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Educating future practitioners of social work and law: Exploring the origins of inter-professional misunderstanding

Sarah Taylor¹

School of Social Welfare, University of California at Berkeley, 120 Haviland Hall #7400, Berkeley, CA 04720-7400, United States

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Abstract

Lawyers and social workers working with disadvantaged populations frequently collaborate to assist clients as they navigate such bureaucratic institutions as child dependency courts. Collaboration in the child welfare field is often characterized by conflict as professionals negotiate roles, duties, and varying ethical responsibilities. One overlooked cause of this conflict involves the difference in how practitioners are socialized. This descriptive, exploratory study describes how the graduate education experiences of future lawyers and social workers differ in both content and process. Eight law and social work classes were observed. The results indicate that the education of lawyers and social workers differs substantially in classroom environment, student–professor interactions, educational techniques, and explicit reference to group process. These differences have implications for the education of future professionals with respect to understanding authority, discretion, and collaboration.

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E-mail address: sataylor@berkeley.edu.

¹ A doctoral candidate at UC Berkeley.

1. Introduction

Lawyers and social workers working with disadvantaged populations collaborate often to assist clients in gaining access to resources and in supporting clients as they navigate bureaucratic institutions. This collaboration is often characterized by conflict as professionals negotiate roles, duties, and varying ethical responsibilities. The conflict between lawyers and social workers received some attention by researchers over a decade ago who looked at division of duties and attitudes as causes of the problem (Fogelson, 1970; Russell, 1988; Sloane, 1967; Smith, 1970). However, little current empirical research attempts to explain this conflict.

The lack of current research is especially evident in the area of child dependency. Child welfare and legal professionals involved in the adjudication of dependency cases have been required to collaborate more frequently since the passage of the 1980 Adoption Assistance and Child Welfare Act (AACWA) and 1997 Adoption and Safe Families Act (ASFA). This federal legislation expanded judicial oversight of child welfare agencies, and therefore increased the number of hearings necessary to settle a child dependency case. Given the need for more collaboration, it is surprising that so little research is available on the working relationship of lawyers and child welfare workers who specialize in child dependency cases today.

It is important to study the challenges faced by child welfare workers and lawyers in fostering collaboration for at least two main reasons. First, the conflicts between the members of these two professions can prevent the system from adequately meeting the needs of children and families. These conflicts can cause delays and prevent the judge from hearing all of the information necessary to make the best decision (Weinstein, 1997). Second, conflicts may contribute to high levels of stress and staff turnover for members of both professions (Carnochan et al., 2002).

There are many potential causes of tension between lawyers and child welfare workers such as role conflict, attitudes about one another's profession, and the nature of the work itself. Differences in professional cultures are also a potential source of conflict. An understanding of professional culture among inter-disciplinary workgroups can facilitate collaboration (Meyerson, 1994; Russell, 1988).

One approach to studying these differences is to focus on professional education programs. While in graduate school, students begin to understand and practice their roles. The students' relationships with one another and the professor, their terms of address, their use of language, and their dress are all factors that can contribute to the emergence of a professional identity. In addition to the technical information taught in classes, the organization of the classroom experience communicates ideas about status, beliefs about the roles of colleagues within and outside of the profession, and expectations about the amount of autonomy and discretion they will have as professionals.

Two research questions guided this study: 1) How do the educational processes of social work and law school differ? 2) To what extent do the professional training experiences of lawyers and social workers reflect distinct cultures that may influence their future interactions?

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