

The Journal of Sociology & Social Welfare

Volume 44 Issue 1 March

Article 9

2017

Blurring Professional Borders in Service of Anti-Poverty Collaboration: Combining Social Work Skills and an Anti-Oppressive Feminist Lens with Legal Aid

Andrew C. Schoeneman University of Richmond, aschoene@richmond.edu

Follow this and additional works at: https://scholarworks.wmich.edu/jssw



Part of the Other Law Commons, and the Social Work Commons

Recommended Citation

Schoeneman, Andrew C. (2017) "Blurring Professional Borders in Service of Anti-Poverty Collaboration: Combining Social Work Skills and an Anti-Oppressive Feminist Lens with Legal Aid," The Journal of Sociology & Social Welfare: Vol. 44: Iss. 1, Article 9.

Available at: https://scholarworks.wmich.edu/jssw/vol44/iss1/9

This Article is brought to you for free and open access by the Social Work at ScholarWorks at WMU. For more information, please contact maira.bundza@wmich.edu.



Blurring Professional Borders in Service of Anti-Poverty Collaboration: Combining Social Work Skills and an Anti-Oppressive Feminist Lens with Legal Aid

Andrew C. Schoeneman University of Richmond

The history of legal aid is contested and gendered. Like social work, since the late 1800s professionalization and broader political forces have pushed legal aid toward greater focus on individual-level interventions to alleviate poverty. As a result, the capacity of contemporary legal aid programs to work collaboratively with low-income communities to address their legal and non-legal concerns is limited. This article traces the shared histories and commitments of legal aid and social work, calls for an increased collaboration between legal aid programs and social workers, and proposes an anti-oppressive, feminist theoretical perspective to guide this collaboration. By embracing collaboration across professions and using this theoretical lens, both legal aid programs and social workers can more effectively and more inclusively address the broader needs and concerns of low-income communities. Specific recommendations for practice and education are discussed.

Key words: legal aid, social work, poverty, collaboration, interprofessional, anti-oppressive, feminist

The history of legal aid is a contested one. Competing narratives about how free legal assistance for low-income persons originated and developed reflect broader tension points around professionalization, individualized intervention, and gendered understandings of expertise, collaboration, and impact. The contours of these narratives are unique to legal aid, but similar dynamics are on display in the history of social work. Should helping professionals stand alongside the targets of their assistance in seeking change, or should they wield power as experts and surrogates from a safe physical

Journal of Sociology & Social Welfare, March 2017, Volume XLIV, Number 1

and emotional distance? If the latter, do helping professionals contribute as much to maintaining systems of inequality and oppression as to improving the well-being of those who rely on their assistance? As social workers and legal aid attorneys have achieved legitimacy as professions, sacrifices have been made in having an accompanying presence in the lives of poor Americans. This paper brings to bear feminist and anti-oppressive theoretical lenses to argue that both professions stand to gain from blurring and even erasing professional boundaries. Specifically, through an analysis of the ongoing movement toward individualized outcomes in the human service sector environment, this paper calls for a rekindled alliance among social workers, legal aid attorneys, and the economically marginalized communities both of these professions attempt to serve.

Legal aid programs are nonprofit organizations that provide free civil legal assistance to low-income Americans. According to Reginald Heber Smith's (1919) seminal account of the early years of legal aid, The German Society was established in 1876 in New York City and became the first organization to offer such assistance formally in the United States. The entity's primary purpose was to resolve unpaid wage claims and domestic disputes for recent German immigrants with no access to legal representation. Within five years, The German Society, which had changed its name to The German Legal Aid Society, expanded its purpose to the provision of legal assistance to "all who may appear worthy thereof and who, from poverty, are unable to procure it" (as quoted in Smith, 1919, p. 137).

The scope of Smith's conceptualization of legal aid, and arguably the dominant conceptualization that persists today, is that it entails the systematic representation of poor Americans by qualified legal counsel. Smith describes the origins of legal aid in Chicago as rooted in the work of the Protective Agency of Women and Children (PAWC), but goes on to assert that the first "true" legal aid program in Chicago was the Bureau of Justice. The fundamental distinction between these organizations was not their attention to legal matters, but rather their scope of activities (Jordan, 2015). Whereas PAWC provided a range of services that included helping people find shelter and

protection, as well as providing legal aid and policy advocacy (Valentine, Roberts, & Burgess, 1998), the Bureau of Justice focused solely on legal problems and legal outcomes.

Legal scholars Felice Batlan (2015) and Gwen Jordan (2015) provide nuanced alternatives to Smith's account of legal aid's origins. Batlan (2015) argues that Smith's narrow definition of legal aid supports the goal of legitimacy from the perspective of the legal establishment, but in doing so it erases the powerful role of "lay lawyers," many of whom were women serving on the front lines to address the complicated web of problems people living in poverty faced every day. Many of these women would be called social workers today. They worked in settlement houses, as well as in PAWC and similar organizations, to combat poverty through a combination of social reform and individualized intervention (Jordan, 2015). By removing these stories from the annals of legal aid, these scholars argue, Smith implies that provision of legal assistance to the poor is restricted to the classical understanding of how an attorney helps clients gain access to the justice system.

