

INTERDISCIPLINARY TEAMS:  
DEFINING ROLES AND  
WORKING TOGETHER

April 28, 2016

---

---

---

---

---

---

---

---



**YAD**

Youth Advocacy Division

Committee for Public Counsel Services – Statewide Public  
Defenders Office for Massachusetts

---

---

---

---

---

---

---

---

40<sup>TH</sup> ANNIVERSARY



SOUTHERN  
CENTER FOR  
HUMAN  
RIGHTS

1976 - 2016

---

---

---

---

---

---

---

---

### Why do Attorneys Want to Use Social Workers?

It depends ... we want the best outcomes for our clients ...

---

---

---

---

---

---

---

---

IT TAKES A VILLAGE..

TEACHER TRUANT OFFICER HUMAN SERVICES CASEWORKER POLICE RESPONSIBLE PARENT JUDGE PROBATION OFFICER

These are the forces acting against your client....

---

---

---

---

---

---

---

---

### Why A Social Worker?

- Client Centered Representation
- Best possible life and case outcomes

---

---

---

---

---

---

---

---

## Methods to get to those options

- Plea Negotiations
- Aid in Sentencing/Report/Memo to Court
- Alternatives to Incarceration
  - Probation, fines, electronic monitoring, community service, treatment requirements
  - Early Assessments that help attorney "work case out"
  - Early intervention, service referral, showing change if client is in the community

---

---

---

---

---

---

---

---

## What is the attorney looking for?

- Practitioner with a background in social work or mental health aka clinical knowledge
- Interviews/screen for mental illness, trauma, developmental issues, cognitive impairment, etc.
- Gathers and analyzes life-history records
- Assessment and Service Planning
- Talking to Experts and Providers
- Helps shape investigation, but is not a fact investigator

---

---

---

---

---

---

---

---

For the competent defense attorney, the duty to investigate extends beyond questions of legal guilt or innocence, and includes questions of proportionate sentencing, for which the "the defendant's background, education, employment record, mental and emotional stability, family relationships, and the like, will be relevant, as well as mitigating circumstances surround the commission of the offense itself, investigation is essential to the fulfillment of these functions."

*(ABA, Standards for Criminal Justice: Providing Defense Services, Comment to Rule 4-4.1.)*

---

---

---

---

---

---

---

---

Mandated Reporting...

---

---

---

---

---

---

---

---

Working on a multidisciplinary team

- Development of role within the legal team
  - Defining self
  - Role as a catch all – expectations and boundaries
  - Making sure family understands role as part of legal team
  - Taking time with attorney to talk about cases
  - Being a part of client/legal meetings as a way to learn court process
  - Role as interpreter/translator for both client and attorney
  - Understanding long term objectives
  - Distinguishing between questions shouldn't be answering

---

---

---

---

---

---

---

---



---

---

---

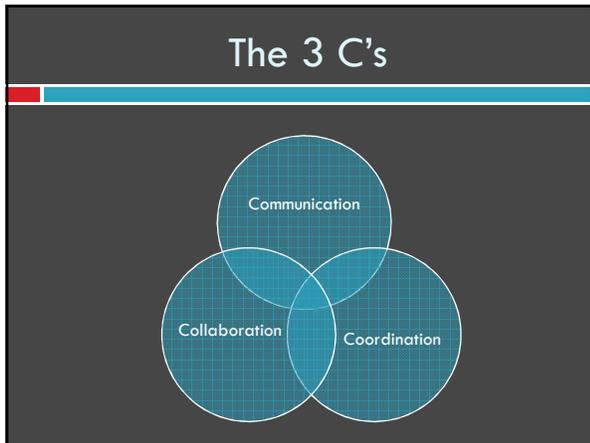
---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

### Communication

Remember...	Don't...
<ul style="list-style-type: none"><li>Keep your social worker informed and demand the same from them.</li><li>Do this through weekly meetings, case notes, and other regular contacts</li></ul>	<ul style="list-style-type: none"><li>Dump important info in the bathroom or parking lot where they can't digest.</li></ul>

---

---

---

---

---

---

---

---

## Communication and Collaboration

### Remember

- ❑ To include the social worker early and often to get the most for your client.
- ❑ Introduce them as a team member – not someone who works for you but someone who works with you.

