



Tina M. Souders, PhD, JD, MSW, LCSW  
Director- Winston-Salem 3 Year MSW Program  
741 N. Highland Ave. 5<sup>th</sup> Floor  
Winston-Salem, NC 27101  
Office: (336) 703-3398  
Email: [tsouders@email.unc.edu](mailto:tsouders@email.unc.edu)

**Course Number:** SoWo 730

**Course Title:** **Social Work and the Law- ONLINE**

**Instructor:** Tina M. Souders, PhD, JD, MSW, LCSW  
Clinical Associate Professor

**Schedule:** 1<sup>st</sup> Summer Session, 2020

**Office hours:** Virtual via Zoom: Wednesday @ 9:30am-10:30am and by appointment  
Meeting ID: 992-4171-8702

**COURSE DESCRIPTION:**

This course provides familiarity with legal process, legal research and legal analysis within the context of socio-legal issues important to social work practice. This course will examine and provide familiarity with basic legal principles and topics, as well as their relationship to the social work profession. Focus will be on legal impacts of the court system and the legislative system. The relationship of ethics and the law will be explored within a variety of contexts. The course will also review the knowledge and skills social workers need in order to work within the legal system on behalf of clients. Specific topics will include child welfare, civil rights, crime and delinquency, mental health and the regulation of social work practice.

**COURSE OBJECTIVES:** At the conclusion of this course, students will demonstrate:

1. Familiarity with the legal processes, including:
  - a. The judicial process emphasizing case analysis, case law development and synthesis
  - b. The legislative process emphasizing legislative analysis, advocacy and judicial interpretation of legislation
  - c. The administrative process emphasizing the rule making process and general administrative authority
2. Skills and techniques necessary for working with systems and situations often encountered when social work and law converge, including:
  - a. Legal research and analysis
  - b. Preparation and presentation of court testimony, including acting as an expert witness
  - c. Understanding privileged communications, confidentiality, ethics and the effect on the social work/client relationship
  - d. Understanding how individuals and families are impacted by the legal system

3. An understanding of how the law and the social environment relate, with a basic familiarity of the following substantive socio-legal topics: constitutional law (including civil rights, discrimination and harassment), criminal law, child welfare (including child abuse and neglect, foster care and adoption), marriage and divorce (including child custody and child support), domestic and societal violence, education, mental illness, physical disabilities, health care and professional social work issues (including licensure requirements, liability and malpractice issues, ethical issues, and collaborations between lawyers and social workers).
4. An understanding of how the law affects and reflects diversity (or a lack thereof) in our society, including:
  - a. Race, ethnicity and cultural differences
  - b. Religion
  - c. Gender and sexual orientation
  - d. Disability
5. An understanding of the relationship between social work advocacy, the law and legal skills.
6. An understanding of how the legal system can be used to advance policies promoting social and economic justice.

**REQUIRED TEXT:**

Saltzman, A., Furman, D. M., & Ohman, K. (2016). *Law in Social Work Practice, 3<sup>rd</sup> ed.*. Boston, MA: Cengage Learning. (hereafter referred to as **Saltzman, Furman, & Ohman**)

**ADDITIONAL READINGS:** Additional required readings may be identified by the instructor throughout the course.

**TEACHING METHODS:**

This course is an asynchronous course, which means it is completely online and self-paced. However, an underlying assumption of this course is that you learn best and retain the most information through active participation in the learning process. All materials and discussion will take place within the course management system Sakai. Before the course begins, you will need to complete a few introductory online assignments in order to familiarize yourself with the course management system and other technologies we will use throughout the summer session.

One of the most difficult aspects of an online course is time management. Do not allow yourself to get behind! Each week a new set of activities are scheduled, and each builds on lessons from the previous week. To be considered in attendance during an online week, you must participate in all the assigned discussions and assignments and you must attend all five weeks of the summer session.

You will be expected to meet the required deadlines for assignments each week. Quantity and quality are both important considerations when it comes to participation. Quality means adding something of substance to the discussion — your perspectives and ideas, examples from your work or life experience, or other relevant questions. A response that says simply, “I agree,” for example, would not constitute participation since it does not add anything of substance to the discussion. You will find it much easier to keep up with this online class if you are logging in and participating at least every other day.