At issue in the writing of legal aid's history is the degree to which its purpose and aim are narrowly or broadly construed. In subsequent sections of this article, it is argued that the narrow view of legal aid's history has pivotal implications for how legal aid programs function today, and specifically for the light in which legal aid attorneys see the possibilities and merits of collaboration with their clients and with other professionals. Further, the shared historical and philosophical commitments of legal aid and social work suggest a compatibility of skills that, if fully recognized and harnessed, will lead to enhanced interprofessional capacity in the struggle against poverty.

Legal Aid and Community

Critical scholars have encouraged legal aid attorneys to embrace a political model of law practice that fuses the skill set of an attorney with the mindset of a community organizer (Cummings & Eagly, 2001). This "community lawyering" model depicts the law as one of many tools and avenues by which to create meaningful change (Tokarz, Cook, Brooks,

& Blom, 2008). The law is, furthermore, a highly imperfect conduit for addressing deep-seated inequalities, since it tends to reinforce existing power differentials between professional experts and the economically marginalized (Ashar, 2008; Cummings & Eagly, 2001). Attorneys adopting a community lawyering approach help mobilize poor communities, facilitate problem identification, and work behind the scenes to build pressure and momentum for change, only deploying their litigation skills if deemed appropriate and necessary to advance the community's cause.

Advocacy for this community-lawyering model of legal aid is largely based on conceptual arguments. Empirical evidence supporting community lawyering as preferable to other approaches, as well as practical recommendations to guide the implementation of community lawyering on the ground, are scarce. Consequently, arguments in favor of community lawyering have gained limited traction. Legal aid scholar Corey Shdaimah (2009), among others, has noted that large-system change is often the province of the privileged, who have the luxury of working toward long-term solutions, while the daily problems affecting those experiencing poverty remain unaddressed. Others, including Sharpless (2012), suggest that bias in favor of macro-level interventions is linked to a dismissive and male-centric attitude toward individualized legal assistance. Community engagement and individual intervention are, moreover, not mutually exclusive. Individual legal assistance and grassroots empowerment can occur in tandem. For example, the former can serve as a recruitment tool for the latter (Cummings & Eagly, 2001), and legal aid client communities are regularly engaged for the purpose of identifying priorities that guide how an agency deploys its individual assistance resources (Sharpless, 2012).

Taken as a whole, the evidence and commentary indicate that neither a large system, community-level approach, nor an individual assistance approach sufficiently addresses the varied concerns of legal aid client communities (Lieberman, 2011). It is, therefore, necessary to find cohesive, complementary ways to combine micro, mezzo, and macro legal aid interventions. Before considering how this might be achieved, the funding history of legal aid is explored next as a step toward understanding how federal restrictions shape the ability of

legal aid programs to engage in individual, community, and policy interventions.

Legal Aid Funding History

The funding history of legal aid was first tied closely to its legitimacy as part of the legal profession and later associated with the shifting political landscape of the late twentieth century. In the early 1900s, financial support was locally based and inconsistent. Over time, attorneys in support of legal aid saw opportunities to ally with bar associations under the banner of fair and equal access to the legal system. Much as social work sought legitimacy by proclaiming itself a profession, proponents of legal aid positioned this category of practice under the larger tent of the legal profession, and in so doing enhanced the stability of legal aid funding while at the same time moving it one step further from the lay lawyering model of the late 1800s (Batlan, 2015; Huber, 1976).

By the middle of the twentieth century, legal aid was a well-established and legitimized, yet woefully inadequate, means of assisting poor Americans with individual legal concerns. The constellation of legal aid organizations could satisfy only a small percentage of unmet legal needs, and the needs of able-bodied, working-age "undeserving" poor were almost entirely excluded from access. In isolated cases, mid-century legal aid attorneys joined forces with settlement houses and social workers to implement multi-system interventions such as Henry Street Settlement's Mobilization for Youth program, but these interprofessional alliances were more the exception than the rule (Cantrell, 2003).

The funding and scope of legal aid shifted dramatically in the 1960s as the War on Poverty brought a renewed emphasis on government-led social change. Public funding for regional legal aid programs came through the newly created Office for Economic Opportunity, which did not restrict these programs to helping poor individuals in legal binds (Houseman & Perle, 2007). Indeed, in short order these newly minted and federally-funded legal aid programs sought systemic change through impact litigation and collaboration with grassroots organizations. Not surprisingly, the pushback from conservative political forces was swift and fierce (Cantrell, 2003).