### Don't...

- ❑ Believe that talking to the client is “your job” as the lawyer. You are a team.
- ❑ Send the social worker out on a case where no one knows who they are or to meet the client without explaining who the social worker is.

---

---

---

---

---

---

---

---

## Collaboration and Communication

### Remember

- ❑ Be open to another point of view or direction on your take on your case or your client.

### Don't...

- ❑ Leave your social worker wondering who was going to do what, and what work is theirs versus yours.

---

---

---

---

---

---

---

---

## Coordination and Communication

### Remember

- ❑ Communicate the theory of the case as it changes.
- ❑ Follow up on things you ask for.

### Don't...

- ❑ Assume legal expertise by the social worker and at the same time don't demean their lack of knowledge on legal issues.

---

---

---

---

---

---

---

---

## Team Agenda Checklist

- ❑ Ensures that each facet of defense function is regularly checked
- ❑ Reduces likelihood of tasks “falling through the cracks”
- ❑ Assigns tasks to specific team members, include deadlines for accountability
- ❑ All team members have access and ability to update checklist

---

---

---

---

---

---

---

---

## Sample Team Agenda

WOODLEY TEAM WORKING TO DO LIST		
FOR: Marvin Woodley		
LAST UPDATE: April 20, 2016 by SF		
TASK	ASSIGNED TO	STATUS/DATE COMPLETED
<b>HOUSEKEEPING</b>		
<b>CLIENT CONTACT AND CONCERNS</b>		
<b>SETTLEMENT</b>		
<b>DISCOVERY</b>		
<b>FACT INVESTIGATION</b>		
<b>INTERVIEWS</b>		
<b>RECORDS</b>		
<b>MITIGATION</b>		
<b>INTERVIEWS</b>		
<b>Family</b>		

---

---

---

---

---

---

---

---

## File Organization



---

---

---

---

---

---

---

---

## Social Worker as a Liaison

- Between the lawyer and client.
- Between the client and consultant.
- Between the client and probation, etc.
- Between the lawyer and the client's family.
- And in some instances between your team and the victim/victims family.

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

## Court Process Assistance

- Help at Arraignment
- Reassure families
- Educate regarding process with an eye on competency

---

---

---

---

---

---

---

---

### What to refer?

- ❑ Mental health issues
- ❑ Substance abuse/use
- ❑ School/employment issues
- ❑ Housing issues
- ❑ Multi-system involvement

---

---

---

---

---

---

---

---

### What else???

- ❑ Need for Productive Activity
  - ❑ Work programs/jobs
  - ❑ After school extra curricular activities
  - ❑ Community service options
- ❑ Relationship Development
  - ❑ Get to know what is important to client
  - ❑ Help connect with clients who are nonresponsive

---

---

---

---

---

---

---

---

### Trauma Responsive

- ❑ There is a strong connection between complex trauma and delinquency.
- ❑ Trauma impacts a child development and health throughout life.
- ❑ Some red flags
  - ❑ Hypervigilance, always scanning the environment for safety.
  - ❑ Misperceive communication "He yelled at me!"
  - ❑ Exaggerated startle response
  - ❑ Difficulty concentrating

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

Brainstorm cases

29

*As part of the defense team: we can present ideas from the perspective of a person who is not a lawyer, but who understands what the lawyers need to do and want to do for the client.*

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



31

---

---

---

---

---

---

---

---

### Experts, Experts, Experts...

32

- ▶ Pre-Screen
- ▶ Recommend
- ▶ Set it up
- ▶ Provide Information

---

---

---

---

---

---

---

---

### Lamont Carey: The Streets Keep Calling My Name

A large black rectangular area, likely a video player, which is currently blank.

---

---

---

---

---

---

---

---

## Community Resources

Use them

Develop them

Reach out

Keys to client's success:

- Having the support of people in the community
- Services have to be something your client is willing to do, not just something they have been ordered to do.

---

---

---

---

---

---

---

---

## Give you a social history investigation

35

The social worker will attempt to learn the client's own view of his or her life, how the client sees the world and how the client wishes to be portrayed to the court.

---

---

---

---

---

---

---

---

## Prepare a sentencing or mitigation report

36

- Client-based, not crime based.

