

Supporting & Evaluating Implementation of a Holistic Defense Model in North Carolina

Final Report
June 2025

Hannah Turner, Senior Project Manager, Criminal Justice Innovation Lab, UNC School of Government

Moriah Sharpe, Graduate Research Assistant, Criminal Justice Innovation Lab, UNC School of Government



Contents

Executive Summary.....	2
Introduction	4
About the Project.....	5
Workshop	5
Implementation Evaluation.....	6
Findings.....	9
Day-to-Day Operations of Social Work Staff.....	10
Considerations for Hiring, Onboarding, Integrating, Evaluating & Retaining Social Work Staff	14
Data Collection Practices.....	17
Benefits & Challenges of Having Social Work Staff.....	18
Recommendations	24
Considerations for Future Research	26
Conclusion	27
Appendix A. Staff Interview Guide	28
Appendix B. Office & Client Satisfaction Surveys	37
Appendix C. Tracking Log Template.....	39
Appendix D. Social Work Data Inventory	41

Executive Summary

This project, executed by the UNC School of Government Criminal Justice Innovation Lab (the Lab) in partnership with the North Carolina Office of Indigent Defense Services (IDS), supports stakeholder interest in the expansion of social work services in North Carolina public defender offices by assessing the implementation of the social work function. The project has two components:

- (1) A workshop for Chief Public Defenders and select staff, held in April 2024, on holistic defense and the use of social workers in public defender offices.
- (2) An implementation evaluation of social work positions in seven North Carolina public defender offices.

This report focuses on findings from the implementation evaluation and provides recommendations for public defender offices seeking to add or expand social work capacity. Key takeaways include:

Eight public defender offices currently have social work staff, and many others have expressed interest in adding social work capacity. Of the twenty-seven public defender offices in the state, eight have social work staff members. Seven offices with social work staff participated in the implementation evaluation component of the project. However, representatives from twenty-one offices attended the April 2024 workshop, demonstrating broad interest in the use of social workers in public defender offices.

The day-to-day operation of social work staff varies significantly by office. Offices have tailored the role of social work staff to meet their specific needs. For example, some social work staff take on a wide array of referrals, while others focus on a narrower client population—like clients in custody seeking acceptance to residential substance use treatment programs. The background of the social work staff member, the availability of community resources, and the willingness of other court system actors to agree to social work alternatives as part of case resolutions all impact the day-to-day role of social work staff.

Offices have different preferences when hiring social work staff. Offices have hired social work staff members with a variety of professional backgrounds, including capital mitigation work, psychology, county social services, and library science. Chief Public Defenders emphasized that not everyone with a traditional social work background would be an ideal candidate to work in public defense. For example, some offices expressed concerns about people with child welfare experience making the transition to advocate for adult clients who may have been charged with crimes against children. Most offices agreed that professional licensure was not a necessary requirement for their social work staff.

Offices create their own procedures for training and onboarding social work staff. There is not a statewide standardized training or onboarding process specific to social work staff. Many offices described this as both a benefit and a challenge. Chief Public Defenders appreciated the flexibility, but they raised concerns about their ability to effectively train social work staff without subject matter expertise in the area. Offices used a variety of techniques to promote successful onboarding, like court observation, finding relevant online trainings, and shadowing current staff to understand different roles. Still, social work staff consistently voiced a desire for more training opportunities.

Social work staff offer a range of benefits. Offices expressed that social work staff offer a variety of supports to clients, freeing up attorneys to focus on the person's legal defense. They said social work staff facilitate

more trusting client relationships, promote a positive working environment, and can increase the community's confidence in the public defender's office.

There is minimal overlap in data collection among offices with social work staff, which could be a limitation for future evaluation. Social work staff members typically create their own procedures for case documentation and data collection, and those procedures vary widely by office. Some offices use paper files, others use electronic tracking systems, and others do not have separate social work case files at all. The lack of consistency in data collection could present challenges for any future evaluation seeking to determine the impact of social work staff on non-legal client outcomes, like connection to substance abuse treatment.

Consistent funding is one of the biggest challenges for retention of social work staff and expansion of the social work function. Offices fund social work positions in several ways, including grants, county government support, and state budget allocations. All of these funding sources have their limitations, and offices described challenges securing stable funding. Limited funding means that offices struggle to expand their social work capacity and that existing social work staff have very minimal opportunities for promotion. However, using interns from Master of Social Work or other similar programs can provide a no-cost option for offices looking for additional social work support—even for offices that do not currently have dedicated social work staff.

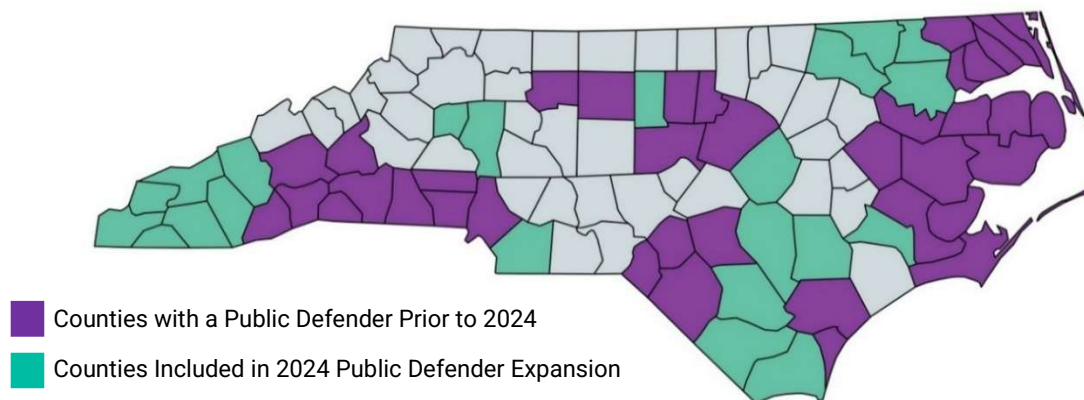
Offices are very satisfied with their social work staff and believe the practice should be expanded. In interviews and anonymous satisfaction surveys, offices expressed resounding support for their social work staff. Many staff members shared the belief that every public defender office in North Carolina should have access to social workers. Additionally, some offices conducted anonymous surveys among clients who received social work support, which showed high levels of client satisfaction.

Introduction

From June 2023 to July 2024, North Carolina public defenders resolved almost 22,000 criminal cases.¹ When people think of a public defender's office, they might imagine a traditional model of defense—one where the lawyer plays a central role in resolving the pending criminal matter. In a traditional model, the lawyer may be supported by other staff, like investigators and social workers, but the primary focus is resolving the client's criminal case. However, there is growing interest across the country in an alternative model called holistic public defense. A holistic defense model is a client-centered, interdisciplinary approach that provides both comprehensive legal representation for the client and social work support. This social work support helps clients address both the circumstances that contributed to their contact with the criminal justice system, such as behavioral health needs and housing instability, and the collateral consequences of their system involvement, such as driver's license suspension. Some research shows that, compared to the traditional model, a holistic model results in more case dismissals, fewer jail sentences, shorter sentence length overall, and fewer clients pleading guilty.² Additionally, research shows that the holistic model's integration of legal and social services can reduce attorney workloads, maximize utilization of team members' expertise, and increase client satisfaction.^{3, 4}

In 2024, North Carolina expanded its public defender system, adding eight new offices serving twenty-two counties.⁵ As a result of this legislative change, public defender offices now cover sixty of the state's 100 counties—up from thirty-eight counties previously (Figure 1). As the system grows, the North Carolina Office of Indigent Defense Services (IDS) is promoting best practices. IDS is interested to learn more about the efficacy of holistic defense, including the expanded use of social workers in public defender offices.

Figure 1. Counties in North Carolina Served by a Public Defender



¹ North Carolina Administrative Office of the Courts (NCAOC). (2024). "Public Defender Case Disposition Activity Report FY 2023-24". <https://www.nccourts.gov/documents/publications/public-defender-case-disposition-activity-report>.

² See Anderson, J.M., Buenaventura, M., & Heaton, P. (2019). "The effects of holistic defense on criminal justice outcomes." *Harvard Law Review* 132 (3): 819-893; Harris, H.M. (2020). "Building holistic defense: The design and evaluation of a social work centric model of public defense." *Criminal Justice Policy Review* 31 (6): 800-832.

³ Buchanan, S. & Orme, J. (2019). "Impact of social work practice in public defense." *Journal of Social Service Research* 45 (3): 336-347. <https://www.tandfonline.com/doi/full/10.1080/01488376.2018.1480559>.

⁴ For a review of relevant literature on the effectiveness of holistic defense models see Hatton, C.R. (2023). "Research on the Effectiveness of Holistic Defense Models & Social Workers in Public Defender Offices." *UNC School of Government Criminal Justice Innovation Lab*. https://cjl.sog.unc.edu/wp-content/uploads/2023/12/Research-on-Impact-of-Social-Workers_2023.12.19.pdf

⁵ Turner, H. (2024). "North Carolina 2024 Public Defender Expansion." *UNC School of Government Criminal Law Blog*. <https://nccriminallaw.sog.unc.edu/north-carolina-2024-public-defender-expansion/>.