In order to preserve federal funding, in 1975 legal aid proponents struck a political compromise with detractors that led to establishment of the Legal Services Corporation (LSC), a permanent federal funding mechanism for legal aid, while also resulting in the prohibition of certain politically charged activities. These restrictions proscribed the use of federal funding for political organizing, abortion-related litigation, lobbying, and efforts to advance school desegregation (LSC, 2015). Despite this compromise, legal aid remained highly contested political terrain (Cantrell, 2003). In 1996, a strong conservative majority in Congress called for and won passage of expanded restrictions on LSC funding. This new legislation included the "poison pill" doctrine, whereby restrictions would apply not only to the funding provided by LSC but to the entire budget of the recipient organization (Diller & Savner, 2009). As a result, legal aid organizations in numerous states reorganized operations to allow restricted, LSC-funded organizations and unrestricted, non-LSC organizations to operate in the same geographic locations (Udell, 1998). These costly and cumbersome arrangements remain in place today in certain areas. Unrestricted organizations must rely on private funders as well as state and local government funding that is not constrained by the LSC restrictions.

Problematizing Individually-focused Legal Aid

More accurately represented, the problem under examination here is not with individualized legal aid but rather with legal aid that veers toward one-dimensionality. Legal aid practice that is focused predominantly on large system change would carry other risks, such as the callous disregard for dire and immediate legal concerns faced by individuals in poverty on a daily basis. However, in light of the political climate and funding restrictions, it so happens that the risk of overly political or overly community-based legal aid practice is implausible to the point of irrelevance. By contrast, the potential negative impact of highly individualized legal aid practice is both severe and observable in the current historical moment.

The risk of disproportionate emphasis on personal legal concerns is threefold. First, it suggests that access to the legal system, or lack thereof, is the primary barrier facing those in poverty. To the contrary, intractable structures and institutions resist solutions grounded in downstream accessibility. For example, the racialized and retrenched welfare state acts to reproduce and reinforce patterns of inequality, despite the availability of modest, individually-targeted supplements and services (Soss, Fording, & Schram, 2011; Wacquant, 2009). Second, emphasis on individualized legal aid presumes that civil legal representation by qualified attorneys for all poor individuals is even a remote possibility. As Bellow and Kettleson (1978/2005) and later Hadfield (2012) have argued, scarcity of individually-focused attorneys serving legal aid clients is not a feasible problem to solve. Lack of sufficient political will, funding, law school capacity, court system infrastructure, and prospective interested law students are but several of the prohibitive factors keeping visions of equal access to justice from becoming reality. Third, it overlooks the questionable moral basis for overwhelmingly placing poor individuals in the position of the disempowered client seeking assistance from the professional expert. As in other domains of human services, those concerned with equity, empowerment, and promotion of robust democratic participation have urged caution regarding the "clientization" of marginalized communities (Gubrium & Järvinen, 2014; Piomelli, 2006).

For these reasons, legal scholars have called for the reimagining of clinical education in law schools to increase the capacity of future legal aid and public interest attorneys to engage in collective mobilization and political advocacy (Ashar, 2008). Models of lawyering have been put forward that focus on how to establish and sustain collaborative relationships with underresourced communities while addressing their broader (not just legal) needs. Enhanced skills and commitment to models of community lawyering among attorneys would advance the goals and empowerment of communities (Lopez, 2005; Perelman & White, 2011). Still, these gains would be and are encumbered by an external environment that leads to high-volume caseloads and the prevailing notion that an attorney's primary responsibility is to address specific legal claims. Partnerships with social workers, who are trained specifically in the art and science of brokering relationships, can help amplify the benefits of community lawyering skills among attorneys while making community lawyering models

more practicable in the current environment. First, however, social work as a profession must embrace anew an expansive and interprofessional scope of practice.

Professionalization and Individualization in Social Work

The trend toward professionalized and individualized services reverberates in the history of social work and in the recent human services landscape as well. Since the early divide between the community-based settlement house branch of social work and the more individual-oriented charity organization societies, the field of social work has encompassed many views of risks and benefits of professionalization (Jennissen & Lundy, 2011; Specht & Courtney, 1994). Early twentieth century social work scholar and educator Porter Lee (1928, as cited in Jennissen & Lundy, 2011), for one, expressed concern that "there seems to be fewer prophetic voices, less evidence of the quickened spirit, greater interest in social work as a career than as a cause" (p. 229). Despite such ambivalence, over the course of the twentieth century a dominant interpretation of social work as a professional endeavor designed to serve individual clients, often through the practice of psychotherapy, took hold (Specht & Courtney, 1994).

Social work also bears a legacy of social control tied to professionalization (Margolin, 1997; Bar-On, 1999; Reisch & Andrews, 2001) that mirrors similar links between legal aid and status quo maintenance (Piomelli, 2006). These developments in social work and legal aid reflect conditions in the human services landscape writ large, as private foundations and public funding streams have increasingly funneled support to programs that alleviate the conditions associated with poverty but do little to promote social rights or challenge root causes of economic injustice (Arnove & Pinede, 2007; Hasenfeld & Garrow, 2012). The performance accountability movement further intensified the pressure to efficiently generate short-term outcomes to the exclusion of programming geared toward longer timelines and "upstream" solutions (Martin & Kettner, 2010).