---

---

---

---

---

---

---

---

## What is Mitigation?

- It's the stuff that helps tell your client's story:
  - What was life been like growing up
  - What influenced him or her to become like they are today
  - Why your client committed this offense
  - What he or she needs to do better in the future

---

---

---

---

---

---

---

---

## MITIGATION IS NOT:

- Only "the good stuff"
- The opposite of aggravation
- Turning a blind eye to negative factors
- An attempt to fool anyone

---

---

---

---

---

---

---

---



---

---

---

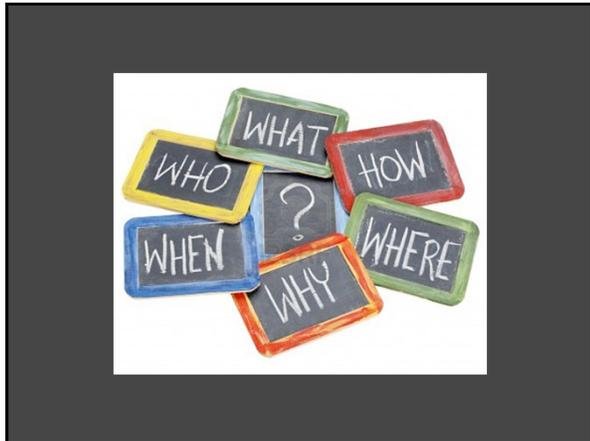
---

---

---

---

---



---

---

---

---

---

---

---

---

**There is always a reason**

How and why your client got involved in his offense, and how you determine the answers depends on what information you have.

---

---

---

---

---

---

---

---

**Know your Client! 3 Ways...**

- Spend time with your client
- Get the records
  - ▣ School, work, institutional
  - ▣ Mental health, medical records
- Non-traditional experts can help you answer all four questions
  - Teachers, former employers, institutional staff, etc.
  - Get letters from key people in his/her life to tell the story

---

---

---

---

---

---

---

---



---

---

---

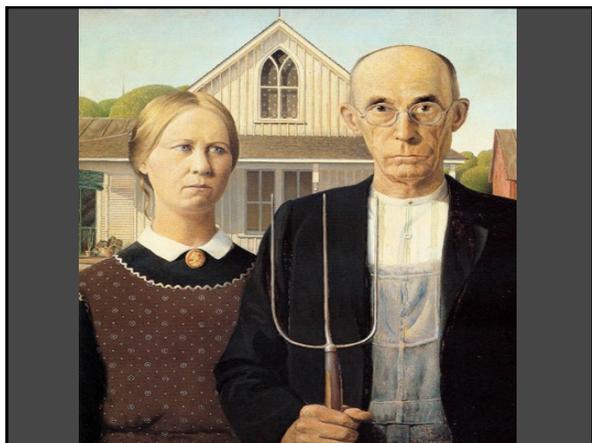
---

---

---

---

---



---

---

---

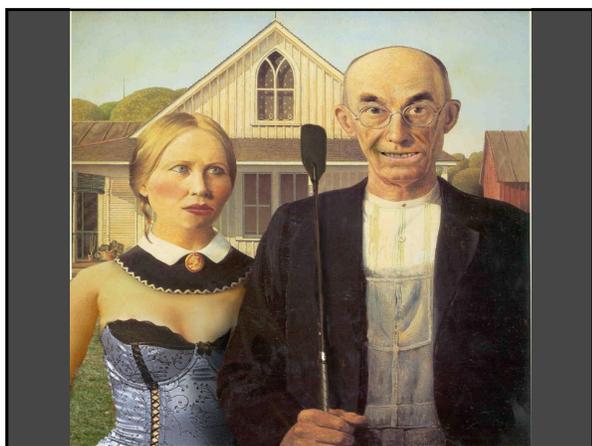
---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

