

**University of Minnesota
School of Social Work
SW 5813 - Child Welfare and the Law
(2 credits)**

Course Description:

Social work practice in juvenile court. Child abuse/neglect reporting laws, risk assessment, reasonable efforts, case plan, custody proceedings, permanency planning, termination of parental rights, child testimony, social worker testimony, adoption laws.

Course Objectives:

After successfully completing this course the students will:

1. Understand the public policy and legal framework for child welfare practice;
2. Be familiar with Juvenile Court process and other court proceedings related to child welfare practice;
3. Be familiar with the roles that others play in the legal and court process as well as how to effectively interact with them; and
4. Have begun to develop skills necessary for effective participation in the legal system.
5. Demonstrate skills in problem solving and issues analysis in the following areas: maltreatment reporting and assessment; CHIPS proceedings, orders for protection, delegation of parental authority, and third party legal custody proceedings.
6. Be able to identify and analyze ethical issues that arise in the course of practice in child welfare.
7. Be familiar with substantive legal issues affecting social workers and their clients.
8. Students will recognize and address issues affecting diverse populations.

Required Textbooks

Child Abuse and the Legal System, Inger Sagatun, and Leonard Edwards, Wadsworth Group.

First Session:

1. Subjects
 1. Overview of the Course
 2. A Civics Lesson
 3. Introduction to Legal Research
 4. Introduction to child welfare law

2. Required Reading
 1. Child Abuse and the Legal System, Chapter 1 and pages 264-266.

Second Session:

1. Subjects
 1. Mandatory Reporting Law
 2. Types of Child Abuse and Neglect
 1. Statutory Definitions
 2. Controlled substances and prenatal exposure to alcohol
 3. Domestic violence
 3. Agency Response to Reports
 4. Overview of Juvenile Court
 1. The Statute
 2. The Rules of Juvenile Protection Procedure
 3. Roles of Professionals Involved in Juvenile Court
2. Required Reading
 1. Child Abuse and the Legal System, Chapters 2, 3, and 4
 2. Minn Stat. 626.556. Reporting of maltreatment of minors.
<http://www.revisor.leg.state.mn.us/stats/626/556.html>
 3. Minn. Stat. 626.5561. Reporting of prenatal exposure to controlled substance. <http://www.revisor.leg.state.mn.us/stats/626/5561.html>
 4. Minn. Stat. 626.5562. Toxicology tests required.
<http://www.revisor.leg.state.mn.us/stats/626/5562.html>
 5. Minn. Stat. 626.5563. Reporting prenatal exposure to alcohol abuse.
<http://www.revisor.leg.state.mn.us/stats/626/5563.html>
 6. Minn. Stat. 626.5552. Child exposed to domestic violence.
<http://www.revisor.leg.state.mn.us/stats/626/5552.html>
 7. Minn. Stat. 260.012. Duty to ensure placement prevention and family reunification; reasonable efforts.
<http://www.revisor.leg.state.mn.us/stats/260/012.html>

Third Session:

1. Subjects
 1. Overview of Juvenile Court Continued
 1. Due Process
 2. Burden of Proof

2. Filing a CHIPS petition
 1. Reasonable Efforts
 2. Statutory Basis
 3. A CHIPS Proceeding from the Emergency Protective Care Hearing Through Disposition
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2. Required Reading
 1. Child Abuse and the Legal System, Chapter 4 & 5
 2. Minn. Stat. 260C.001; 260C.007, Subd. 6; 260C.141; 260C.178; 260C.193; 260C.201.
<http://www.revisor.leg.state.mn.us/stats/260C/>

Fourth Session:

2. Subjects
 1. The Indian Child Welfare Act
 2. Concurrent Planning
 3. Permanency
 4. Financial Implications of Permanency
 5. Other court proceedings: Custody Proceedings and Orders for Protection
3. Required Reading
 1. Child Abuse and the Legal System, Chapter 6
 2. Minn. Stat. 260C.201, Subd. 11
<http://www.revisor.leg.state.mn.us/stats/260C/>
 3. Minn. Stat. 260.751-260.835. Minnesota Indian Family Preservation Act.
<http://www.revisor.leg.state.mn.us/stats/260C/>
 4. Minn. Stat. 260.518B. Domestic Abuse Act.
<http://www.revisor.leg.state.mn.us/stats/518B/01>

Fifth Session:

1. Subjects
 1. Other court proceedings: Criminal Matters
 2. Racial Disparity in Out of Home Placement
 3. Testifying in Court - Children and Professionals
 4. Other options for children and families: Do we have to go to court?
 1. Delegation of Parental Authority
 5. Kinship Care giving

2. Required Reading
 1. Minn. Stat. 524.5-211.
<http://www.revisor.leg.state.mn.us/stats/524/5-211>
 2. Child Abuse and the Legal System, Chapters 7, 10, & 13

Sixth Session:

- A. Subjects
 1. Ethics
 1. Social Workers
 2. Lawyers
 2. The Individuals with Disability Education Act
2. Required Reading
 1. Minn. Stat. §§125A.03; 125A.05, 125A.08; 125A.15; 125A.17.
<http://www.revisor.leg.state.mn.us/stats/125A/>
 2. Minnesota Rules 3525.0850; 3525.2325; 3525.2440; 3525.2445; 3525.2810; 3525.2900. <http://www.revisor.leg.state.mn.us/arule/3525/>

Seventh Session:

1. Subjects
 1. Other relevant statutes
 1. Children's Mental Health Act
 2. Issues for Homeless Youth
 3. How do all of these different proceedings relate to one another?
2. Required Reading
 1. Child Abuse and the Legal System, Chapter 9

Eighth Session:

2. Topics
 1. Initiatives to Improve Court Practice
 1. Children's Justice Initiative
 2. Family Group Conferencing and other alternative dispute resolution methods
 2. Civil Matters
3. Required Reading

1. Child Abuse and the Legal System, Chapter 8

4. Suggested Reading
 1. <http://www.courts.state.mn.us/ChildrensJustice/>
 2. http://www.courts.state.mn.us/ChildrensJustice/PDF_docs/Newsletter_Version_2.pdf

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