

Questions for Social Workers and Advocates to Think About When Collaborating with Attorneys

Before meeting with a client using a collaborative approach, ask:

1. Are you functioning as a consultant to the attorney, direct service provider with consent to speak to the attorney, or an employee of the law firm?
2. What will your role be? Do you understand what you are being asked to do?
3. What ethical constraints and professional boundaries exist in this role?
4. Are you considered a mandated reporter of client abuse and neglect?
5. Are there specific recording considerations and expectations regarding how you will maintain your counseling notes?
6. How will the case and service decisions be made?

When working with a client and attorney, ask:

1. Can we discuss and clarify the purpose of the social worker/ advocate on this case?
2. What are the client's stated wishes, interests, and requests?
3. Does the client understand the role of the social worker and the relationship to the attorney and the legal case?
4. Have you explained any limits on confidentiality?

Additional questions to ask if the legal process has already begun:

1. What is the nature of the legal problem? In what court is the case being heard?
2. What is the client's status in the proceeding?
3. What are the existing court orders?
4. At what stage in the legal process will you be involved?
5. Are you expected to prepare periodic updates or reports to the attorney or the court?
6. Will you be expected to appear in court? Will you be giving testimony?
7. If so, how and by whom will you be prepared?