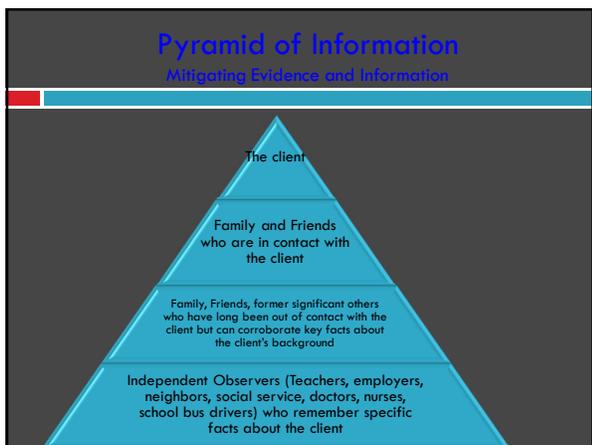
---

---

---

---

---



---

---

---

---

---

---

---

---

- ### Mitigation Witnesses - Brainstorm
- Client
  - Family, intermediate & extended
  - Classmates & friends
  - Roommates
  - Neighbors
  - Teachers
  - Counselors/Social Workers
  - Employers/Employees
  - Surviving victims
  - Witnesses to crime
  - Probation/parole officers
  - Co-workers
  - Prison/Jail guards
  - Cellmates, other inmates
  - Doctors

---

---

---

---

---

---

---

---

## Documenting the Investigation

- Witness Lists
- Life History Chronology
- Family Tree – Genetic Mapping
- Charts listing records collected and requested
- Charts and memos summarizing records

---

---

---

---

---

---

---

---

---

---

## Start Making Charts!

- Fact witnesses
- Mitigation witnesses
- Records to obtain
- Physical evidence
- Themes

---

---

---

---

---

---

---

---

---

---

To: Woodward File  
 Re: Chart of Marvin's Teachers  
 Updated: August 5, 2015

**CHART OF MARVIN'S TEACHERS**

NAME + CONTACT INFO	SCHOOL + GRADE	NOTES
Bundy, Ms. FNU	Laurelhurst <i>Counselor</i>	Marvin's counselor
Booker, Mrs. Carmine DOB: 05-1950 1234 Johnson Road Almore, AL	Bellingrath <i>Third Grade?</i>	Marvin remembers that Ms. Booker was a chubby white woman in her 40s.
Fullerton, Ms. Cynthia DOB: 04-1949 1234 Dolphin Drive Almore, AL	Fernwood Elementary <i>Third Grade</i>	Marvin believes that Ms. Fullerton may have been the physical education teacher.
Hawkins, Ms. V.J.	Fernwood Elementary <i>Third Grade</i>	She is listed on Marvin's transcript as his third grade teacher.
Taylor, Ms. Ann	Fernwood Elementary <i>Kindergarten</i>	Ms. Taylor was a young white woman. She was very sweet. None of the other Woodley children had Ms. Taylor. She transferred to another school not long after Marvin graduated from her classroom. Ms. Taylor noted that Marvin was very "hyper" and had difficulty sitting still in the classroom. She asked Wendy if she gave Marvin a sugary cereal for breakfast.
Thomas, Ms. FNU	Fernwood Elementary <i>First Grades</i>	Ms. Thomas was a young white woman. She loved Marvin. Wendy has run into Mrs. Thomas several times over the years, including occasions after Marvin's trial in 2006. Mrs. Thomas always asks about Marvin ("how's my boy doing?") and the other Woodley children. She is no longer Mrs. Thomas, however, as she has re-married. Wendy doesn't know her new married name.

---

---

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

**Records:**  
**Why do we need them?**

- They back up the story
- They fill in the gaps
- They help explain our client's history
- They lead us to other witnesses

---

---

---

---

---

---

---

---

**Information to Gather...**

<input type="checkbox"/> Preliminary Data	<input type="checkbox"/> Medical & Mental Health History
<input type="checkbox"/> Birth, growth & development	<input type="checkbox"/> Vocational Pursuits
<input type="checkbox"/> Environmental factors	<input type="checkbox"/> Substance Abuse History
<input type="checkbox"/> Institutional data:	<input type="checkbox"/> Perceptions & Self-Perceptions
<input type="checkbox"/> School	<input type="checkbox"/> Family History
<input type="checkbox"/> Juvenile Agencies	
<input type="checkbox"/> Criminal Justice System	
<input type="checkbox"/> Military	

---

---

---

---

---

---

---

---

## Records Collection

- ❑ Often a notarized release, subpoena or court order will be required to request your client's records and the records of his/her family members
- ❑ Request records in person when possible
- ❑ Request certified copies of records
- ❑ Once you have the records, scan/copy them immediately
- ❑ Create a summary document (chart, memo, etc)

---

---

---

---

---

---

---

---

---

---

## Internet Investigations

- ❑ Use social media to investigate your client and known witnesses
- ❑ Identify new witnesses
- ❑ Locate witnesses

---

---

---

---

---

---

---

---

---

---

Roy Perkins: Investigation of Home and Environment in Berry, Alabama.