This course will explore issues, approaches, and options related to legal issues and social work practice. Students are expected to actively participate, drawing from assignments, readings, field placements, and their other previous or current work experiences. The instructor will be available by

appointment, and by telephone, email, and Zoom to address questions that may arise during the five-week summer course. The development of a supportive learning environment, reflecting the values of the social work profession, is essential for the success of this class. The contributions you make to this class will be noted and appreciated.

### **GRADING POLICY:**

As a graduate class, the course has high expectations for reading, analyzing, and critiquing professional literature; engaging in thoughtful reflection; participating in and analyzing experiential exercises; completing assignments; participating in assigned discussions and presenting your own work for collegial discussion. As such, students are expected to turn in all assignments on time. In return, the instructor will provide timely feedback on assignments. The instructor makes every effort to grade assignments within 48 hours of the due date. If the instructor anticipates a delay in grading or feedback, students will be notified in advance.

All written assignments are expected to show evidence of critical thinking as well as thoughtful consideration of the literature, practice experience, and other relevant resources. Written assignments are expected to include in-text citations and a summary list of references following the APA Style Manual, when required. Assignments are expected to be word-processed or typed employing correct English usage, grammar, punctuation, and spelling. To be acceptable for advanced graduate work, assignments must be at a level of professionalism expected of professional social work practitioners. If the instructor deems that an assignment does not meet such professional standards, the student **may** be given an opportunity to revise and resubmit the assignment.

Due to COVID-19, the School of Social Work has amended the typical grading system for summer session I and II. Therefore, the grading system for this course will be: Honors (H), Pass (P), and Fail (F). For this class, the numerical values are:

H = 94-100

P = 70-93

F = 69 and below.

A grade of P is “entirely satisfactory.” The grade of (H) Honors signifies that the work is clearly excellent in all respects.

The success of this course depends upon your active participation. Be prepared to use the following skills-- which are basic skills needed in social work practice settings:

- Actively reflecting on the ideas and views of others;
- Being able to understand and appreciate the meaning of a point of view that is different from your own;
- Clearly articulating your own point of view;
- Linking your experience to readings and assignments;
- Sharing personal ideas and constructs;
- Working to clarify and test the meanings of communications;
- Providing effective and appropriate feedback;
- Openly receiving feedback; and
- Collaboratively pursuing questions and ideas.

## **COURSE ASSIGNMENTS:**

**Knowledge checks: (20% of final grade)** After reading assigned chapters, you will complete a knowledge check. The knowledge checks consist of 15 short answer, true/false and/or multiple-choice questions that are based on the material in the assigned readings and any activities highlighted in the note taking handout. You may use your book and any notes you have taken while reading the chapter (which is highly encouraged) but you may not use the Internet or any other resource or person to assist you. The **lowest** knowledge check will be dropped and not considered in your final grade.

**DUE: varies, at the conclusion of each chapter, due date noted on syllabus and in Sakai**

**Assignments/Activities: (40% of final grade)** You will be required to complete course related activities throughout the week and submit thoughtful and clear responses to posted questions on the discussion board (forums). You will also be required to respond to other students' reflections as part of each assignment. Each assignment/activity will be graded based the grading rubric posted in Sakai.

**These assignments are worth up to 10 points each.** Up to **six (6) points** can be earned for your initial post, and up to **four (4) more** points can be earned for your peer responses. Since this is a major component of your overall grade, it is important that you complete these activities in a timely manner. Please note that the discussion forums will open one week prior to the assigned due date in order to promote student to student engagement on the specific topic. **DUE: varies, see syllabus or Sakai for assignment due dates**

**Socio-legal research assignment: (30% of final grade)** The purpose of the socio-legal research paper is to explore a topic of your choice related to social work and the law. Socio-legal topics include but are not limited to: constitutional law (including civil rights, discrimination and harassment), criminal law, child welfare (including child abuse and neglect, foster care and adoption), marriage and divorce (including child custody and child support), domestic and societal violence, education, mental illness, physical disabilities, health care and professional social work issues (including licensure requirements, liability and malpractice issues, ethical issues, and collaborations between lawyers and social workers). You may also explore how the law affects and reflects diversity (or a lack thereof) in our society related to race, ethnicity and cultural differences, religion, gender, gender identity, sexual orientation, and/or (dis)ability. **DUE: June 15, 2020- More information about the socio-legal research paper, including sample topics, can be found in Sakai in Week 5.**

The paper should be 2-4 single-spaced pages, Times New Roman, 12 inch font, 1 inch margins. The paper should include: (1) a **context** for the selected topic (for example: historical perspective of the topic or geographically based differences in the treatment of the topic), (2) **synthesis** of the current law related to the topic, and (3) an analysis of the **relevance** to social work practice.