A 2019 public defense workload study commissioned by the North Carolina General Assembly recommended making social workers available in public defender offices statewide.⁶ However, to date, there has been no research or formal reporting on the use of social work staff in North Carolina public defender offices. Chief Public Defenders and other stakeholders have had limited information on models for the use of social work staff, the broader benefits and challenges of holistic defense, and best practices for implementation. This project seeks to address that information gap. The project was supported by Arnold Ventures.

About the Project

This project, executed by the UNC School of Government Criminal Justice Innovation Lab (the Lab) in partnership with IDS, supports stakeholder interest in the expansion of social work services in North Carolina public defender offices by assessing the implementation of the social work function. The project has two components: a workshop and an implementation evaluation.



Workshop

On April 25 – 26, 2024, the Lab hosted a workshop in Chapel Hill, North Carolina titled “Using Social Workers as Part of a Holistic Public Defense Practice.” The workshop brought together Chief Public Defenders and select staff to introduce holistic defense practices, explore how social workers can be used and funded in public defender offices, discuss benefits and challenges of a holistic approach, and learn about best practices for implementation. Thirty-five people attended, including fourteen Chief Public Defenders and six social work staff members. The remaining thirteen attendees were a mix of assistant public defenders, administrative staff, and state-level representatives from IDS. Workshop participants represented twenty-one of the state’s twenty-seven public defender offices.

The event was a mix of panels, work sessions, and practical presentations. Sessions touched on topics including, but not limited to:

- an introduction to holistic defense;
- the benefits and challenges of using social workers in public defense;
- services social workers can provide;
- implementation lessons like hiring and supervising social work staff; and
- cultivating a holistic office culture.

Panelists included public defender staff from North Carolina, the Bronx Defenders in New York City, the Santa Cruz County, California Office of the Public Defender, and individuals with lived experience in the criminal justice system.

In post-workshop evaluations, attendees had overwhelmingly positive feedback. Every attendee said that the workshop increased their understanding of the role of social workers in public defender offices, motivated them to add or expand social work capacity in their office, and clarified the next steps to integrate social work

⁶ Lee, C.G., Hamblin, L.E., & Via, B. (2019). “North Carolina Office of Indigent Defense Services Workload Assessment.” *National Center for State Courts*. https://www.ncids.org/wp-content/uploads/2021/03/IDS_Public-Defender-Workload-Study_2019_02_21.pdf.

staff. Additionally, participants said they were interested in more training on the topic and ongoing professional development opportunities for social workers.

The workshop also presented an opportunity for Lab team members to introduce the implementation evaluation to public defender offices across the state. The remainder of this report focuses on the implementation evaluation.



Implementation Evaluation

The purpose of the implementation evaluation was to:

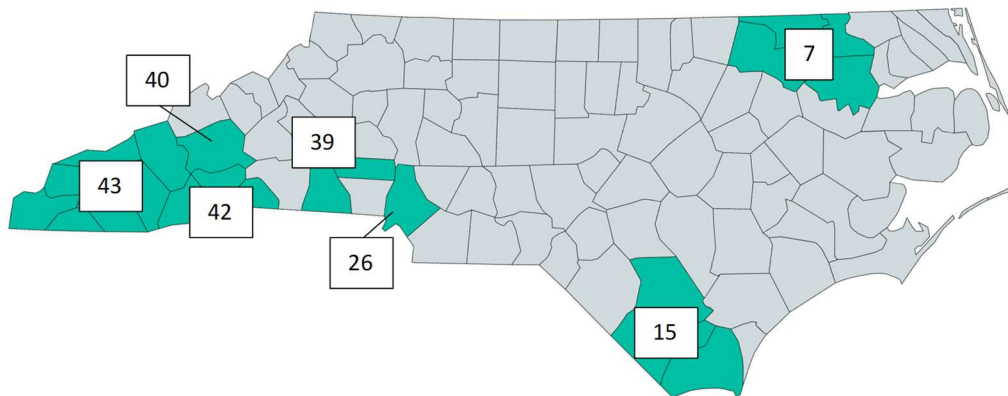
- 1) collect data from public defender offices that currently employ social work staff to learn about the day-to-day function of those positions, the process of interdisciplinary collaboration, and common benefits and challenges;
- 2) support IDS and public defender offices that wish to implement a holistic model by providing practical, accessible information about best practices; and
- 3) explore whether there is interest and data to support a future empirical evaluation of the social work function.

Currently, eight North Carolina public defender offices (serving twenty-three counties) employ social work staff, including three offices that were established as part of the 2024 expansion. Seven of the eight offices participated in the implementation evaluation (Figure 2).⁷ These seven offices represent significant geographic diversity and include rural, suburban, and urban counties. They include:

- Defender District 7: Bertie, Halifax, Hertford, and Northampton counties (one social work staff member)
- Defender District 15: Bladen, Brunswick, and Columbus counties (one social work staff member)
- Defender District 26: Mecklenburg County (three social work staff members)
- Defender District 39: Cleveland and Lincoln counties (one social work staff member)
- Defender District 40: Buncombe County (one social work staff member)
- Defender District 42: Henderson, Polk, and Transylvania counties (one social work staff member)
- Defender District 43: Cherokee, Clay, Graham, Haywood, Jackson, Macon, and Swain counties (one social work staff member)

⁷ The one office that has a social work position but was not able to participate in the implementation evaluation is Defender District 21 – Scotland and Hoke Counties.

Figure 2. Map of Participating Public Defender Offices with Defender District Numbers



Data Collection

Data collection for the implementation evaluation took place from June 2024 to February 2025. It involved in-person site visits to six offices and a virtual site visit with the seventh. As described below, we collected data using interviews, satisfaction surveys, tracking logs, and document review.

Staff Interviews. Across the seven offices, we conducted fifty-seven staff interviews. In each office, we interviewed the Chief Public Defender, the social work staff member(s), and at least one person from each of the remaining staff types in the office (e.g., assistant public defenders, administrative staff, investigators). Interviews with the Chief Public Defender and social work staff were extensive and focused on the history and purpose of the social work position, the day-to-day function of social work staff, and procedures for onboarding, training, and integration. Interviews with other staff members were shorter and centered on perception of the social work function and the benefits and challenges of having social work staff. The full interview protocol is included as Appendix A.

Client & Staff Satisfaction Surveys. All non-social work staff were asked to complete an anonymous satisfaction survey about having a social work position in the office. These surveys were distributed electronically. The survey questions can be found in Appendix B. The response rate for these surveys varied across offices, from a low of 11% to a high of 81%.

Additionally, five offices obtained anonymous satisfaction surveys from clients. Each office took a different approach to administering these surveys to maintain client confidentiality and avoid circumstances where clients felt pressured to leave positive comments. For example, one office only administered the survey to clients when social work support was no longer needed on the case, while the other four primarily surveyed active social work clients. Attorneys, detention officers, and social work staff all played a role in distributing and collecting surveys. Forty-three client satisfaction surveys were completed. A template for the survey is included in Appendix B, though some offices made minor modifications to this template.

Social Work Staff Tracking Logs. Each social work staff member was asked to complete a “tracking log” to record time spent per day on sixteen social work-related tasks such as release planning, community resource assistance, and mitigation. These tracking logs helped quantify differences between the social work roles in each office. A tracking log template can be found in Appendix C.

Document & Case File Review. Offices were asked to share any policies, procedures, or other documentation related to the social work role, like position descriptions, for review. In five of the seven offices, we were also

able to review deidentified client case files to understand internal data collection and documentation procedures. In the remaining two offices, social work staff did not maintain separate files.

Methodology

Our data collection efforts were designed to gather information on ten factors for analysis, outlined in Table 1.

Table 1. Factors for Analysis

Factor	Method of Data Collection
1. Clarity, documentation, and understanding of the social work function's purpose, roles, funding, and partnerships	Interviews and document review
2. Recruitment, onboarding, training, and evaluation of social work staff; training of office staff to work with the social worker	Interviews and document review
3. Operation of the social work function within the office	Interviews, document review, and case file review
4. Retention of social workers	Interviews and document review
5. Practices, processes, and policies related to the social work function that staff believe are working and/or need improvement	Interviews and document review
6. Systems that track social work operations and how the data are used for client services and the social work function	Interviews, document review, and case file review
7. Written office policies and procedures that apply to the social work function	Document review
8. Number of social workers and their schedules; the social workers' qualifications, experience, and areas of specialty	Interviews and document review
9. The social workers' case types and caseloads	Interviews, document review, and case file review
10. Time the social workers spend in a defined set of job functions	Tracking log

We systematically reviewed data based on these factors. For the interviews, which were the largest data source, we used a qualitative methods software (MAXQDA) to code each interview transcript and identify key themes.

For client and office satisfaction surveys, we digitized and compiled the results, reviewing individual responses and calculating the average score per question for each office and across all offices.

We digitized the completed tracking logs to calculate the amount and percentage of time spent on each task by each social worker.

Finally, document and case file review involved conversations with staff members to obtain and understand relevant documentation. There were very few written policies and procedures related to social work staff. As to data collection and client documentation, we created an inventory showing the variables each office tracks to determine what, if any, overlap exists across offices. That inventory can be found in Appendix D.