Despite the impact of professionalization and individualization in social work and human services generally, the core skills and ethical principles of social work suggest the potential to reverse that impact and chart a new course. A commitment to collaboration across lines of difference indicates that social work continues to be well-suited to identify and execute multi-faceted solutions to social problems. Graduates of social work education programs should know how to form alliances that honor the self-determination of clients and communities and maximize the skills and expertise of different professions in pursuit of social justice (Council on Social Work Education [CSWE], 2015). Social workers are expected to possess skills in interprofessional collaboration and in facilitating the empowerment of those often excluded from decisions that affect their lives.

Yet, as others have argued, social work's record of emphasizing and achieving multi-system change in the face of pressure to achieve immediate, quantifiable outcomes is mixed (Reisch & Jani, 2012; Specht & Courtney, 1994). Like legal aid, large subsets of the social work profession rely on public funding sources. Publicly-funded programming is particularly constrained with regard to community mobilization and political advocacy, since these activities do not enjoy widespread public approval (Hasenfeld & Garrow, 2012). Practices associated with state social work licensure and the accreditation of social work education programs exacerbate limits on the capacity of social workers to promote change across systems (Donaldson, Hill, Ferguson, Fogel, & Erickson, 2014). For these and other reasons, social work students pursue macro courses of study at a rate of approximately ten percent (CSWE, 2013). The constraints on legal aid and social work normalize professional silos and individualized practice. New thinking is needed to increase partnerships between legal aid and social work, while amplifying the voices of the clients they serve.

An Anti-Oppressive, Feminist Framework

Funding restrictions, professionalization, and the performance accountability movement have drastically compromised the capacity of legal aid programs to serve alongside low-income communities. Social workers' willingness and capacity to embed their work in the needs of communities has

been similarly undercut. Against the backdrop of this assault on self-determination, a clear opportunity exists for a conscious rethinking of how legal aid attorneys, social workers, and low-income communities combine together in examination and execution of their collective purpose.

Anti-oppressive theory holds that patterns of subjugation are institutionalized at the structural level and also reinforced—often unwittingly by well-intentioned professionals—at the interpersonal level (Dominelli, 2002). In order to unsettle and ultimately dismantle these oppressive patterns, oppressed people and communities need to actively reject the status quo rather than passively accepting it or even pragmatically accommodating to it. Similarly, professionals and others with access to privilege must affirmatively embrace egalitarian modes of interaction. They must avoid actions that further demarcate power differences, and resist individualistic liberal temptations to focus energy on absorbing subaltern groups into existing power structures (Moosa-Mitha, 2005).

The roots of anti-oppressive theory are traced to class-based critiques of late capitalist social welfare systems (Sakamoto & Pitner, 2005). In recent years, however, proponents of anti-oppressive practice (AOP) have increasingly asserted that anti-oppressive interventions are animated by intersectionality and other micro-level contextual factors, in addition to structural economic concerns (Mattsson, 2014). That is, recent critics have laid groundwork for a deeply subjective interpretation of AOP, which can be combined with and further clarified through feminist readings of lived interpersonal experience as a site of exploitation and domination.

Feminist approaches to social work and other helping professions encourage the blurring of identities and the honoring of local context (Gutierrez, 1999; Hyde, 1996, 2006). In these ways, AOP is aligned with feminist practice, but an explicit emphasis on feminist practice principles helps distinguish the framework proposed here from more structural interpretations of AOP. Feminist scholars emphasize the importance of attending to lived experience and subjectivity, even when systems of oppression heavily influence those individual experiences (Feldman & Stall, 2004; Hyde, 2006). Conversely, by glossing over subjective needs and concerns and failing to recognize

the strength of marginalized people and women, in particular, practitioners reinforce and reify oppressive patterns of interaction. Similarly, legal aid scholar Piomelli (2006) argues that collaborative lawyering requires attorneys to reduce power differentials with clients and engage clients as experts in their own lives. This call for professional humility and egalitarianism may pose challenges for attorneys, not least because they are ethically bound to "zealously" advocate on behalf of clients to their highest level of ability. This conundrum leads to the question of how professionals relate to clients and communities, and the extent to which professional identity acts as a barrier to the kind of collaboration envisioned here.

Merging Professional Identities through Feminist, Anti-Oppressive Practice

The nature of professional expertise creates lines of demarcation between fields and sub-fields. Physicians, attorneys, nurses, social workers, and other professionals possess knowledge and skills that define their respective identities. Durkheim (1893/2014) and many subsequent scholars have demonstrated that specialties and sub-specialties delineate divisions of labor and rationalize the deployment of one person and one skill set over another to serve a client's or community's particular needs. Specialized bases of knowledge create efficiencies in matching needs with expertise. However, they also engender a less contextualized and more narrowly defined mode of practice, while creating social distance among professionals and between professionals and those they serve (Korazim-Korosy, Mizrahi, Bayne-Smith, & Garcia, 2014). It is therefore relevant to consider the impact of professional identity on the ability of legal aid attorneys and social workers to engage collaboratively with each other and with low-income constituencies.