**Grading: The paper is worth 30% of your final grade.** Grading will be based upon the following:

1. **Content (90 points):** The degree to which you demonstrate in-depth and comprehensive knowledge of the topic selected. Ideas are clearly and concisely explained with supporting evidence and address all requirements for context, synthesis, and relevance as noted above.
2. **Writing and citing (10 points):** The degree to which you accurately cite sources of information to support credibility and authorship of information as well as exhibiting error free writing mechanics.

**Final Reflection paper: (10% of final grade)** Students will complete a course reflection paper at the conclusion of the summer term. More instructions are found in Sakai. **DUE: June 16, 2020 – More information about the final reflection paper can be found in Sakai in Week 5.**

**TECHNICAL DIFFICULTIES:** If you experience technical difficulties, it is your responsibility to contact your instructor as soon as possible after experiencing the problem. Please note that due dates will not be extended for technical difficulties related to personal computer equipment, only for system-wide Sakai technical issues.

**ONLINE ETIQUETTE:** It is essential for each student to be polite and respectful at all times. When posting comments, students should always display courtesy and respect. Offensive language will not be tolerated. If a student is found to be disrespectful and/or providing a negative learning environment for others, he or she will receive a warning or be reported to the Committee on Students.

**POLICY ON INCOMPLETES, LATE ASSIGNMENTS, AND ABSENCES:**

A grade of **Incomplete** will be given only in extenuating circumstances and in accordance with University policy. Assignments are due on the day/time noted in this syllabus and online in Sakai. Please plan your schedule so that you will have the assignment completed on time. If you contact the instructor to inquire about documented valid excuses, you are required to contact the instructor before the due date of the assignment. Students will lose points for each day an assignment is past due. If because of illness or a professional commitment you have to miss a significant period of time, please inform the instructor via email as soon as possible.

**ACCESSIBILITY AND RESOURCES SERVICES:**

The School of Social Work aims to create an educational environment that supports the learning needs of all students. The University of North Carolina – Chapel Hill facilitates the implementation of reasonable accommodations, including resources and services, for students with disabilities, chronic medical conditions, a temporary disability, or pregnancy complications resulting in difficulties with accessing learning opportunities. The Accessibility Resources and Service (ARS) Office at UNC has been established to coordinate all accommodations. If you might need accommodations at any point during the semester, please contact ARS prior to the beginning of the semester or as early in the semester as possible so that they can assist you; this process takes time. You can visit their website at <http://accessibility.unc.edu>, and contact ARS by email: [accessibility@unc.edu](mailto:accessibility@unc.edu) or phone at 919-962-8300. The accommodations process starts with ARS and helps instruct Faculty at the School of Social Work on how best to proceed. As a School, we are committed to working with ARS and students to implement needed accommodations for all of our students. In addition to seeking ARS supports, please also reach out to your instructor to communicate how best your needs can be met once you have begun the ARS process.

**WRITING SUPPORT**

Clear, cogent writing is an essential skill for social work professionals. Writing support is available to all students through the School's Writing Support Team; they can help you strengthen your writing skills by sharing strategies for organizing information, presenting a cohesive argument, ensuring clear communication, and mastering APA style. Writing Support offers a *learning opportunity* for students but does not merely copy edit student papers. Writing support is available in-person, by e-mail, or by phone. E-mail a requested appointment day and time to [SOSWwritingsupport@gmail.com](mailto:SOSWwritingsupport@gmail.com) . In addition, see the Writing Resources and References page on the School's website (under the Current Students tab: <https://ssw.unc.edu/students/writing> ).