Findings

A Note on the Title “Social Worker”

Throughout this report, we use the term “social work staff” to represent the diversity in social work-type positions in North Carolina public defender offices. Although many offices do call these positions social workers, some offices prefer not to do so. The reasons for not using the title social worker vary. For some offices, it is purely practical. They felt that advertising a position as a social worker would limit the application pool, or they hired someone without a social work background and felt the title did not fit that person’s credentials. One office purposefully did not use the title social worker to avoid negative preconceived notions clients might attach to the social work profession. In the end, we spoke to offices that had social workers, peer support specialists, client advocates, and mitigation specialists. All these positions, no matter the title, shared a common goal of providing support to clients to address the causes and consequences of their system involvement and to provide non-legal advocacy to assist in the client’s defense.

Number & Qualifications of Social Work Staff

There is some variation in the number and type of social work staff across the seven offices. Mecklenburg County, North Carolina’s second largest jurisdiction, has three social work positions, including a peer support specialist with lived experience in the criminal justice system. All other offices have only one social work staff member. Social work staff described working a typical 8 a.m. to 5 p.m. schedule but, like their attorney counterparts, they noted that they sometimes work evenings and weekends to accommodate client schedules or complete particularly time-sensitive tasks.

Two of the nine social work staff members employed at the time of this report are Licensed Clinical Social Workers (LCSWs).⁸ The other seven had a variety of professional backgrounds and work experience, including capital mitigation work, psychology, county social services, and library science, but none carried any other type of licensure. Professional licensure is discussed in more detail in the Hiring section below.

Funding for Social Work Positions

Social work positions are funded in several ways. Some social work positions are authorized and funded by the state legislature. Offices that do not have state funding for their positions have obtained external funds. Two offices have positions that are fully or partially funded by the counties they serve. One of these offices hopes to move the position to state funding, as the county funding must be approved annually. Currently, only single-county offices receive supplemental county funding. Chiefs reported that securing county funding can be complicated for offices serving multi-county districts, as a county that funds a social work position is likely to expect the social work staff member to work only within that county.

⁸ To learn more about licensure for social workers, see UNC School of Government Criminal Justice Innovation Lab. (2024). *Reference Guide: Social Work Credentials*. https://cjl.sog.unc.edu/wp-content/uploads/2024/05/SW-Credentials-Reference-Guide_2024.4.15.pdf.

Only one office currently has a grant-funded position. Although two other offices started with grant-funded social work staff, they transitioned to county or state funding after establishing the value of the position.

Motivation for Creating & Maintaining Social Work Positions

Chief Public Defenders cited several reasons for hiring social work staff. Generally, they all indicated that many clients served by the public defender's office face serious issues outside of their criminal case—substance use, mental health concerns, family instability, extreme poverty, and more. They described how they saw these issues every day in their legal practice, but did not have the time or expertise to address them. Chiefs wanted to use social work staff to address these unmet client needs, and they frequently described how social work staff fit into a broader holistic approach for their office. In fact, two Chiefs specifically pursued external funding for social work positions after attending national trainings on holistic defense.

"I love the trial work...But I mean, you do it for long enough, there's so much more going on for these folks. And I didn't know what to do. I didn't know how to help them with a lot of the just inherent issues that come with poverty, with substance use disorder, mental health, all these things. And I was, you know, well aware that being a public defender in the courtroom took up, like, that was my time. And trying to do all this other stuff was just difficult. But I definitely had this desire of like, 'Oh... they need more. They need more.' And I started learning somewhere about holistic defense." – Chief Public Defender

However, not all Chiefs made a strategic and intentional decision to hire social work staff. One Chief Public Defender inherited the social work position from a predecessor. The original motivation for that position came from a county-wide initiative to reduce repeat bookings into the local jail, but over time, the position has expanded to serve all public defender clients with less direction from the county. Another Chief Public Defender erroneously believed that IDS required them to hire a social worker after misreading sample budget materials. Finally, the three Chiefs in new offices were allocated state funding for social work staff from the start without requesting the positions explicitly.

Among the group of five Chiefs that did not intentionally seek out social work positions, two even expressed initial skepticism about hiring social work staff and uncertainty about the benefits for the office. Despite some original hesitations, all the Chief Public Defenders were extremely positive about having a social work staff member in the office, which we describe further in the Benefits section below.

"And the funny thing is how it wasn't even on my radar. I [hired a social worker] because I believed I had to and now I'm probably like the biggest proponent of it." – Chief Public Defender

Day-to-Day Operations of Social Work Staff

The day-to-day operation of social work staff depends on the needs and case volume of the public defender office. This section describes how social work staff function within public defender offices, including how cases are referred to social workers, their daily tasks, and processes for interdisciplinary communication.

Referrals

The process of referring cases to social work staff is similar across the participating offices. Most offices have a referral form for attorneys to document basic information about a client and outline the specific request for social work staff. However, all but one office said those forms are rarely used, citing workload concerns for

attorneys. Social work staff said they valued being accessible to attorneys, meaning they were flexible with the referral process and frequently received referrals through emails or informal hallway conversations.

The vast majority of referrals to social work staff come directly from the attorneys. Typically, the attorney will meet with a client, identify a need, and then refer the client for additional social work support. Sometimes the identified needs are concrete and have clear next steps, like a referral to inpatient substance use treatment. Other times client needs are less specific and tied more to emotional support, such as a client in custody who is struggling with loneliness.

"Usually, there's specific needs or sometimes, if [an attorney] sees someone in jail, and she's like, 'I don't know what is going on, but they're having a lot of trouble,' then she'll come to me and she'll say, 'Can you just go talk to them? Because I don't know what to say.'" – Social Work Staff Member

Occasionally, social work staff described clients reaching out to them directly for help, particularly those in custody. Offices noted that word spreads quickly within local jails once people know that social work services are available. Social work staff consistently said that they consult with the attorneys when they receive "self-referrals" and do not move forward with the client until their involvement is approved by the attorney.

"The attorneys know best...because I really don't know what's going on with their legal case. You know, my job is to just provide them services, but I don't do anything until I go through the attorney because I don't wanna go ahead, set them up for rehab, but then they can't even go." – Social Work Staff Member

In one office, the social work staff member received a few referrals directly from the court. In these situations, the public defender's office was not representing the client due to conflicts, and they were assigned a court-appointed attorney without social work resources. The judge asked the social work staff member to help get the client a needed referral to a particular service. While this was a rare occurrence and outside of the scope of the public defender's representation, the social work staff member assisted when they could. While no other office reported receiving referrals directly from the court, some social work staff said that they would occasionally provide basic information about community services, like the name of a treatment program, to individuals who were not represented by the public defender's office.

"Sometimes when I'm in the jail and I'm walking through, [individuals not represented by the public defender's office] say 'you're the social worker and I need help.' And... I'm really not their social worker 'cause I work for the public defender. I say, 'Well, what do you need help with?' And if they tell me, I usually try to help them as much as I can. And that is a quick two or three minutes." – Social Work Staff Member

The types of cases referred to social work staff varied significantly. Some attorneys take a broad approach, referring any case where the client might benefit from supportive services regardless of their charges, their custody status, or other case-related factors. Other attorneys only refer cases to social work staff when they believe there could be a quantifiable benefit for the legal case, like getting a client into inpatient substance use treatment as an alternative sentencing option. Variation in referral practices was evident both across offices and within offices. One office, for example, focused the efforts of their social work staff member primarily to inpatient substance use referrals, while social work staff in most other offices take on a wider array of cases. Within offices, social work staff regularly described certain attorneys providing the bulk of the referrals while others rarely engaged with social work services.

None of the offices reported having specific guidelines about which cases could or should be referred to social work staff. Furthermore, no office had limits or guidance on appropriate caseloads for social work staff. When asked about caseloads, most social work staff members could not quantify how many clients they served,

partly because some clients require consistent follow-up for months while another might only involve a single contact. Generally, social work staff said they rarely, if ever, turn down referrals.

Social Work Tasks

Social work staff in six of the participating offices filled out daily tracking logs for two to three weeks to document how they divided their time across sixteen different social work tasks. These sixteen tasks were adapted from a previous implementation study of social workers in public defender offices in Knox County, Tennessee.⁹ The definitions for these tasks are provided in Table 2.

