. Social workers engage in practices that advance social and economic justice.

C. Class Design and Attendance: The course is conducted in seminar format. Each student is expected to actively participate in class discussions, contributing knowledge, experience and ideas. The policy of WSSW is that absences beyond two are cause for failure.

D. Grading. The university grading system will be applied. The grade will be based on class participation, and quality and promptness of written assignments.

Criteria for final grades are as follows: First assignment: 35% Second assignment: 35% Class participation 30%

COURSE SCHEDULE

Session 1 Introduction

- Review of course requirements, texts, syllabus
- Comparing the legal and social work profession

Learning objective 4, 6

Required Reading

Rome, S. Chapter 1.


Suggested Reading


**Session 2 An Overview of the Law and Legal System**

- What is law?
- Values and ethics in law
- Types and sources of law
- Difference between civil law and criminal law
- Structure of the court system

Learning objective 1, 2

Required Reading

Rome, S. Chapter 2.

Suggested Readings


Session 3 Locating and Using Law Sources

- Finding statutes, regulations and cases
- Reading a court opinion

Learning objective 1

Required Reading

Rome, S. Chapters # & 4.


Sessions 4-6 Law and social justice: The role of the Constitution in protecting our rights.

- Overview of the Constitution
- Due process of law
- Equal protection

Learning objectives 1, 2, 3, 5, 7

Required Readings

Rome, S. Chapters 12-14,

Suggested Readings


**Sessions 7 –8 Court and Administrative Hearings**

- Nature of the hearing process
- The role of the social worker
- Advocacy skills and strategies

Learning Objectives 3, 6, 7

**Suggested Reading**


**Sessions 9-10 Law and the Family**

- Protection of children
- Mandatory reporting laws
- Domestic violence

Learning Objectives 1, 2, 3, 5, 7

**Required Readings**

Rome, S. Chapters 16 & 17.
**Suggested Readings**

**Child Welfare**


**Sessions 11-12  Legal Aspects of Health and Mental Health Care**

- mental health commitment
- Informed consent

Learning objectives 1, 2, 3, 5, 7

**Suggested Readings**


**Sessions 13 Legal Aspects of Social Work Practice**

- Licensing and credentialing
- Privilege and Confidentiality
- Malpractice issues

Learning objective 1, 5

**Required Readings**

**Suggested Readings:**


**Session 14 Summary and Review**
Bibliography