**HONOR CODE EXPECTATIONS AND POLICY ON ACADEMIC DISHONESTY:** Please refer to the *APA Style Guide*, the *SSW Manual*, and the *SSW Writing Guide* for information on attribution of quotes, the crime of plagiarism and appropriate use of assistance in preparing assignments. All written assignments should contain a signed pledge from you stating that, “I have not given or received unauthorized aid in preparing this written work, and I have not plagiarized the work of anyone else from books articles, web sites or personal communication.”

In keeping with the UNC Honor Code, if reason exists to believe that academic dishonesty has occurred, a referral will be made to the Office of the Student Attorney General for investigation and further action will be taken as required.

**VIRTUAL OFFICE HOURS:** Wednesdays 9:30am-10:30 am via zoom and by appointment  
Meeting ID: 992-4171-8702

### READINGS AND COURSE OUTLINE

The format for this course is based on the assumption that students are prepared and active learners. Assigned materials are to be completed by the due date and serve as a prerequisite for meeting the course objectives.

#### Getting Started with Social Work and the Law

Wednesday, May 6, 2020- Tuesday, May 12, 2020

**Getting Started:** Students will become familiar with the online course structure, resolve any technical issues or barriers to completing the course, upload a personal profile, and sign an acknowledgment form agreeing to course expectations.

By the beginning of week 1, students will:

- provide a personal introduction to the online learning community,
- resolve any technical barriers to completing the course,
- become familiar with Sakai and course layout, and
- secure the course text and begin reading Chapter 1.

#### Week 1: Overview of the Legal System

Wednesday, May 13, 2020- Tuesday, May 19, 2020

**Overview:** Students will understand the types and sources of law associated with each branch of government as well as the relationship between federal and state law. Students will review the steps in the hearing process, roles of participants during the trial process, and basic rules of evidence. Additionally, students will explore the principles and concepts associated with the adult criminal justice system and juvenile justice system.

**Learning outcomes:** At the conclusion of week 1, students will:

1. understand the different types of law and how the court system is structured;
2. understand the elements of a published court opinion;
3. be able to articulate the steps in the hearing process and be familiar with basic rules of evidence;

4. be familiar with the differences between substantive and procedural criminal law;
5. understand procedural safeguards in the criminal justice system;
6. describe how social workers can be involved in the criminal justice system;
7. understand basic principles and concepts in juvenile justice, such as *parens patriae*;
8. describe the differences between the adult and juvenile justice systems;
9. be able to assess an oral argument for content and process.

### **ASSIGNMENTS for WEEK 1: Overview of the Legal System**

#### **Due by midnight Saturday, May 16**

- Read Saltzman, Furman, & Ohman **Chapters 1, and 3**
- Complete knowledge check for chapters 1 and 3*
- Complete activity and forum post:
  - Analyze a Supreme Court oral argument

#### **Due by midnight Tuesday, May 19**

- Read Saltzman, Furman, & Ohman **Chapters 9 and 10**
- Complete knowledge check for chapters 9 and 10*
- Complete activity and forum post:
  - Bail reform

<b>Week 2: Children and families</b>
--------------------------------------

<b>Wednesday, May 20, 2020- Tuesday, May 26, 2020</b>
---

**Overview:** Students will explore a host of legal issues affecting children and families. Students will be familiar with child welfare system, types of abuse and neglect as well as mandatory reporting requirements. Students will review the legal standards for determining custody and how adoption laws balance the interests of birth parents, adoptive parents and the child. Students will also explore the legal rights of students to receive an education as well as issues related to school discipline.

Learning outcomes: At the conclusion of week 2, students will:

1. understand the lifecycle of child maltreatment cases, the consequences of child maltreatment;
2. locate and assess North Carolina mandatory reporting requirements;
3. know the historical approaches to child custody, the types of custody and current trends;
4. be able to critique NC child custody standards;
5. be familiar with the types of adoption, the adoption process and issues regarding consent; and
6. understand the legal rights of students including issues regarding school discipline and special education.