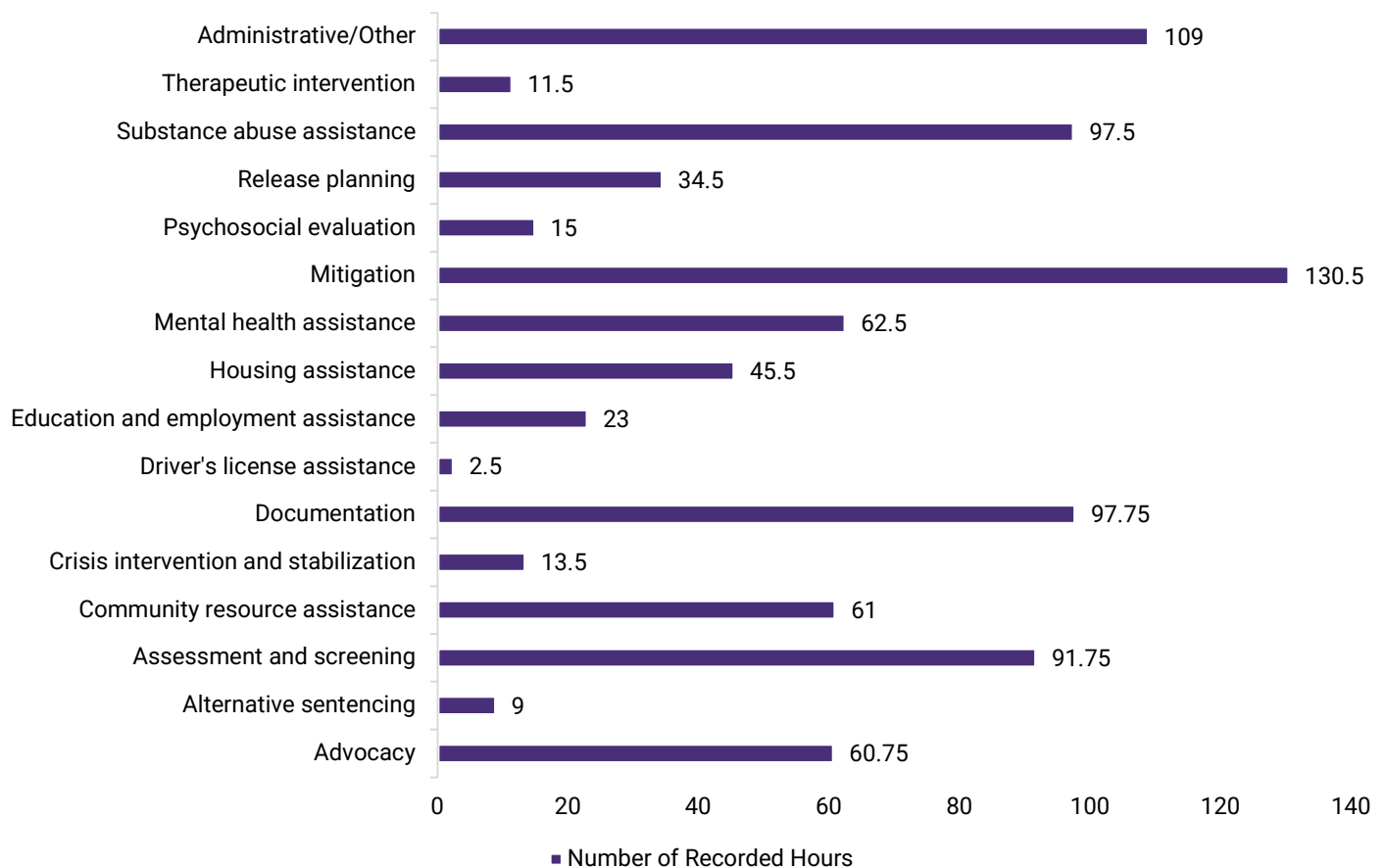
Table 2. Definitions for Tracking Log Tasks

Task	Definition
Advocacy	Educating the public, working on behalf of clients in court
Alternative sentencing	Proposing strategy to divert clients from incarceration
Assessment and screening	Identifying and evaluating presenting problems
Community resource assistance	Planning, securing, or coordinating a range of services
Crisis intervention and stabilization	Providing immediate intervention to reestablish coping strategies
Documentation	Writing case notes or otherwise recording client interactions and progress
Driver's license assistance	Providing information and guidance for reinstating driving privileges
Education and employment assistance	Giving clients guidance with applications and linkages to resources or jobs
Housing assistance	Identifying and assisting clients with securing appropriate housing
Mental health assistance	Planning or securing inpatient or outpatient mental health services
Mitigation	Identifying factors that contribute to fair sentencing
Psychosocial evaluation	Conducting in-depth examination of the client and their environment
Release planning	Combining the aforementioned services to assist reintegration after incarceration
Substance abuse assistance	Assessing, planning, and assisting clients in securing substance use services
Therapeutic intervention	Psychotherapy, counseling, and psychoeducation
Administrative/Other	Any other extraneous tasks not covered in the above categories

The aggregate results for the tracking logs are shown in Figure 3. One office uses their social work staff member primarily as a mitigation specialist, which accounts for the high number of total hours in the "Mitigation" category. Otherwise, the most common single categories were "Administrative/Other" (109 hours), "Documentation" (97.75 hours), and "Substance Abuse Assistance" (97.5 hours).

⁹ See Buchanan, S. and Nooe, R.M. (2017). "Defining Social Work within Holistic Public Defense: Challenges and Implications for Practice." *Social Work* 62 (4): 333-339. <https://doi.org/10.1093/sw/swx032>.

Figure 3. Total Number of Hours Logged Across Social Work Tasks



It is unsurprising that many of the recorded hours were spent on documentation and administration, considering that these tasks must be completed regardless of how an individual office engages their social work staff member. The number of hours devoted to substance use assistance is also expected, as staff frequently cited substance use treatment as a primary need for clients in interviews. However, beyond these few tasks, the tracking logs highlight the diversity in day-to-day function among social work staff.

One element of the social work function not captured in the tracking log is the role of social work staff in community engagement. Offices noted that cultivating a strong connection to the community can help build trust toward the public defender office and reduce barriers for clients seeking services. In both new and existing offices, social work staff described ongoing efforts to create relationships with community partners. For example, social work staff frequently served on community roundtables or coalitions.

Social work staff explained that they can serve as a bridge between the public defender's office and the broader community, both describing what the office does to outside providers and bringing back knowledge about available services. One Chief Public Defender and social work staff member invited representatives from local organizations to the office to speak to the team. In another office, the social work staff member sent out all-team emails highlighting different services in the community. And every office had social work staff either create or update community resource lists so that all staff had the ability to quickly direct clients to certain resources.

"We actively go out in the community and build partnerships with other community agencies so we can build that rapport....so we can streamline how we connect our clients to the [resource] without having to go through a whole lot of red tape, and just so they know who we are, the communication is there. They're expecting our clients to come." – Social Work Staff Member

Communication with Social Work Staff

Staff reported that information sharing procedures within each office are typically informal. Social work staff keep attorneys up to date through email, text messages, and impromptu in-office conversations. Attorneys and other support staff use these same channels to communicate with social work staff. For some particularly complicated cases, social work staff set up formal meetings with attorneys to discuss a situation in-depth. However, no office had regularly scheduled recurring meetings solely to discuss cases receiving social work support, primarily due to workload concerns.

No office reported formal written policies related to information sharing or restrictions on what could be shared with the social work staff members. Most offices house their case files electronically in a shared office drive, so both the attorneys and social work staff can easily see what the others have added to the files. Attorneys routinely expressed the view that because social work staff work at the direction of the attorney, they are part of the legal team and bound to maintain client confidentiality. We discuss possible ethical conflicts that may arise with interdisciplinary defense teams, particularly related to the mandatory reporting of child abuse and neglect, in the Challenges section below.

"The issue of confidentiality...I think about that regularly. It's not come up by virtue of a client or an issue, but my understanding is that [the social work staff member], if she's sitting in an interview, while not my employee, but as an employee of this organization, is bound by [attorney-client] privilege... Now, if she were to go out on her own and see something I think that's different. But when she's working, for lack of a better term, under the wing of a law office... my understanding is that she should be bound by that same privilege." – Assistant Public Defender

Considerations for Hiring, Onboarding, Integrating, Evaluating & Retaining Social Work Staff

Hiring

The administrative processes for hiring social work staff are managed by the state. Central office staff from IDS and the Administrative Office of the Courts assist Chief Public Defenders in writing job descriptions, posting positions on the state government employment website, and providing an initial list of qualified applicants. Chiefs are then responsible for conducting interviews and selecting a candidate. Even in instances where social work positions are grant funded, the funding is converted into a state position so that social work staff have access to the same benefits and status as non-grant funded employees.

When hiring social work staff, offices sought adaptable, organized candidates that communicated effectively and were comfortable working with all types of clients. Organization and flexibility were especially important skills for multi-county defender districts, whose social work staff need to balance cases from multiple counties. Additionally, Chief Public Defenders frequently mentioned the benefits of hiring someone who lived in the community and had an existing knowledge of available local resources.

Still, offices had different preferences for the professional backgrounds of their social work staff. For example, two offices explicitly did not want to hire people with experience in county Departments of Social

Services (DSS) due to concerns about retraining DSS social workers, who typically work in child welfare, to advocate for adult clients—especially adults who may be facing charges involving child victims. However, a third office hired someone from DSS and was pleased with their performance, particularly because that person was well-versed in local resources and had an existing understanding of the court system.

“And when I interviewed [for the social work position]...I would just say, ‘I have a case where a mother murdered her children. Can you work on that case?’ And some of [the candidates] were just, you know, their mouth came open and- um, kinda surprised that they would be doing that. But now [the social work staff member] said, ‘I’m for what’s in the best interest of my client, of our client, and I love to help people’...which I thought was very key and made me know she’s the right person for the job.” – Chief Public Defender

Considerations for Hiring Licensed Professionals

As mentioned above, offices successfully hired social work staff from a variety of backgrounds, and only two are Licensed Clinical Social Workers (LCSWs). LCSWs are trained to diagnose and treat behavioral health disorders, a skillset that is not typically required for social work positions in public defender offices. In fact, some LCSWs might feel like it is a direct conflict to provide objective diagnostic or therapeutic services to a client while simultaneously being involved as an advocate in their legal defense. It also is possible that LCSWs may find themselves in situations where social work ethics are at odds with attorney ethics—for example, in situations involving mandated reporting of child abuse. Possible ethical conflicts are discussed more in the Challenges section below. Because of these considerations, most offices felt that professional social work licensure was not a necessary requirement for their social work staff.