Batlan's (2015) analysis of professionalization within legal aid leads to the conclusion that the male-centric legal community was more likely to bestow legitimacy on legal aid when it conformed to the traditional model of legal aid practice. By pursuing that professional legitimacy in the early twentieth century, legal aid proponents essentially chose a less

collaborative and more expert-driven approach to practice than the lay lawyer model prevalent in settlement houses and other community spaces in previous decades. The social work profession sought legitimacy through professionalization as well, with concomitant impact to the relationship between social workers and those they serve. Unlike the legal profession, however, social work maintained a core ethical commitment, at least in theory, to collaboration, self-determination, and social justice. In this way, from a professional identity standpoint, social workers may be less constrained than attorneys when enacting collaboration with clients and communities. Social workers, in other words, can invoke their professionalism in the pursuit of increased participation, collaboration, and interprofessional synergy, without conflicting with "professional standards and ethics."

Separate and apart from their unique roles in society, professions and the work they do are valued differently according to societal norms and biases. Professions practiced by women are historically valued less than professions perceived as the dominion of men (Hall, 2005). Practitioners engaged in interprofessional collaboration feel the effects of these social and political forces. Research indicates that social workers experience having a devalued role in settings of interprofessional collaboration, whereas physicians and attorneys do not (Korazim-Korosy et al., 2014).

While professional status differential may pose challenges in interprofessional contexts, it represents a comparative advantage for social workers in building trust with clients and communities. Further, the commitment to relational skill development in social work degree programs leaves social workers well positioned to broker collaboration with low-income communities in legal aid settings. Social work students complete coursework that emphasizes interpersonal communication, human behavior in the social environment, and social justice.

Professional and educational commitments are not the same as action in practice, however, and the relationship between professional status and ability to engage across difference is not always negative. As one example, Charles and Bentley (2016) find the need for more work to eliminate stigmatization of persons with mental illness by social workers. To be sure, social

workers wield power oppressively over clients, just as attorneys and physicians practice humanely and equitably. Additional research would help ascertain to what degree desired educational outcomes are evident in practice, both in social work and across professions. Nonetheless, relational skills of the kind espoused by the social work profession, regardless of who exhibits them, can be of use in technical domains like the legal system. Given that social workers possess and practice these skills to any significant degree, working interprofessionally to maximize their impact is critical.

By embracing feminist, anti-oppressive practice and merging the knowledge bases and skill sets of legal aid attorneys and social workers, a powerful alliance is possible. Attorneys possess technical expertise and credentials in the domain of the law and legislative advocacy; social workers contribute an ability to build coalitions, bridge difference, and design interventions across legal and non-legal domains. Organizations that combine these two professional perspectives would allow more seamless integration of individual, group-, and community-level strategies to address individual concerns, as well as policy claims. Through this joint approach, legal aid programs would enact the commitment to advancing social and economic justice shared by both professions.

Moving Toward Feminist, Anti-Oppressive Legal Aid Practice

Proposals to further integrate social work with legal aid and emphasize feminist, anti-oppressive practice can be grouped in three domains: (1) increasing social work staff capacity in legal aid; (2) expanding social work practice sites perceived by students as viable future employment opportunities; and (3) encouraging further dialogue about the scope and purpose of legal aid. While the empirical literature on the topic is limited, one repeated finding is that social work skills can be helpful in bridging communication gaps between communities and legal aid programs (Lieberman, 2011; Schoeneman, 2015). These gaps include outreach to identify community concerns, facilitation of diverse coalitions to address those concerns, and maintaining and strengthening relationships between the organization and its client stakeholders. By hiring

dedicated community engagement staff in the form of trained social workers, legal aid organizations can stay more fully apprised of client community interests while allowing staff attorneys to focus energy on their primary role as legal advocates. Schoeneman (2015) found that legal aid attorneys have ethical concerns about straying beyond their professional purview. Social workers can help expand the capacity of legal aid programs to engage clients meaningfully in the activities of the organization without diverting resources away from assisting clients with individual legal concerns.

While increased outreach is a positive step, fostering anti-oppressive practice requires attention to the quality and quantity of client involvement in core aspects of the organization's mission. These include the programming itself, as well as the governance of the organization. Social workers could assist in integrating client involvement in programming by facilitating coalitions comprised of directly affected low-income participants in addition to attorneys and other professionals. Lieberman (2011) found that legal aid programs can effectively advance their missions by engaging low-income youth and other subsets of their client communities in policy advocacy and community education. These activities would create opportunities for empowerment among clients, while building relationships outside the attorney-client dyad. Since political organizing and lobbying are prohibited under the federal restrictions, social workers employed by LSC-funded organizations would need professional development to avoid violations.