Roy is not in the home of Mrs. Dovie May Perkins at this time. She does not know where he can be located and assumed that he was still in Florida.

Home: Mrs. Dovie May Perkins (38 years old) lives in Berry, Alabama in what appears to be extreme poverty. The house she lives in is little more than a shack. The inside of the home is ill kept with dirty clothes dishes and articles of every sort strewn around at random. Mrs. Perkins is the common law wife of Pat Trawack, Jr. who is presently serving three years for assault.

There is little that can be done about schooling. Alabama law allows a youth to quit school at age 16. The school system would not encourage Roy to attend.

Roy is part of a group of youthful offenders in Berry. Almost every one of his associates have been in trouble at one time and most have repeated offenders. Roy is presently under a 12 month jail sentence here for destroying private property and would have to serve that sentence upon return.

I would not like to see Roy placed back into the Berry area. He has been branded a delinquent by the community and would have little chance to gain a favorable place for himself with a new group of friends. Since he is under a jail sentence here, his next offence would probably mean a prison term.

If the State of Florida feels that it would be in the best interest of Roy for him to return to Berry, then we will do everything in our power to work with him.

---

---

---

---

---

---

---

---

---

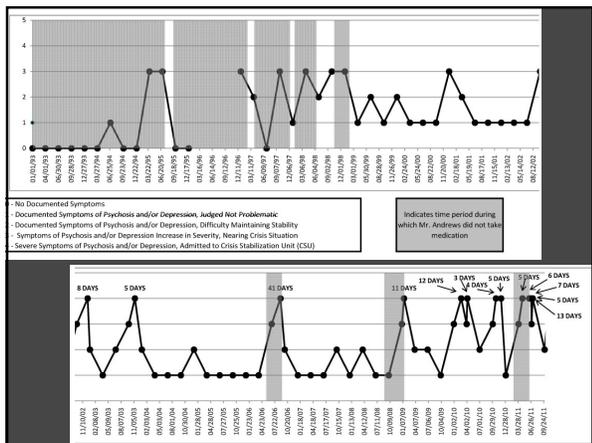
---



**MEMORANDUM**

To: [REDACTED] file  
 From: [REDACTED]  
 Re: Summary of OPCS Mental Health Records (1992-2007)  
 Date: Last updated 2012.01.30

DATE	MEDICATIONS	SUMMARY
December 1992	None	Initial psychological assessment conducted on December 2, 1992, by Dr. Rose Schroeder, Ph.D., who found him to be "adjusting adequately." She described him as "highly verbal and relatively intelligent" and said that she saw "no signs of any psychological distress that would be beyond what one would expect of somebody new to this situation." [1]
July 1994	None	Individual psychotherapy session conducted by Dr. Schroeder on July 20, 1994, she found him "vocal in all spheres," that he "mood and affect were appropriate," and that he "expressed no suicidal or homicidal ideation" and "shows no sign of a major disorder of thought or mood." [2]
August 1994	None	An individual psychotherapy session conducted by Dr. Schroeder on August 3, 1994, her assessment was the same as on July 20, 1994. [3] Dr. Schroeder attempted to conduct a second individual psychotherapy session with [REDACTED] on August 17, 1994, but he declined to come out and speak with her. [4]
September 1994	None	On September 7, 1994, [REDACTED] declined to come out and speak to Dr. Schroeder for an individual psychotherapy session for the second time in a row. She intended to write him a note letting him know that continued contact will help him from then on. [5] On September 14, [REDACTED] "self-referred" himself for a session with Dr. Schroeder. She noted that he is "disturbed by personal history may have contributed to [his] current circumstances" and that it "might affect [his] behavior and therefore, report and/or [his] aggressive actions." As to his diagnosis, Dr. Schroeder indicated Axis I "99.00 Alcohol" and Axis II "301.70 Antisocial." [6-7]
May 1995	None	On May 11, 1995, Dr. Schroeder reported that she was asked to meet with [REDACTED] and assess his condition by the mental health team at the request of the house staff, but they decided instead to keep [REDACTED] in his cell and wait for Dr. [REDACTED] to see him on Monday, because [REDACTED] "becomes erratic and violent in his behavior when out of his cell but seems to be able to maintain some degree of calmness and in his



But make sure you understand the context of what you are reading:

"He embellished his drawing to include several figures on a baseball team. He drew a huge arch which he said was "the Green Monster," a comment with a certain aggressive implication."

