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Review of *Forensic Social Work: Legal Aspects of Professional Practice*. Robert L. Baker and Douglas M. Branson. Reviewed by Margaret M. Severson, Louisiana State University.

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Robert L. Barker and Douglas M. Branson. *Forensic Social Work: Legal Aspects of Professional Practice*. New York, Haworth Press, 1993. \$15.95 papercover.

The authors begin this 112 page text with a brief description of the relationship between social work and the legal system, setting forth their conceptions of ten different role functions of a forensic social worker. These functions include the social worker acting as an expert witness, mediator, court evaluator, educator and regulator. The remainder of the book explores a variety of specific issues. Malpractice actions, what they entail, how to avoid them, and how to prepare for litigation as a defendant are discussed. Ethical dilemmas, particularly those involving confidentiality and the "duty to warn", are presented, followed by a chapter that describes the social work regulatory and professional review response to alleged ethical violations. A considerable amount of time is devoted to a review of the use and value of verbal and written contracts between workers and clients, with the authors proposing a model contract that essentially spells out what the client can expect from the social worker and the therapeutic process.

Of course, a comprehensive review of social work-legal issues would demand hundreds of pages of text. Clearly the authors intended this book to be an introductory discussion of forensic social work. As such, the book does offer some material that serves to whet the intellectual appetite. Chapter one sets out ten functions of forensic social work, an imaginative list of roles for social workers seeking to expand their practice into the legal arena. The chapter on testifying as an expert witness adequately addresses the knowledge and skills one must possess in order to be an effective witness. The authors accurately portray the role of expert witness as one that is both challenging and intimidating, and caution that it can be "a most unpleasant and costly experience" (p. 15) as well. The inclusion of a substantial bibliography is of assistance to the reader left hungry for more detailed information about a variety of forensic topics.

Despite the book's strengths, it has numerous weaknesses. Indeed, most social workers will find the book both inadequate and frustrating. Rather than expand on the ten functions of

forensic social work by detailing the duties of these ten functions, the book veers off into other areas and fails to offer research and legal support for many far-reaching assertions. Additionally, the book places the practice of social work within the questionable framework of a medical model. Barker and Branson suggest that the social worker "require the client to get a physical examination" prior to starting therapy (p. 33); should always consider a referral to a physician first if a client suffers from anxiety or depression; and should "be careful not to encroach on the physician's activity" (p. 38). Also recommended by the authors is a written contract that requires the social worker to periodically write the client's doctor about the client's progress, based on the assumption that such "information should be included in [the] doctor's medical record (p. 65). Finally, the authors suggest that when sued for malpractice, the social worker should visit a physician to discuss the "anticipated stress" (p. 106) caused by the litigation.

Despite Barker and Branson's emphasis on social work ethical issues throughout this book, their suggestions are ethically questionable. They recommend "protective incarceration" (p. 37) of a suicidal client or, if this is not possible, that the client's family and friends be recruited to watch the client. In the discussion of the duty to warn (now more commonly cited as the duty to protect third parties), the authors take a risky position by suggesting that because there will be many occasions of threats, but few occasions when threats will be acted on, the worker should not give warning to the intended victim until after repeated threats are made. When the worker does decide it's time to warn/protect the intended victim, the authors suggest that "it is better when the warning comes from the legal authorities rather than the worker" (p. 52). This advice is in direct conflict with the NASW Code of Ethics and numerous licensure statutes.

As the authors note, mental health professionals are increasingly finding themselves confronted with demands from the legal system, both as witnesses and as defendants in malpractice actions. Despite their presentation of some valuable information, Barker and Branson have largely failed to deliver on their

promise to adequately introduce social work professionals to the legal aspects of social work practice.

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Katherine Tyson. *New Foundations for Scientific Social and Behavioral Research: The Heuristic Paradigm*. Boston: Allyn and Bacon, 1995. Hardcover. \$48.00.

Tyson had an article published on the same subject in the November 1992 Issue of *Social Work*. It prompted a statement of strenuous objection by no less than forty-two social work scholars in the July, 1994 Issue of the same journal. What subject could possibly prompt such profuse opposition?

The subject is a proposed paradigm shift from positivism to the heuristic paradigm. What is being proposed is a shift in the fundamental image of social work, including the meaning of truth; the values informing our search for the truth; the rules followed in the pursuit of knowledge; and the methods ordained as suitable for obtaining information about the profession. No wonder there is vigorous opposition to innovation in such essential beliefs and practices.

Such a sweeping challenge to the academic establishment should consider social work history, epistemology, research, and professional practice. *The Heuristic Paradigm* does just that, and does it in an engaging, precise, comprehensive, understandable way. Here, for the first time, in one central location is the entire case to be made by proponents of "postpositivism", an ambitious synonym for heurism. It is a genuine addition to the social work literature for a variety of reasons. It is a compilation of writings which describe two diverse points of view about the nature and methods of social work research. The work of many eminent scholars is presented without losing the central focus on social work. This is a rare treat in a sometimes insular profession. It makes, what will be for some, a compelling case for an emerging paradigm. Specific, concrete examples of the practical application of heuristics are provided. Critics have argued that such examples are sorely needed.