Since most offices only have one social work position, Chiefs noted that candidates need to be comfortable working independently. A few social work staff members felt that this level of independence was more appropriate for someone with a few years of prior work experience, as opposed to a new graduate.

In some cases, offices have hired staff that were not the best fit. One office hired a candidate with a master’s in counseling; the person performed the job well but left relatively quickly for a clinical job that better matched their skills and background. Another office hired a social worker from DSS and encountered problems when the social worker struggled to transition from child-centered victim advocacy to adult defense advocacy. Both offices responded to these circumstances by adjusting their hiring criteria, the former by prioritizing candidates with a case management background and the latter by being more discerning about how candidates’ professional backgrounds might impact their ability to serve public defender clients.

Onboarding

Outside of standard human resources onboarding designed for all new IDS employees, offices reported that there is no statewide onboarding or training for new social work staff members. Especially for offices hiring their first social work staff member, this was described as both a benefit and a challenge. While Chief Public Defenders appreciated the flexibility, they expressed concerns about training someone for a brand-new position in a subject matter area where they had no expertise.

“When [our social work staff member] first came, she said...what’s the job? I said, I don’t even know. You know what I mean? Because I’m not a social worker.” – Chief Public Defender

Without the resources of current or prior social work staff, offices hiring their first social work position used a variety of methods to onboard and train: roundtables of office staff and external experts to fill knowledge gaps on court procedures and community resources; court observation; finding relevant online trainings; and shadowing current staff to understand different roles. Despite these efforts, social work staff regularly reported that their initial training was very limited, and they relied heavily on previous job experience to understand what their role should entail. Even offices that had hired multiple social work staff members in the past had minimal formal onboarding and training procedures.

Both Chief Public Defenders and social workers reported a desire for more training opportunities. They repeatedly mentioned that statewide social work training would be beneficial to set a standard for social work positions. Offices also reported a need for specific training on the legal system for social work staff so they can better understand terminology and court procedure; training on the holistic defense model for all staff; and statewide training on administrative tasks like case documentation.

"I'd say for me right now, more training is like super high on my list because that gives me a better picture of how things are going in other offices, how they're utilizing a social worker...and it will help us expand our horizons in terms of how we can best use our social worker." – Chief Public Defender

Integration

Chiefs reported that successfully integrating social work staff into the defense team is a key factor for success. Offices used a few strategies to facilitate integration. Three offices included a broad group of existing staff members when interviewing and selecting social work candidates, encouraging staff investment in the position and ideally ensuring a match between existing staff and the new social work staff member.

"They all connected with [the social work staff member] very much in the interview and the post interview conversation, they were such advocates for hiring that that part went smooth. Like, they were really excited when she got here. That's who they wanted.... in other positions that I've hired where I've made a decision [alone], the integration did not go near as smooth." – Chief Public Defender

Offices also engaged in mutual training, where the social work staff member learns about different roles while simultaneously educating other staff about the role of the social worker. This strategy of mutual training was particularly key in new offices, where all staff are learning and developing together. Two offices with more established social work staff have made basic education about the social work position part of their new attorney training, creating an expectation from the start that social work staff be viewed as a valuable part of the defense team.

Evaluation

Most Chief Public Defenders reported completing an annual performance review for all staff, including social work staff. However, Chiefs did not describe this formal process as their primary means of evaluating job performance. Instead, Chiefs relied on day-to-day observation and regular feedback from other staff to assess the social work staff member. Feedback from assistant public defenders was especially important, since they work so closely with social work staff. Only one Chief Public Defender had documented specific performance goals unique to the social work staff member.

Retention

In general, offices identified low salaries as a primary challenge to retaining their social work staff. One Chief estimated the salary to be about 80% of what comparable social work positions would offer, and not enough to be competitive with the private sector. Additionally, since all but one office only has one social work position, there are limited opportunities for upward mobility and promotion.

Rural offices acknowledged that location can be an added barrier, as people may be less willing to relocate or commute to a rural area.

Without the financial resources to combat these challenges directly, Chief Public Defenders emphasized maintaining open lines of communication and creating a supportive work environment to promote retention. Chiefs openly recognized the potential for burnout in social work staff, and they encouraged appropriate work-life balance.

"When you're getting texts from worried mamas, that can be really hard to be like, 'I can't do anything right now. It's six o'clock.' Like, to turn that off ... And when you're young and energetic and you really care, I think that's something to keep an eye on. So that's a, that's a concern for the [social work] position period. 'Cause honestly, the kind of person that I would want in that [position], I think could be prone to kind of overworking." – Chief Public Defender

Data Collection Practices

Across the offices, there is no uniform system or set of guidelines for social work staff regarding data collection or case documentation. For attorney case files, all the offices keep some paper documentation alongside electronic recordkeeping. In four of the offices, social work staff have developed their own electronic spreadsheets to track social work-related information on client referrals and outcomes (three offices), or they keep separate paper files for social work clients (one office). Only one office reported using a case management system for social work staff, which was designed in-house.

One office expressed concern that having a social work staff member maintain their own files would create questions about whether the social worker was working at the direction of the attorney—an important consideration for protecting social work staff under attorney-client privilege. As such, that office does not allow the social work staff member to create separate files.

In the seventh office, the social work staff member writes notes on client interactions and includes them in the attorney case file, but they do not have their own separate documentation or data collection procedures.

The lack of uniformity means that different data are collected across the offices, potentially complicating statewide evaluation efforts. Because of workload concerns, social work staff are wary of complex documentation procedures. As a result, the choice about what to document and what not to document is driven by simplicity and efficiency. Additionally, for offices that receive funding from grants or local governments, data collection is based almost entirely on the metrics they are required to report to funders. At this time, no office has used their data to evaluate or assess the social work function.

Appendix D shows all the variables that are being tracked across the five offices where we could obtain information on social work documentation and data collection. There is limited overlap between offices.

Benefits & Challenges of Having Social Work Staff

Benefits

When asked to describe the benefits and challenges of having social work staff, responses from other office staff focused overwhelmingly on benefits. The following benefits were raised across all seven offices that participated in the implementation evaluation.

Social Work Staff Contribute to High Quality Legal Defense & Connect Clients to Services

Staff repeatedly stated that having a social work position allows attorneys to spend more time on their clients' legal defense. Attorneys acknowledged that they do not have the time or the expertise to connect clients to services. As a point of comparison, attorneys who had worked in private practice or in other public defender offices without social work support explained that it was rare for an attorney to help a client receive community services in those settings.

"Well, more often it's only the people in jail that want treatment and a lot of times my answer [when I was in private practice] was, the prison system has a treatment program, you know, and it's free. And sometimes [the judge] would give them shorter sentences that would allow them to complete treatment within the prison system and then come out on probation. And then the other thing was to just tell family members, it's like, look, if you can get them out on bond and get them into a [treatment] program... you know, do a Google search... having family members look and try to figure out what's available...so, family acted as social workers." – Assistant Public Defender

With social work staff, however, attorneys described having more capacity to focus on the legal aspects of their clients' defense while feeling confident that underlying non-legal concerns are being addressed. The knowledge, training, and relationships that social work staff bring to the table allow them to quickly connect clients to resources. Attorneys described feeling relieved knowing that they were able to pass off clients to a social work staff member for this support.

"I might be able to recognize an issue but not know what to do with it and not know how to treat it, whereas [the social work staff member] just jumps right in, and she knows exactly what and where and can point me in the right direction." – Assistant Public Defender

"[Having social work staff] gives me the ability to focus on areas of this job that are my strengths, and it takes a lot of time off of my plate where I would be, you know...calling multiple people to arrange something for my client, and that's time I could be devoting to another case or focusing on the legal merits of their case. It's something that has been so critical for us...just the number of people we've been able to help has gone up, I would think, exponentially." – Assistant Public Defender

Additionally, attorneys work with social work staff to develop treatment plans, release plans, and mitigation reports for clients, which can be powerful tools when asking judges release someone from pretrial custody or consider a lighter sentence. Attorneys also articulated that connecting clients to services can reduce recidivism, meaning social work support not only benefits clients with their current case but could interrupt future system involvement.

Social Work Staff Improve Client Relationships

Offices reported that social work staff help facilitate positive, trusting relationships with clients. Attorneys described that social work staff have specialized training to communicate with clients in a way that makes them feel seen, heard, and valued. Developing positive relationships can make clients more willing to speak

openly with their attorneys, which can benefit their legal defense. Additionally, attorneys and support staff felt that clients had a more positive perception of the public defender's office overall when social work staff were involved, even in cases without ideal outcomes.

