



GRACE ABBOTT SCHOOL OF SOCIAL WORK

SOCIAL WORK AND THE LAW

SOWK 4800/8806 | 3 credit hours

Class Meetings: TBD

Instructor: TBD

Office: TBD

Office Phone: TBD

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Office Hours: TBD

Department: Grace Abbott School of Social Work

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COURSE INFORMATION

Description

This course presents the fundamental principles of criminal and civil law that have relevance to the practice of social work. Topics include the legal system; legal research methods; professional ethical/legal responsibilities and liabilities; family law; elder law; criminal law; juvenile law; personal injury law; employment discrimination law; capacity to make contracts and wills; rights of institutionalized patients; and rights of children with disabilities to an education.

Prerequisites of the course:

Undergraduate: SOWK 3320 prior to or concurrent.

Graduate: SOWK 8130 prior to or concurrent, or BSW degree.

Rationale/Overview

This course presents the fundamental principles of criminal and civil law that have relevance to the practice of social work. Students will learn about legal and ethical principles relevant to social work, documentation, legal research, advocacy, cooperation with legal professionals, and supporting clients involved in civil or criminal proceedings.

Unusual circumstances of the course

This course is offered as SOWK 4800 for undergraduate students. This course is offered as SOWK 8806 for graduate students.

Course Objectives/Student Learning Outcomes

1. Survey the legal principles that have relevance to social work.
2. Consider the use of legal information to enhance interventions, including documentation, legal research, advocacy for legal reforms, cooperation with legal professionals, and supporting clients involved in civil or criminal proceedings.
3. Dissect the impact of anti-racism, diversity, equity, and inclusion (ADEI) on the application of law in the U.S.
4. Critique inadequate or failed policies/laws related to social work. (Graduate students only)

REQUIRED TEXT(S)/SUPPLEMENTAL MATERIALS**Required text(s)**

TBD

COURSE STRUCTURE/FORMAT

Lecture, discussion, experiential learning experiences, video and Internet resources, and guest presentations.

TENTATIVE COURSE SCHEDULE

Session/Date	Topic	Assignment
Session 1 [date]	<ul style="list-style-type: none"> • Introduction to course • Introduction to the legal system • Legal research 	Chapters 1-2 Handouts
Session 2 [date]	<ul style="list-style-type: none"> • Privileged communication • Confidentiality and consent • Law of professional records • Professional malpractice 	Chapters 3-4
Session 3 [date]	<ul style="list-style-type: none"> • No class (Memorial Day) 	---
Session 4 [date]	<ul style="list-style-type: none"> • Unifying ethics and the law • Professional malpractice 	Chapter 5
Session 5 [date]	<ul style="list-style-type: none"> • Child welfare law • Protecting children 	Chapters 6-7
Session 6 [date]	<ul style="list-style-type: none"> • Juvenile justice system • Juvenile law 	Chapter 13
Session 7 [date]	<ul style="list-style-type: none"> • Midterm exam • Rights of handicapped children to an education • Employment discrimination law 	Assigned articles Midterm Exam
Session 8 [date]	<ul style="list-style-type: none"> • No class (Independence Day) 	---
Session 9 [date]	<ul style="list-style-type: none"> • Family law • Family dispute mediation 	Chapters 9-10

Session/Date	Topic	Assignment
Session 10 [date]	<ul style="list-style-type: none"> • Rights of institutionalized patients • Elder law • Capacity to make contracts and wills 	Chapters 18-19 Assigned articles
Session 11 [date]	<ul style="list-style-type: none"> • Criminal law • Personal injury law 	Assigned articles
Session 12 [date]	<ul style="list-style-type: none"> • Testifying in court • Writing reports 	Chapters 14-15
Session 13 [date]	<ul style="list-style-type: none"> • Final exam • Conclusions and summary of course • Discuss final papers • Course evaluations 	Final Exam

IMPORTANT DATES

Last day to drop a course (via MavLink) and receive a 100% refund	TBD
Last day to withdraw from a course (via MavLink) with a grade of “W”	TBD

NOTE: This syllabus is written as an expectation of class topics, learning activities, and expected learning outcomes. However, the instructor reserves the right to make changes in this schedule that may result in enhanced or more effective learning for students. These modifications will not substantially change the intent or objectives of this course.