A third avenue through which social workers can contribute toward bridging difference and equalizing power relates to governance. Many legal aid organizations reserve slots on their boards for client-eligible individuals. Social workers could enhance the practice of engaging clients on boards of directors and advisory boards by ensuring that participants communicate effectively and in the spirit of partnership. Schoeneman (2015) found, for example, that while these inclusively constituted governing bodies have potential to generate productive long-term relationships between clients and attorneys, they can also serve to replicate power dynamics that marginalize low-income voices in society as a whole. Social workers have technical skills in recognizing when communication patterns

undercut power sharing and in providing professional development for staff, board members, and clients in strengths-based communication, and cultural humility.

Before making these contributions, social workers must first see legal aid organizations as legitimate sites for practice. Legal aid is considered a "host setting" for social work practice, since social workers are in the minority and do not represent the dominant professional perspective (Furman & Gibelman, 2013). The concept of the host setting raises questions about the identity of social work as a profession and the extent to which interprofessional practice is considered central to social work values and ethics. Many schools of social work offer dual degree programs and require students to engage with students and professionals from other disciplines, but barriers to interprofessional education remain, and it is unclear to what extent social workers actively consider, let alone seek, law-related careers in host settings (Krase, 2014).

Many factors could shape individual decisions about whether to pursue job opportunities outside the social work mainstream, three of which are particularly relevant here. First, the professional status of social work may deter some from entering interprofessional careers. Korazim-Korosy and colleagues' (2014) finding regarding perceived negative attitudes held by other professionals regarding the abilities of social workers bears further investigation. Social workers may also consider differences in the professional approaches to helping between social work and law to be irreconcilable (Galowitz, 1999). Specifically, social workers may view their holistic person-in-environment lens to be incompatible with the more technical legal perspective. Third, differences in ethical principles may deter social workers. Practitioners and scholars often cite perceived and real tensions between a social worker's commitment to social justice on the one hand, and the legal doctrine of zealous advocacy on the other as cause for concern in interprofessional collaboration contexts (Anderson, Barenburg, & Tremblay, 2007; Cole, 2012).

Social workers are wise to take the above concerns into consideration before seeking opportunities for interprofessional practice. In the author's view, however, concerns about navigating complicated ethical terrain are outweighed, especially for those committed to anti-oppressive practice, by the

potential for an expanded role and greater impact in poverty alleviation. When addressed forthrightly, the ethical discrepancies between law and social work are neither grave nor insurmountable (Anderson et al., 2007). Furthermore, social work skills are precisely suited to difficult conversations across disparate perspectives, and these skills are essential in advancing the approach discussed in this article. Law students receive little training in countering and dismantling intersecting systems of oppression (Ashar, 2008), whereas social workers are equipped professionally to initiate dialogue and connect micro interventions to macro system change.

Social work educators have important roles to play as well. Students should be encouraged to expand common understanding of where social workers can translate egalitarianism and other anti-oppressive principles into practice. Requirements and procedures enacted by state social work licensing bodies may narrow student perceptions of career options (Donaldson et al., 2014). It is the responsibility of faculty to help ensure that the dialogue about social workers' career options remains robust. For example, faculty members might point out that if an opportunity arises to leverage social work skills in service of solutions to poverty and other entrenched social problems, then professional ethics support taking an expansive view on the boundaries of the profession.

Before moving toward implementation of an anti-oppressive and interprofessional model of legal aid, at the organizational level it is necessary to explore the mission and purpose of the legal aid programs from different stakeholder perspectives. What is the scope and purpose of specific programs and of legal aid more broadly? Empirical evidence suggests that while legal aid attorneys are highly committed to promoting social justice (Shdaimah, 2009), a wide range of political commitments and theories of change are held among attorneys (Schoeneman, 2015). Some view legal aid as a mechanism for providing equal individual access to the legal system, while others seek to empower individuals and communities in relation to oppressive state welfare bureaucracies and other political systems that wield control over their lives. This individual-level variation among attorneys is reflected at the

organizational level in the form of agency cultures (Schoeneman, 2015).

One crucial area in need of scrutiny at the organizational level is the degree to which individual cases drive annual reporting of organizational impact. Schoeneman (2015) found that funding pressures impact how organizations approach strategic planning and the relative emphasis on individual cases versus other activities. Participants in the same study reported that some organizations overestimate the need to close individual cases in order to maintain funding. That is, funding pressure can lead to an inflated sense of urgency about producing individual outcomes. Regardless of the specific views represented in a particular agency, a thorough accounting of the relative commitment to change across systems is recommended before beginning implementation of an anti-oppressive model.