"[Having a social work staff member] really does help [clients] feel like that they have a team around them that's hearing them. And... attorneys do their very best, but it gets really busy when they have 200 clients. [Clients] feel like they're part of a team and they feel more confident in their defense." – Social Work Staff Member

"People trust a social worker quicker than they trust the attorney, I guess, is where I'm going with that. They view social workers as these people really are trying to help me." – Assistant Public Defender

Social Work Staff Improve External Relationships

Both new and existing offices use their social work staff to facilitate and strengthen community relationships. Other office staff reported that social work staff members can represent the interests of the public defender's office and their clients at local treatment courts, community meetings, roundtables, and other events. They can also educate the public about the role of the public defender's office. Staff reported that, on an individual level, this relationship building creates a runway for clients to access services quickly. Staff said this is important because time is often a key factor when trying to leverage a treatment plan or other social services to benefit a client's legal case. More broadly, staff reported that this relationship building can improve community perception of the public defender's office and even improve the reputation of the office among other court system actors.

"[The social work staff member] has been able to sort of improve the reputation of the public defender's office among other stakeholders. Because now they're seeing this as we're not just defense attorneys. We're defense attorneys who have access to life changing programs for our clients." – Assistant Public Defender

"When I was in private practice, for example, when I stood up and talked to a judge, because I didn't have the benefit of a social worker or a mitigation person, I was basically giving general information. Or I may say, you know, my client has shared with me that they have this diagnosis, but nothing to back that up. So, I feel that having [a social work] position is important because... I'm saying we have somebody in our office that has looked at this, we have the documentation to back it up. And I think that that provides us with more credibility with judges." – Chief Public Defender

Social Work Staff Strengthen a Holistic Office Culture

Offices described a variety of ways that social work staff reinforced a holistic, client-centered office culture. As discussed above, social work staff help to shift some of the workload off attorneys and improve client communication, which benefits the overall work environment. Additionally, Chief Public Defenders and other attorneys described being more aware and empathetic towards their clients because of observing and understanding the role of social work staff.

"What the social workers have done is help change the culture here for the lawyers to understand that our clients should be listened to, that our clients should be invited to set priorities, that our clients' priorities ought to be respected.... [A]nd so even in the situations where clients aren't being engaged by social workers directly, I think that kind of change of orientation towards the work is a direct result of having the resources of social workers." – Chief Public Defender

"I get so tunnel-visioned on the law, the facts, the law, guilty, not guilty, what we're gonna do in court, that I forget that there's this whole human over here. ... you're just like, this is my job. I've gotta prove this case. I've gotta deal with this. But there's this human. And [the social work staff member] is helping me remember that there's a human over here...Not just looking in the narrow focus of this offense, this accusation, this law, and this court date. She brings the humanity in." – Assistant Public Defender

In every office, social work staff also have helped compile a list of resources, so the attorneys have easy access to knowledge about community services. This is particularly helpful in rural offices, where resources tend to be scarce or are not well-publicized. Because social work resources are limited, many attorneys noted that they will pass along information to clients in instances where the person might not require long-term support. Empowering attorneys to assist in providing supportive services to clients, where appropriate, can help reinforce a collaborative approach.

Staff and Clients are Highly Satisfied with Social Work Staff

The benefits described during interviews are also reflected in the client and office satisfaction survey data. Staff and clients alike are highly satisfied with social work staff. Responses to the surveys were scored on a Likert scale from 1 to 5, with 1 meaning the respondent strongly disagreed with a statement and 5 meaning they strongly agreed with a statement.

Client satisfaction scores averaged at least 4.5 out of 5 across all items. “I am glad the public defender's office has a social worker” was the highest-scored item, at 4.93 (Figure 4).

Office satisfaction scores averaged at least 3.89 out of 5 across all items (Figure 5). The highest-scored item, at 4.64, was “I am glad to have social workers on staff.”

Figure 4. Combined Client Satisfaction Survey Scores

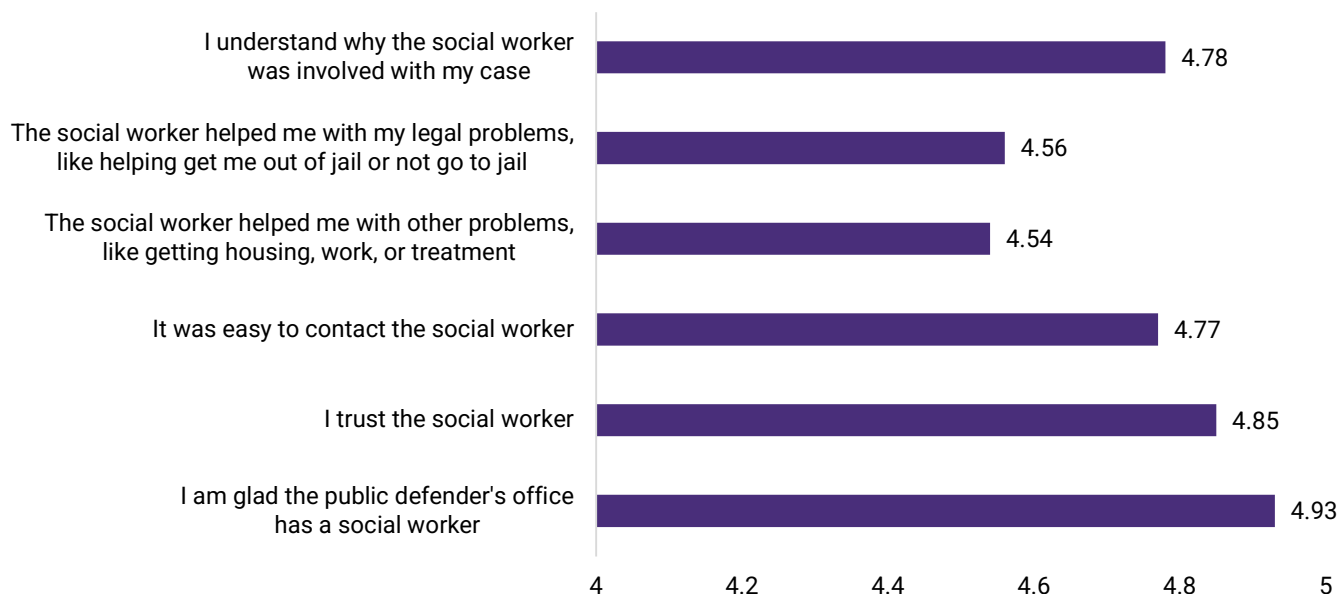
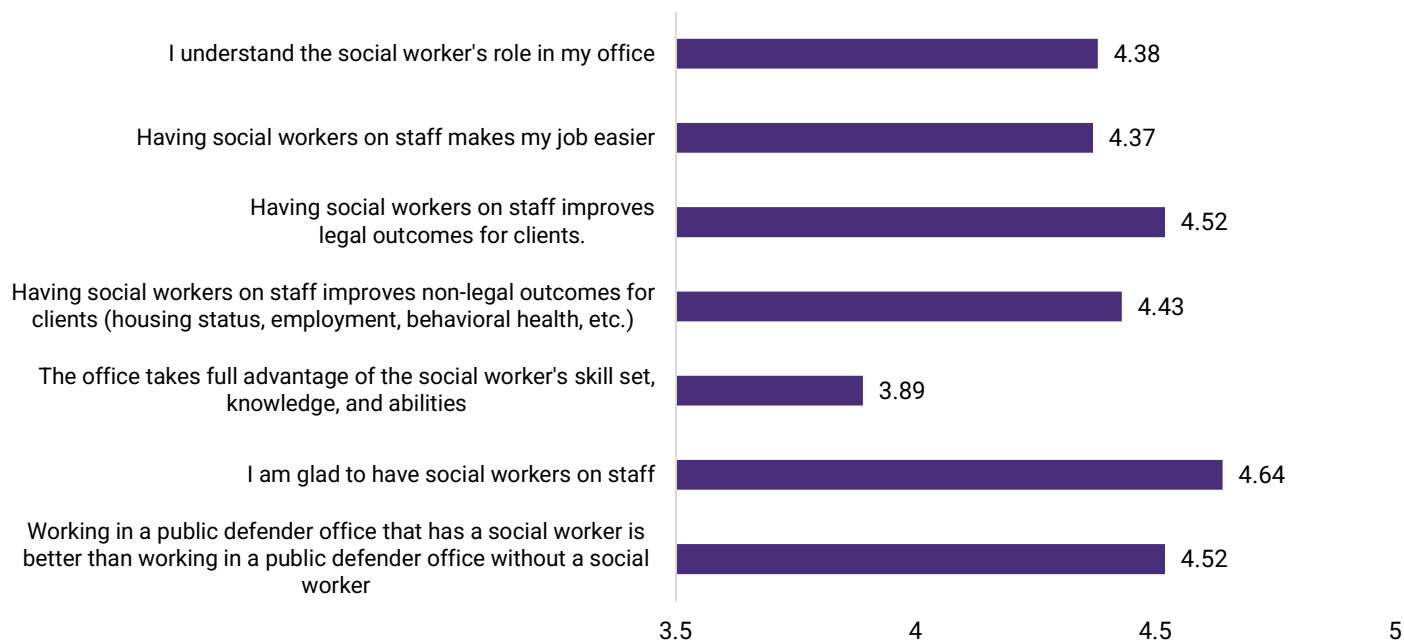


Figure 5. Combined Office Satisfaction Survey Scores



Challenges

Figure 5 above shows that the lowest scoring item on the office satisfaction survey was “the office takes full advantage of the social worker’s skill set, knowledge, and abilities.” This suggests that offices could be doing more to optimize the role of social work staff. In every office, staff identified a variety of barriers to fully realizing the opportunities for impact presented by having social work support in the office.