ASSESSMENTS (ACTIVITIES, ASSIGNMENTS, AND EXAMS)

	<u>Grad</u>	<u>UGrad</u>
Class Attendance & Meaningful Participation	10%	10%
Paper	10%	20%
Examinations	<u>80%</u>	<u>70%</u>
	100%	100%

GRADING SCALE

Percent	Final Grade	Quality Points
98–100%	A+	4.00
94–97.9%	A	4.00
91–93.9%	A-	3.67
88–90.9%	B+	3.33
84–87.9%	B	3.00
81–83.9%	B-	2.67
78–80.9%	C+	2.33
77–77.9%	C	2.00
71–73.9%	C-	1.67
68–70.9%	D+	1.33
64–67.9%	D	1.00

61–63.9%	D-	0.67
Below 60.9%	F	0.00

WRITING GUIDELINES

Students should make sure that writing assignments are free of grammar, punctuation, and spelling errors. Papers should adhere to the most recent citation style outlined by the American Psychological Association (APA).

PLAGIARISM STATEMENT

In this course, students will submit written work by making use of information and ideas found in print or online sources. Whenever material from another writer is used, it is important that students quote or paraphrase appropriately and cite the source.

The UNO Academic Integrity policy defines plagiarism as "presenting the work of another as one's own (i.e., without proper acknowledgment of the source) and submitting academic work in whole or in part as one's own when such work has been prepared by another person or copied from another person."

Failure to cite sources appropriately is plagiarism, a serious academic offense. Plagiarized work will not be accepted. Consequences for plagiarism are up to the discretion of the instructor; they may range, for example, from rewriting all or part of a paper to a grade of F for the course. Students who plagiarize more than once are subject to disciplinary action, which may include expulsion from the university.

Students SHOULD NOT GUESS when it comes to using or citing another writer's work. Students should contact the instructor or a consultant at the UNO Writing Center with questions. Students should take a printout of the original source as well as the paper that is being written to the consultation.

ACADEMIC INTEGRITY POLICY

The maintenance of academic honesty and integrity is a vital concern of the University community. Any student found responsible for violating the [policy on Academic Integrity](#) shall be subject to both academic and disciplinary sanctions. Violations of the policy on Academic Integrity include, but are not limited to, the following: cheating, fabrication and falsification, plagiarism, abuse of academic materials and/or equipment, complicity in academic dishonesty, falsifying grade reports, and/or misrepresentation to avoid academic work. More information about these areas and the procedures addressing academic integrity is available from the Office of Academic and Student Affairs (EAB 202 | 402.554.2262).

CLASSROOM EXPECTATIONS

Students are expected to arrive on time to class meetings. Students should come to class well prepared, meaning readings and other assignments have been completed. Students are expected to be respectful of their classmates and the instructor. Distracting and/or disrespectful behaviors will not be tolerated.

CELL PHONES, MOBILE DEVICES, AND LAPTOPS

Students are welcome to use cell phones, mobile devices, and/or laptops in class provided they are used for academic purposes such as note taking, accessing course materials, or researching course concepts and their use does not disrupt fellow classmates. Please silence devices if at all possible. A student who receives a phone call or text, should step outside the classroom to respond. DO NOT take pictures or video during class.

TECHNOLOGY REQUIREMENTS

Students will be expected to have access to a computer frequently, as all writing assignments used will be typed out and not handwritten. The software students use to write assignments is irrelevant, as long as the writing guidelines outlined in this syllabus are followed. It is recommended that students have access to a computer weekly. Public computers are available on the UNO campus. Consult [Information Technology Services](#) and the [Criss Library](#), for more information on equipment locations and availability.

TECHNICAL SUPPORT

Technical support for common university systems, including Canvas and email, is available from Information Technology Services [technical support](#) located in Eppley Administration Building (EAB) 104.

ACCESSIBILITY ACCOMMODATIONS

Reasonable accommodations are provided for students who are registered with Accessibility Services Center (ASC) and make their requests sufficiently in advance. For more information, contact ASC (Location: H&K 104, Phone: 402.554.2872, Email: unoaccessibility@unomaha.edu)

CRISS LIBRARY

UNO's Criss Library offers a wide variety of resources that support student learning. Subject specialist librarians have in-depth knowledge of researching within specific disciplines and can provide guidance for a specific area of study. Students are encouraged to explore customized resources featured on the [Criss Library](#) website.