Conclusion

In this paper I have argued that the histories of legal aid and social work suggest a common genetic commitment to addressing poverty by collaborative means alongside directly affected individuals and communities. Over the course of the twentieth century, these commitments narrowed as a consequence of professionalization as well as external pressures in favor of individual, expert-driven approaches to poverty. By leveraging the ethical principles and collaborative skills of social work, in conjunction with the expertise of attorneys and the communities they serve, the potential exists to reclaim a broad vision of legal aid's model of change. By utilizing feminist and anti-oppressive theoretical perspectives, social workers and legal aid attorneys can find common language for prioritizing the role of clients and their communities in not only identifying concerns related to poverty, but designing and implementing solutions as well.

Acknowledgements: The author thanks Drs. Kia Bentley, Alex Wagaman, and Mary Katherine O'Connor for their guidance during preparation of this manuscript. Portions of this article were presented in abstract form at the Council on Social Work Education Annual Program Meeting in Denver, CO, on October 16, 2015.

References

- Anderson, A., Barenberg, L., & Tremblay, P. R. (2007). Professional ethics in interdisciplinary collaboratives: Zeal, paternalism and mandated reporting. *Clinical Law Review*, 13, 659-718.
- Arnove, R., & Pinede, N. (2007). Revisiting the "big three" foundations. *Critical Sociology*, 33(3), 389-425. doi: 10.1163/156916307X188960
- Ashar, S. M. (2008). Law clinics and collective mobilization. *Clinical Law Review*, 14(2), 355–415.
- Bar-On, A. (1999). Social work and the missionary zeal to whip the heathen along the path of righteousness. *British Journal of Social Work*, 29(1), 5-26.
- Batlan, F. (2015). Women and justice for the poor: A history of legal aid, 1863-1945. New York: Cambridge.
- Bellow, G., & Kettleson, J. (2005). From ethics to politics: Confronting scarcity and fairness in public interest practice. In S. D. Carle (Ed.), *Lawyers' ethics and the pursuit of social justice: A critical reader* (pp. 136-142). New York: New York University. (Original work published 1978).
- Cantrell, D. J. (2003). A short history of poverty lawyers in the United States. *Loyola University Journal of Public Interest Law*, 5(1), 11-35.
- Charles, J. L. K., & Bentley, K. J. (2016). Stigma as an organizing framework for understanding the early history of community mental health and psychiatric social work. *Journal of Social Work and Mental Health*, 14(2), 149-173. doi: 10.1080/15332985.2014.964448
- Cole, P. (2012). You want me to do what? Ethical practice within interdisciplinary collaboration. *Journal of Social Work Values and Ethics*, 9(1), 26-39.
- Cummings, S., & Eagly, I. (2001). A critical reflection on law and organizing. *UCLA Law Review*, 48, 1-71.
- Diller, R., & Savner, E. (2009). Restoring legal aid for the poor: A call to end draconian and wasteful restrictions. *Fordham Urban Law Journal*, 36(4), 687-711.
- Dominelli, L. (2002). *Anti-oppressive social work theory and practice*. New York: Palgrave-Macmillan.
- Donaldson, L., Hill, K., Ferguson, S., Fogel, S., & Erickson, C. (2014). Contemporary social work licensure: Implications for macro social work education and practice. *Social Work*, 59(1), 52-61.
- Durkheim, E. (2014). *The division of labor in society*. New York: Free Press. (Original work published 1893).
- Feldman, R., & Stall, S. (2004). The dignity of resistance: Women residents' activism in Chicago public housing. New York: Cambridge.
- Galowitz, P. (1999). Collaboration between lawyers and social workers: Re-examining the nature and potential of the relationship. *Fordham Law Review*, 67(5), 2123-2154.
- Gubrium, J. F., & Järvinen, M. (2014). Troubles, problems, and clientization. In J. F. Gubrium & M. Järvinen (Eds.), *Turning troubles into problems: Clientization in human services* (pp. 1-13). New York: Routledge.