Lack of Funding for Additional Social Work Support

Every office expressed a desire for additional social work support and identified limited funding as the primary barrier to hiring more social work staff. Office staff indicated that because so many clients can benefit from social work support, the caseloads for social work staff grow quickly and there is no easy path to obtain additional positions. Chief Public Defenders explained that to fund new positions they must pursue grant funding—which is time-limited and can be difficult to obtain without any experience writing a grant application—or seek out state or county funds to put towards a social work position instead of towards other needed support staff or attorney positions.

“This office could do more for this community with four more social workers than I could with ten more lawyers. So, if you've got any money that you wish to invest in my office, invest it in social workers... [the county] just haven't had the money.” – Chief Public Defender

This challenge is especially acute for offices serving multi-county defender districts. While attorneys in multi-county districts typically only take cases in certain counties and work out of one physical office space, social work staff can have clients in every county, and they are expected to collaborate with attorneys across different satellite offices. Aside from concerns about caseloads, travel between counties requires significant time, reducing their capacity to serve clients.

“It's just the travel time, the geography, you go from [County 1] to [County 2] and it's just hours of driving, literally hours of driving.... when that time could be spent with the clients.” – Social Work Staff Member

Lack of Clarity about the Role of Social Work Staff

As discussed above, there is no statewide guidance on how to structure social work positions. This provides flexibility and allows offices to tailor the role of social work staff to meet their needs. However, Chief Public Defenders said that they experience ongoing uncertainty about the best way to use social work staff members, even after hiring and working with them. Citing a lack of information and a lack of expertise in social work, offices rarely had a defined vision for social work positions.

This uncertainty leaves social work staff in a situation where they are largely responsible for molding their own roles with little guidance, and this has created challenges. Two offices reported that previous social work staff were either fired or quickly left the office at least in part due to a lack of clarity about responsibilities and expectations. In other offices, social work staff are being used to perform other duties, like legal assistant work. Without clarity, some assistant public defenders expressed hesitancy or confusion about when to engage social work staff.

"I'm even sort of having a hard time defining my role. Which makes it very hard to define it for everyone else." – Social Work Staff Member

"I just like to be busy, and I was able to convince some attorneys in the beginning, like, 'If you don't use me, I'm going to leave because I don't want to be bored.' And that was enough to kind of get them to start looking through their clients and find me somebody, you know. So that's kind of how I started, was just like begging. And there [are] some times that I'm still like begging, you know, really." – Social Work Staff Member

In addition to circumstances where attorneys might be reluctant to refer clients for social work support, some social work staff described situations where they were unsure if they should take on a certain task in the absence of a formal policy or procedure. Client transport came up across multiple offices as an area of concern. Some social work staff members had been asked to transport clients and declined, sometimes creating tension with attorneys. Others agreed to client transport but had to advocate for safety measures, such as having another staff member accompany them. Generally, a lack of role clarity was a frustration for social work staff and created barriers to collaboration.

"One of the attorneys in fact said, you know, I'm used to doing all of that stuff on my own and so trying to figure out how to accept that they have help [from the social work staff] and someone that can really do a good job, I think that's been tough." – Chief Public Defender

Lack of Training for Social Work Staff

Similar to lack of role clarity, lack of standardized training presents a challenge. Social work staff come from a variety of backgrounds, and many have no experience in a criminal justice setting. Without job-specific training, social work staff described a steep learning curve, and they lean heavily on their previous experience to inform their current work—even if that previous experience is not directly relevant to public defense. This can result in a mismatch between the social work staff member and the needs of the office. One office encountered problems when a previous social work staff member with a clinical background wanted to spend a significant amount of time administering clinical assessments to clients, which was not a priority for the office. Social work staff and Chief Public Defenders consistently voiced a desire for some form of standardized training for social work staff, like a uniform orientation.

"I think that [it] would definitely be really helpful for the different offices to have the state to come in and do training for social workers. The onboarding, policies, procedures... and it may look different for different offices, but I think it still needs to be something that's [done] across the board, 'cause that will provide more support for the social work team." – Social Work Staff Member

In addition to a lack of initial training, several social work staff members expressed that there are limited opportunities for ongoing training and professional development. They explained that a lack of funding for social work training makes it difficult to attend specialized conferences or trainings geared toward defense social work. While public defenders and public defender investigators in North Carolina have the opportunity to attend a Public Defender Conference each year, that conference does not currently include training or education specific to social work staff members.

Limited Community Resources & Hurdles to Accessing Resources

A lack of available community resources, exclusions by local programs, and logistical hurdles can make it difficult for social work staff to effectively meet clients' most pressing needs. Social work staff and attorneys reported insufficient local services, particularly with respect to housing and inpatient mental health treatment. A general lack of resources is exacerbated for public defender clients because not all programs accept individuals that have a criminal history or pending charges. Social work staff said that even when services are available, they are often overburdened and can have lengthy waiting lists. In smaller and more rural counties, social work staff try to tap into the resources available in nearby urban counties, but the need for clients to transport themselves long distances creates another barrier.

"[The lack of community services] eats me up. Like, uh, 'cause I'm a person that always looks to get it done. And housing...it brings tears to my eyes sometimes thinking about how I can't help this person and all they need is somewhere to stay." – Social Work Staff Member

Social work staff also explained that community services are not designed to adhere to the unique requirements of public defender clients—specifically, clients in custody. Multiple social work staff members described scenarios where clients lost their spot in a treatment facility because delayed court proceedings meant the person's release from custody could not happen as scheduled. Others described difficulty getting clients released from custody with an appropriate amount of their medications to enter residential treatment programs. This is frustrating not only for public defender staff and their clients, but also for the staff at various community service agencies who serve as critical partners. Social work staff noted if the public defender's office consistently struggles to meet the requirements of a particular program, they may lose important partnerships.

Pushback from Other Court System Actors

Generally, offices felt that their local court system supported the work of social work staff and were receptive to clients receiving social work support. However, a few offices described feeling pushback from select stakeholders. Some assistant public defenders said that they were wary of referring cases to social work staff because they worked closely with a particular judge or prosecutor that would not agree to sending a client to treatment or pursuing other supportive services as part of a case resolution. Additionally, social work staff commonly reported challenges working with jails, such as issues visiting clients in custody and problems getting jail staff to assist clients who need to complete certain requirements, like phone screenings, to access treatment programs.

"Some of the attorneys have told me like, 'it's not worth it because this judge isn't going to go for it.'" – Social Work Staff Member

"The jail really, I don't think they like my position. There is this one person [working] at the jail. He was like, 'What's the point of having [a social work staff member]?' You know, what's the point of having me?...I know that they're not too fond." – Social Work Staff Member

However, offices also acknowledged that many court system stakeholders might not fully understand or appreciate the role of the social work staff member. Some social work staff were unsure whether local judges and prosecutors knew they had been hired. Most offices have not made a direct effort to introduce or advertise the availability of social work staff to local court officials.

Ethical Conflicts

Potential ethical conflicts between social workers and attorneys can create challenges when integrating social work staff into the public defender's office. Particularly for social work staff members who carry some kind of professional licensure, there can be tension between the ethical standards for social work and the ethical codes that govern attorneys.¹⁰

The most frequently raised potential ethical conflict pertained to mandatory reporting of suspected child abuse and neglect. In a typical social services setting, social workers are viewed as mandatory reporters, and social workers learn about obligations to report suspected child abuse and neglect as part of their training. However, if a client were to disclose information about possible child abuse or neglect that could negatively impact a pending case or put them in jeopardy of new criminal charges, many attorneys would consider that confidential information obtained during the attorney-client relationship that may not be reported. As discussed above, the offices view social work staff as operating at the direction of the attorney and bound by attorney ethics. However, real-world scenarios could present conflicts. Additionally, North Carolina law does not carve out an exception to mandatory reporting for social workers in public defender offices.¹¹

No office described encountering a situation where there was a significant ethical conflict between attorneys and social work staff. When asked about mandatory reporting specifically, some social work staff were quick to say that they would notify the attorney if they felt a reportable disclosure had been made and take the Chief Public Defender's direction on next steps. Others were less sure, saying they might feel obligated to report no matter what the attorney advised. While mandatory reporting is just one example of a possible ethical conflict, it illustrates a broader challenge of developing an interdisciplinary defense team.

Recommendations

Based on the insights from participating offices, this section presents recommendations public defender offices may consider if they are interested in adding or expanding social work capacity.

1. **Start by assessing client needs and community resources.** Offices looking to add or expand social work capacity might benefit from first creating an inventory of the most pressing client needs and the existing community resources designed to meet those needs. This exercise can help identify areas where the social work staff member can have the greatest impact.¹²

¹⁰ The National Association of Social Workers Code of Ethics, which is the most widely cited set of professional standards for social workers, can be found here: <https://www.socialworkers.org/About/Ethics/Code-of-Ethics/Code-of-Ethics-English>.