--From a psychological evaluation of a second grade child in Massachusetts

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

FRANKLY, THERE ISN'T ANYONE YOU CAN'T LEARN TO LOVE ONCE YOU'VE HEARD THEIR STORY.

Andrew Stanton, Ted Talks, quoting a note that Fred Rogers carried in his pocket.

---

---

---

---

---

---

---

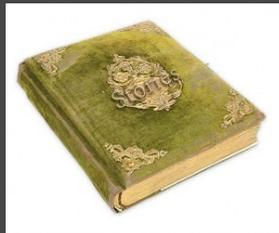
---

### Why is Version 2 Better?

Version 1

- Fact
- Fact
- Fact
- Fact
- Blah
- Blah
- Yadda
- Yadda

Version 2



---

---

---

---

---

---

---

---

### Version 2 (Daniel Beaty, Knock Knock)



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

## Be Creative!

There is no one right format!

Change it up so that the reader is able to feel the uniqueness of your client.

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

## Use Client's and Witnesses Voices

From Lee's description, he looked to his best friend, AJ's, stepfather as the father figure he longed to have. "Nobody looked out for me. No one showed me what being a man was about except for the guys out on the street." AJ stated:

*One of the differences between Lee and I was that I always had a father figure around... We met when we were around 7 years old... Lee would try to fit in with other kids... I'd try to tell him that they were not his friends. Even if people had a negative agenda, he didn't get it. They'd try to manipulate him. He was a big kid that others wanted to bring along with them. He never caught on to how people used him.*

---

---

---

---

---

---

---

---

---

---

## Lay out the information to help the reader visually

Below is an overview of 1985-1987 interventions:

Date	Location	Length	Outcome
September & October 1985	Child Development Unit - Children's Hospital of Pittsburgh	Evaluation/ Parenting classes for mom	A school function program report was done by Sandra Leath, M.Ed. who recommended putting Lee in an LD (learning disabled) class since "a smaller class size and more structured environment will also likely be helpful to him in terms of any attentional weakness." Placed on Ritalin.
1/30/86	Gusky Child Guidance Clinic, Jewish and Family Children's Services	6/17/87	Was seen primarily by Rosa Roberts, ACSW who, according to her records, believed that Lee was a very needy child who could get help if brought in regularly. Mother's attendance was too sporadic which made it difficult to effect change. There were multiple missed appointments. Also evaluated by Sylvia Mendelsohn, MD who recommended Ritalin (4/86) as well as continued therapy.
9/17/87	Child and Adolescent Depression Service (WPIC)	Evaluations	Evaluated by Deborah Mazzeo, R.N. and Neal Ryan, M.D. No manic or depressive symptoms evident. ADD is present in Lee's history and he has been treated successfully with Ritalin and LD classes.

---

---

---

---

---

---

---

---

---

---

## Lay experts

- Teachers
- Neighbors
- Therapists
- School counselors
- Doctors
- Drug counselors
- Pastors

---

---

---

---

---

---

---

---

---

---

### 4 Questions easier with community resources:

- How this client became involved in the offense?
- Why this client became involved in the offense?
- What reason is there to think it will not reoccur?
- What sentence can be imposed to reduce the risk of recidivism?

---

---

---

---

---

---

---

---

### Beyond the confines of the case...

- Identify common grounds of systems
- Work to streamline and align expectations and roles
- The elephant in the room is that we all have different interests.

---

---

---

---

---

---

---

---



---

---

---

---

---

---

---

---

## Thanks!

*Anna Bulkin, MSW, LICSW*  
Director of Social Work  
Youth Advocacy Division  
Committee for Public  
Counsel Services  
44 Bromfield Street  
Boston, MA 02108  
[abulkin@publiccounsel.net](mailto:abulkin@publiccounsel.net)  
617-910-5806

*Sarah Forte*  
Paralegal/Investigator  
Southern Center for Human  
Rights  
83 Poplar Street, NW  
Atlanta, GA 30303-2122  
[sforte@schr.org](mailto:sforte@schr.org)  
404-688-1202

---

---

---

---

---

---

---

---