EMERGENCY PREPAREDNESS

The University of Nebraska at Omaha is prepared for a wide range of emergencies. Students should familiarize themselves with procedures and assistance available on UNO's [emergency information page](#). If travel to campus is not feasible due to a declared emergency, a combination of Canvas, teleconferencing, and other technologies will be used to facilitate academic continuity. Students will be notified of procedures through Canvas course site announcements and email as appropriate.

INCLEMENT WEATHER

In the event of inclement or threatening weather, students should use his/her best judgment regarding travel to and from campus. Students who are not able to attend class due to adverse weather conditions, should contact the instructor as soon as possible. Similarly, if the instructor is unable to reach the class location, students will be notified of any cancellation or change as soon as possible (by approximately 1 hour before class starts and by posting an announcement in Canvas). Students who cannot get to class because of weather conditions, will be provided allowances relative to attendance policies as well as any scheduled tests, quizzes, or other assessments.

PREFERRED NAME AND PREFERRED GENDER PRONOUNS

Professional courtesy and sensitivity are especially important with respect to individuals and topics dealing with differences of race, culture, religion, politics, sexual orientation, gender, gender variance, and nationalities. Class rosters are provided to the instructor with the student's legal name. The instructor will gladly honor a student's request to be addressed by an alternate name or gender pronoun. Please advise the instructor of this preference early in the semester so that instructor records may be changed appropriately.

WRITING CENTER

The UNO Writing Center offers free one-on-one consultations with trained consultants to all students, faculty, and staff. Their goal is to help writers improve their writing skills and confidence in all types of writing, in all subject areas, and at all stages of the writing process. For more information about their hours and locations or to schedule an appointment, go to unomaha.edu/writingcenter or visit their main location in Arts and Sciences Hall (ASH) 150.

SPEECH CENTER

The [UNO Speech Center](#) provides free consulting and coaching services to all UNO students, faculty, and staff in preparing oral presentations. The Speech Center Consulting Room can help students with presentation preparation, outlining, effective delivery techniques, along with any other presentational needs. Speech consulting will help at any stage in the speech-making process. For more information, visit the UNO Speech Center in Arts and Sciences Hall (ASH) 183 and 185.

STUDENT SAFETY

A variety of resources are available to support student safety and security. Students have experienced or are experiencing a difficult personal situation, should consult the resources available through the [Division of Student Success](#).

OUTCOMES MAP AND STUDENT LEARNING OUTCOMES (SLOs)**Council on Social Work Education (CSWE) Competencies**

The student learning outcomes for this course are built upon the following nine social work core competencies set forth by the CSWE's 2022 Educational Policies and Accreditation Standards (EPAS) which is required for all accredited social work programs.

1. Demonstrate ethical and professional behavior.
2. Advance human rights and social, economic, and environmental justice.
3. Engage in anti-racism, diversity, equity, and inclusion (A DEI) in practice.
4. Engage in practice-informed research and research-informed practice.
5. Engage in policy practice.
6. Engage with individuals, families, groups, organizations, and communities.
7. Assess individuals, families, groups, organizations, and communities.
8. Intervene with individuals, families, groups, organizations and communities.
9. Evaluate practice with individuals, families, groups, organizations, and communities.

This map is intended to show how course topics, content, and activities align to the student learning outcomes outlined above. Course objectives are italicized to distinguish them from the core competencies set forth by the CSWE's 2022 EPAS.

EPAS Competency*	Course Objective/Student Learning Outcome	Assignment	Dimension*
2 = Advance Human Rights and Social, Racial, Economic, and Environmental Justice	4. Critique inadequate or failed policies/laws related to social work. (Graduate students only)		
3 = Engage Anti-Racism, Diversity, Equity, and Inclusion (A DEI) in Practice	3. Dissect the impact of anti-racism, diversity, equity, and inclusion (A DEI) on the application of law in the U.S.		
4 = Engage in Practice-Informed Research and Research-Informed Practice	1. Survey the legal principles that have relevance to social work.		
5 = Engage in Policy	1. Survey the legal principles		

EPAS Competency*	Course Objective/Student Learning Outcome	Assignment	Dimension*
Practice	that have relevance to social work. 2.Consider the use of legal information to enhance interventions, including documentation, legal research, advocacy for legal reforms, cooperation with legal professionals, and supporting clients involved in civil or criminal proceedings. 5. Critique inadequate or failed policies/laws related to social work. (Graduate students only)		
8 = Intervene with Individuals, Families, Groups, Organizations, and Communities	2.Consider the use of legal information to enhance interventions, including documentation, legal research, advocacy for legal reforms, cooperation with legal professionals, and supporting clients involved in civil or criminal proceedings.		

