

Using a Social Worker in Criminal Cases

The information that social workers elicit and develop for an attorney can be used at every stage of the legal process and for various purposes. Attorneys have been successful at getting judges to approve funds to hire social workers for:

- Aid-in-Sentencing reports
- Psychosocial Assessments
- Treatment Recommendations
- Assessment of necessary services and securing those services (e.g., substance abuse treatment, counseling, sexual offender treatment, etc.)
- Developing service and treatment plans for clients seeking pre-trial probation and alternative sentencing

What A Social Worker Does

A key component of the role of a social worker is to tell your client's story by obtaining the full family, psycho-social, education, trauma, medical, and mental health history. The reports, assessments, and recommendations that are created will help humanize your client, contextualize the offenses and behaviors, and identify your client's strengths and positive qualities.

Conduct a thorough psychological-social history assessment

The social worker can conduct a detailed investigation of your client's life to uncover possible mitigating factors that can assist in multiple stages of the court process: bail reduction hearings, plea bargaining, trial, sentencing, probation violation.

Develop Alternatives to Commitment and Post-Release Plans

The social worker, after assessment of the client's needs, can identify mental health, substance abuse, and other issues requiring intervention, identify services, make referrals, and schedule intakes. Social workers are knowledgeable about referral resources for housing, financial assistance, and other needs.

Prepare Reports for Court

A report to court can come in many different formats depending on what the attorney is hoping for - from a dispositional letter to a longer Aid in Sentencing/Psychosocial Assessment. The report may give the judge an alternative to what the prosecution is seeking, or assist the judge with applying the required guidelines. The goal of a written submission to the court should be to humanize the client. A report for court will explain how the important factors in the client's life have contributed to the offense behavior. It will address their potential treatment needs and suggest ways that these needs can be incorporated into a sentence.