- Hadfield, G. (2012). Summary of testimony: Task force to expand access to civil legal services in New York, Chief Judge's Hearings, October 1, 2012. Retrieved from http://richardzorza.files.wordpress.com/2012/10/hadfield-testimony-october-2012-final-2.pdf
- Hall, P. (2005). Interprofessional teamwork: Professional cultures as barriers. *Journal of Interprofessional Care, Supplement* 1, 188-196.
- Hasenfeld, Y., & Garrow, E. (2012). Nonprofit human-service organizations, social rights, and advocacy in a neoliberal welfare state. *Social Service Review*, 86(2), 295-322. doi: 10.1086/666391
- Huber, S. K. (1976). Thou shalt not ration justice: A history and bibliography of legal aid in America. *George Washington Law Review*, 44(5), 754-774.
- Hyde, C. (1996). A feminist response to Rothman's "The Interweaving of Community Intervention Approaches." *Journal of Community Practice*, 3(3/4), 127-145.
- Hyde, C. (2006). The women's co-op: The clash of two cultures. In D. Fauri, E. Netting, & S. Wernet (Eds.), *Case studies in macro social work* (2nd ed.) (pp. 29-44). Boston: Addison-Wesley-Longman
- Jennissen, T., & Lundy, C. (2011). One hundred years of social work: A history of the profession in English Canada, 1900-2000. Waterloo, ON: Wilfrid Laurier University
- Jordan, G. H. (2015). Radical women and the development of legal aid societies in Chicago and Los Angeles: 1886-1914. The Journal of Gender, Race, & Justice, 18(1), 66-91. doi: 10.1017/ S0738248010000726
- Korazim-Korosy, Y., Mizrahi, T., Bayne-Smith, M., & Garcia, M. (2014). Professional determinants in community collaborations: Interdisciplinary comparative perspectives on roles and experiences among six disciplines. *Journal of Community Practice*, 22(1-2), 229-255.
- Krase, K. (2014). Examining the student's decision to pursue a joint graduate degree program in social work and the law. *Social Work Education*, 33(7), 906-916. doi: 10.1080/02615479.2014.894971
- Lieberman, H. (2011). Overcoming barriers that prevent low-income persons from resolving civil legal problems. Minneapolis, MN: Minnesota Bar Association
- Lopez, G. (2005). Living and lawyering rebelliously. *Fordham Law Review*, 73(5), 2041-2054. Retrieved from http://ir.lawnet.fordham.edu/flr/vol73/iss5/2
- Margolin, L. (1997). *Under the cover of kindness: The invention of social work.* Charlottesville, VA: University of Virginia.
- Martin, L., & Kettner, P. (2010). *Measuring the performance of human service programs* (2nd ed.). Thousand Oaks, CA: Sage.
- Mattsson, T. (2014). Intersectionality as a useful tool: Anti-Oppressive social work and critical reflection. *Affilia*, 29(1), 8-17. doi: 10.1177/0886109913510659

- Moosa-Mitha, M. (2005). Situating anti-oppressive theories within critical and difference-centered perspectives. In L. Brown & S. Strega (Eds.), *Research as resistance: Critical, indigenous, and anti-oppressive approaches* (pp. 37-72). Toronto: Canadian Scholars' Press.
- Perelman, J., & White, L. (2011). Stones of hope: Experience and theory in African economic and social rights activism. In L. White & J. Perelman (Eds.), *Stones of hope: How African activists reclaim human rights to challenge global poverty* (pp. 149-171). Stanford, CA: Stanford University.
- Piomelli, A. (2006). The democratic roots of collaborative lawyering. *Clinical Law Review*, 12(1), 541-614.
- Reisch, M., & Andrews, J. (2001). *The road not taken: A history of radical social work in the United States*. Philadelphia, PA: Brunner-Routledge.
- Reisch, M., & Jani, J. (2012). The new politics of social work practice: Understanding context to promote change. *British Journal of Social Work*, 42(6), 1132-1150.
- Sakamoto, I., & Pitner, R. (2005). Use of critical consciousness in antioppressive social work practice: Disentangling power dynamics at personal and structural levels. *British Journal of Social Work*, 35(4), 435-452.
- Schoeneman, A. C. (2015). Community collaboration in Virginia legal aid programs: A constructivist grounded theory investigation. (Doctoral dissertation). Retrieved from ProQuest. (Accession No. 1685483409)
- Sharpless, R. (2012). More than one lane wide: Against hierarchies of helping in progressive legal advocacy. *Clinical Law Review*, 19(1), 347–403.
- Shdaimah, C. (2009). *Negotiating justice: Progressive lawyering, low-income clients, and the quest for social change.* New York: New York University.
- Smith, R. H. (1919). *Justice and the poor.* New York: Carnegie Foundation for the Advancement of Teaching.
- Soss, J., Fording, R. C., & Schram, S. F. (2011). *Disciplining the poor: Neoliberal paternalism and the persistent power of race.* Chicago, IL: University of Chicago.
- Specht, H., & Courtney, M. (1994). *Unfaithful angels: How social work has abandoned its mission*. New York: Free Press.
- Tokarz, K., Cook, N. L., Brooks, S., & Blom, B. B. (2008). Conversations on "community lawyering": The newest (oldest) wave in clinical legal education. *Washington University Journal of Law & Policy*, 28, 359-402. Retrieved from http://openscholarship.wustl.edu/law_journal_law_policy/vol28/iss1/11/
- Udell, D. S. (1998). The legal services restrictions: Lawyers in Florida, New York, Virginia, and Oregon describe the costs. *Yale Law and Policy Review*, *17*(1), 337-368.

- Valentine, P. V., Roberts, A. R., & Burgess, A. W. (1998). The stress-crisis continuum: Its application to domestic violence. In A. R. Roberts (Ed.), *Battered women and their families: Intervention strategies and treatment programs* (2nd ed.) (pp. 29-57). New York: Springer.
- Wacquant, L. (2009). Punishing the poor: The neoliberal government of social insecurity. Durham, NC: Duke University.