### **ASSIGNMENTS for WEEK 2: Children and families**

#### **Due by midnight Saturday, May 23**

- Read Saltzman, Furman, & Ohman **Chapters 11 and 12**

- Complete knowledge check for chapters 11 and 12
- Complete activity and forum post
  - Mandatory reporting laws in NC

**Due by midnight Tuesday, May 26**

- Read Saltzman, Furman, & Ohman **Chapters 15 and 16**
- Complete knowledge check for chapters 15 and 16
- Complete activity and forum post
  - Child custody standards in NC

**Week 3: Health, Mental Health, Domestic Relations, and Protection of Vulnerable Adults**  
**Wednesday, May 27, 2020- Tuesday, June 2, 2020**

**Overview:** Students will become familiar with the legal issues related to health care including informed consent and the right to refuse treatment. Students will explore the involuntary commitment process and the basic rights of persons who have been involuntarily committed. Students will understand the legal implications of marriage and divorce and explore issues related to domestic violence as well as the legal grounds for adult guardianship.

Learning outcomes: At the conclusion of week 3, students will:

1. understand the various legal issues affecting health care;
2. be able to describe the elements of informed consent;
3. be familiar with the civil commitment process and legal issue related to mental health treatment;
4. know how to complete an advance directive for a natural death and an advance instruction for mental health treatment;
5. be familiar with the dynamics of domestic violence and know how to obtain a protective order; and
6. understand basic adult guardianship law concepts and principles.

**ASSIGNMENTS for WEEK 3: Health, Mental Health, Domestic Relations, and Protection of Vulnerable Adults**

**Due by midnight Saturday, May 30**

- Read Saltzman, Furman, & Ohman **Chapters 17 and 18**
- Complete knowledge check for chapters 17 and 18
- Complete activity and forum post
  - Advance Directives/Living Wills and Advance Instructions for mental health treatment

**Due by midnight Tuesday, June 2**

- Read Saltzman, Furman, & Ohman **Chapter 14 and 19**
- Complete knowledge check for chapters 14 and 19
- Complete activity and forum post
  - Improvements to NC Domestic Violence and Civil No-Contact orders



## **Week 4: Professional Responsibility and Skills for Competent Practice**

**Wednesday, June 3, 2020- Tuesday, June 9, 2020**

**Overview:** Students will understand how social work practice is regulated. Students will review social work licensing standards, the role of professional associations, and ethical standards. Students will understand the elements of malpractice and other potential legal actions against social workers in practice. Students will explore the roles of social workers in hearings, particularly related to testifying in court.

Learning outcomes: At the conclusion of week 4, students will:

1. Be familiar with state licensing standards,
2. Review professional association Code of Ethics
3. Be able to locate and interpret minimum requirements for licensure
4. Know the difference between privacy and confidentiality, as well as the exceptions to both;
5. How to locate the social worker privilege statute,
6. Be able to articulate the elements of malpractice and reasons for securing malpractice insurance; and
7. Understand the mechanics of testifying in court and be able to describe the difference between a lay witness and expert witness.

### **ASSIGNMENTS for WEEK 4: Professional Responsibility and Skills for Competent Practice:**

#### **Due by midnight Saturday, June 6**

- Read Saltzman, Furman, & Ohman **Chapter 6 and 7**
- Complete knowledge check for chapters 6 and 7*
- Complete activity and forum post
  - o Duty to warn and/or duty to protect in NC

#### **Due by midnight Tuesday, June 9**

- Read Saltzman, Furman, & Ohman **Chapter 4 and 8**
- Complete knowledge check for chapters 4 and 8*
- Complete activity and forum post
  - o Courtroom testimony preparation -expert witness

## **Week 5: Socio-legal research & Reflection Wednesday, June 10, 2020- Tuesday, June 16, 2020**

**Socio-legal research:** The purpose of the socio-legal research paper is to explore a topic of your choice related to social work and the law. Students can choose from a variety of topics as outlined in Sakai.

Learning outcomes: At the conclusion of week 5, students will:

1. Be able to conduct legal research;
2. Know how to synthesize current law related to the topic of choice,

3. Be able to provide an analysis of the relevance of the topic to social work practice
4. Be able to reflect on the course material and consider how it can be applied to professional social work practice.

### **ASSIGNMENTS for WEEK 5: Socio-legal research and reflection papers**

#### **Due by midnight Monday, June 15**

- Socio-legal research assignment (see week 5 in Sakai for more information about the assignment)

#### **Due by midnight Tuesday, June 16**

- Final reflection paper (see week 5 in Sakai for more information about the assignment)