*Dimensions Key:

K = Knowledge

S = Skills

V = Value

CAP = Cognitive and Affective Processing

REFERENCES AND SUPPLEMENTAL MATERIALS

References

- Blome, W. W., & Steib, S. D. (2007). Strategies for empowering the child welfare administrator facing class action lawsuits. *Journal of Public Child Welfare, 2*, 5-27.
- Braye, L., & Preston-Shoot, M. (2006). The role of law in welfare reform: Critical perspectives on the relationship between law and social work practice. *International Journal of Social Welfare, 15*, 19-26.
- Clark, C. (2006). Against confidentiality? Privacy, safety, and the public good in professional communications. *Journal of Social Work, 6*, 136-156.

- DeRoma, V., Kessler, M., McDaniel, R., & Soto, C. (2006). Important risk factors in home-removal decisions: Social caseworker perceptions. *Child and Adolescent Social Work Journal, 23*, 263-277.
- Fowler, F. (2003). *A practitioner's tool for child protection and the assessment of parents*. Philadelphia, PA: Jessica Kingsley Publishers.
- Graupner, H., & Bullough, V. L. (Eds.). (2004). *Adolescence, sexuality, and the criminal law: Multidisciplinary perspectives*. Binghamton, NY: Haworth Press.
- Juujarvi, S. (2006). The ethic of care development: A longitudinal study of moral reasoning among practical nursing, social work, and law enforcement students. *Scandinavian Journal of Psychology, 47*, 193-202.
- Mackelprang, R. W. (2005). Historical and contemporary issues in end-of-life decisions: Implications for social work. *Social Work, 50*, 315-324.
- Nash, Jr., B., & Bradley, D. B. (2006). Federal policies and local realities: The case of Appalachian senior programs. *Educational Gerontology, 32*, 351-365.
- O'Brien, T. M. (2004). *Child welfare in the legal setting: A critical and interpretive perspective*. New York: Haworth Press.
- Pollack, D. (2003). *Social work and the courts: A casebook* (2nd ed.). New York, NY: Brunner-Routledge.
- Reamer, F. G. (2005). Documentation in social work: Evolving ethical and risk-management standards. *Social Work, 50*, 325-334.
- Reamer, F. G. (2006). Nontraditional and unorthodox interventions in social work: Ethical and legal implications. *Families in Society, 87*, 191-197.
- Saxon, C., Jacinto, G. A., & Dziegielewski, S. (2006). Self-determination and confidentiality: The ambiguous nature of decision-making. *Journal of Human Behavior in the Social Environment, 13*, 55-72.
- Schroeder, J., Guin, C., & Bordelon, D. (2006). Mitigating circumstances in death penalty decisions: Using evidence-based research to inform social work practice in capital trials. *Social Work, 51*, 355-364.
- Scourfield, J. (2006). The challenge of engaging father in the child protection process. *Critical Social Policy, 26*, 440-449.
- Smith, S. R. (2005). Equality, identity, and the disability rights movement: From policy to practice and Kant to Nietzsche in more than one uneasy move. *Critical Social Policy, 25*, 554-576.
- Steen, J. A. (2006). The roots of human rights advocacy and a call to action. *Social Work, 51*, 101-105.
- Taylor, J. S., & Clark, L. T. (2004). *Intervention with infants and toddlers: The law, the participants, and the process*. Springfield, IL: Charles C. Thomas.
- Wallace, H. & Roberson, C. (2010). *Family violence: Legal, medical, and social perspectives* (6th ed.). Boston, MA: Pearson.
- Yanay, U. (2006). Personal security and the "right" to protection. *Social Policy and Administration, 40*, 509-525.

Classic resources

- Balgopal, P. R. (Ed). (2000). *Social work practice with immigrants and refugees*. New York: Columbia University Press.
- Constable, R. T., McDonald, S., & Flynn, J.P. (Eds.). (1999). *School social work: Practice, policy, and research*. Chicago: Lyceum Books.
- Dickson, D. T. (2001). *HIV, AIDS, and the law: Legal issues for social work practice and policy*. New York: Aldine de Gruyter.
- Neighbors, I. (2000). *Social work and the law: Proceedings of the National Organization of Forensic Social Work*. New York: Haworth Press.