¹¹ For more information and discussion on mandatory reporting for social workers in public defender offices, see Speigel, D. (2025). *Social Workers in North Carolina Public Defender Offices: Ethical and Legal Issues Involving Mandatory Reporting Laws*. https://www.sog.unc.edu/sites/default/files/reports/2025-02-20_AQJB_2025-02.pdf.

¹² Offices looking for guidance on identifying client needs and community resources can refer to this worksheet on the Lab's website, which was also used during the April workshop: https://cjl.sog.unc.edu/wp-content/uploads/2024/05/Client-Needs-Resource-Assessment_2024.5.22.pdf.

- 2. Collaborate to create a vision for the social work position.** Offices frequently cited challenges related to a lack of clarity about the social work position. Chief Public Defenders may consider consulting with existing staff, other offices that already have social work positions, and outside experts before they hire a social work staff member. Having a clear, unified vision for the position—including deciding on basic guidelines for referrals, outlining expected day-to-day tasks, and drafting benchmarks to assess performance—can simplify the process of writing a position description, hiring, and successfully onboarding a new team member. A collaborative approach can also help build buy-in among existing staff.
- 3. Select social work staff intentionally.** When selecting social work staff, offices emphasized the importance of hiring someone aligned with the mission and goals of public defense. They expressed that not everyone with a human services background will be an ideal candidate to work in a public defender's office, citing that some candidates might struggle to advocate for individuals who are charged with a criminal offense—particularly adults charged with crimes against children. Additionally, some candidates with clinical licensure may anticipate that the job will include clinical elements, like providing individual therapy to clients, and may be surprised if that is not the case. If the job will not require clinical skills, it may be beneficial to explicitly state that in the position description. Intentional hiring practices can help facilitate a strong match between the office and the social work staff member.
- 4. Prioritize structured onboarding and training for social work staff.** Chief Public Defenders and social work staff members consistently raised a lack of training and onboarding procedures as a challenge. Without structured processes, initial integration was sometimes difficult for social work staff. Offices might consider creating a simple training and onboarding checklist to ensure that social work staff members receive basic education on important topics like key legal terminology, the court process, office policies regarding information sharing, procedures for jail visits, and more. Additionally, offices might consider having formal in-house training sessions where social work staff introduce their role to other team members to help facilitate collaboration.
- 5. Plan for documentation and data collection.** Social work staff routinely reported creating their own documentation procedures, leading to inconsistent practices across offices and, in some cases, within offices. Developing a more deliberate plan for case documentation and data collection can support evaluation efforts that demonstrate impact to funders, facilitate ease of information sharing between staff members, and ensure that confidential client information is protected. Clear documentation is also beneficial during staffing transitions to ensure that a new social work staff member can pick up and follow the same procedures. Using some kind of electronic system for documentation, like a spreadsheet, is beneficial in supporting long-term evaluation and data management as opposed to relying only on paper files. In consultation with social work staff, offices may consider making a list of key variables they want to track—from basic client information (e.g., names, birth date, referring attorney), to the tasks completed by social work staff (e.g., dates of contact with clients, which services clients have been referred to), to client outcomes (e.g., which clients are accepted to treatment programs)—and creating documentation procedures specifically designed to track this information. Chief Public Defenders noted the potential benefits of tracking jail stays for social work clients, considering a reduction in the jail population can be translated directly to cost savings for the county government.
- 6. Develop community relationships.** Offices emphasized the importance of strong community relationships. We heard that positive community connections benefit clients and increase overall public trust and confidence in the public defender's office. Chief Public Defenders may want to consider incorporating

consistent community outreach into the role of social work staff, including, for example, encouraging social work staff to serve on relevant community coalitions. One Chief Public Defender specifically recommended using social work staff to help liaise with local recovery courts.

7. **Consider creative sources to increase social work capacity.** Offices frequently cited funding as the biggest barrier to adding, maintaining, and expanding social work positions. While state and local government are the most common sources of funding currently, multiple offices have successfully secured grants to fund positions, sometimes from unexpected sources. For example, the office that currently uses grant funding for their position is receiving funds through a public health nonprofit. Outside of grant-making organizations focused specifically on the criminal justice system, offices might benefit from seeking out entities that serve their specific region of the state, or those that have an emphasis on substance use, mental health, or poverty reduction. Furthermore, thirteen colleges and universities in North Carolina have Master of Social Work (MSW) programs, and they regularly look for agencies willing to take on masters-level interns. Three schools have online programs, meaning they place student interns anywhere in the state. Many MSW programs will place an intern in a public defender office even if the office does not have an existing social work staff member. Offices looking to expand social work capacity at no cost may consider connecting with educational programs to find qualified interns.¹³
8. **Be open to adapting the position over time.** All of the offices described making some kind of adjustment to their social work positions, whether those were small day-to-day changes or larger modifications in the goals and purpose of the role. Shifts in funding, client needs, office priorities, and available community services can all impact the work of the social work staff member. Chief Public Defenders may consider regular review of the social work position to ensure that the role is serving clients effectively and that other team members are still readily collaborating with social work staff.

Considerations for Future Research

This project evaluates the implementation of social work staff in North Carolina public defender offices. However, our data analysis does not speak directly to the potential impact that social work staff can have on client and case-related outcomes. As discussed in the introduction, there is a body of research suggesting that holistic defense practices, including the use of social work support, can lead to improved legal outcomes for clients.¹⁴ Still, the literature is mixed, and some studies do not demonstrate clear benefits of holistic defense over a traditional model.¹⁵

North Carolina presents a unique opportunity for further inquiry into the impact of social work staff in public defender offices. Considering that half of the offices in the state with social work staff primarily serve rural

¹³ Offices interested to learn more about Master of Social Work programs in North Carolina and frequently asked questions about social work interns can reference this handout, which was provided to participants at the April 2024 workshop: https://cjl.sog.unc.edu/wp-content/uploads/2024/05/Using-MSW-Interns_2024.4.15.pdf.

¹⁴ Anderson, J.M., Buenaventura, M., & Heaton, P. (2019). "The effects of holistic defense on criminal justice outcomes." *Harvard Law Review* 132 (3): 819-893. <https://harvardlawreview.org/print/vol-132/the-effects-of-holistic-defense-on-criminal-justice-outcomes>.

¹⁵ For a review of relevant literature on the effectiveness of holistic defense models, see Hatton, C.R. (2023). "Research on the effectiveness of a holistic defense model & social workers in public defender offices." *UNC School of Government Criminal Justice Innovation Lab*. https://cjl.sog.unc.edu/wp-content/uploads/2023/12/Research-on-Impact-of-Social-Workers_2023.12.19.pdf

communities, an evaluation could provide insight into the impacts of holistic defense on rural populations. Furthermore, because the use of social workers is not uniformly applied across the state, there are ample opportunities to compare client outcomes in offices that have social work staff versus offices of a similar size in a similar location that do not have social work staff.

The biggest challenge for future research on the impact of social work staff in North Carolina is limited data. There is very little overlap in the data collected by social work staff members, making it difficult to directly compare some variables across offices, particularly variables that relate to non-legal outcomes for clients (e.g., connection to treatment). However, using the state's standardized court records data, there are opportunities to compare legal outcomes among clients (e.g., sentencing). Additional research on the use of social workers in public defender offices could be beneficial to help stakeholders decide whether and how to implement holistic defense practices.

Conclusion

The purpose of this project was to support stakeholder interest in the expansion of social work services in North Carolina public defender offices by assessing the implementation of the social work function. Public defender offices across the state showed significant engagement in this work, including broad participation in the April 2024 workshop and a long-term commitment from seven offices involved in the implementation evaluation.

The seven offices that participated in the implementation evaluation represent significant diversity in terms of their size, geographic location, and use of social work staff. These offices prove that successful implementation and integration of social work staff can take many different forms, and that offices can leverage social work staff to meet the specific needs of their communities. Offices interested in adding or expanding social work capacity may have to overcome some of the barriers highlighted in this report, like uncertain funding and challenges developing a social work role without existing social work expertise. However, despite these challenges, every participating office expressed resounding support for their social work staff. Many of the participants we interviewed shared the opinion that every public defender's office in the state should have social work positions.

As public defender offices consider how to best use resources to serve their communities, there are opportunities to further support stakeholders through additional training, reporting, or research on holistic defense in North Carolina.

Appendix A. Staff Interview Guide

About the respondent

{Ask the following questions of every respondent}

First, I would like to ask some basic information about you.

R1. {Verify the respondent's name, title, organization, and counties served}

R2. How long have you been working for this office?

R3. Please tell me your educational background and any professional licensures or certificates that you have (JD, MSW, etc.)

R4. Tell me about your professional background. What did you do before this job?

R5. Why did you choose to work in indigent defense?

Topic 1. Social worker function position purpose and funding

{Intended respondents are the following: chief public defender and either the supervisor of the social worker function or—if there is not a supervisor—the most senior person in that function.}

This first set of discussion questions is to understand your view on the purpose of the social worker function at this office, the goals for that function, the roles that the social worker plays in this office, and funding for the position.

1. **Purpose.** Please tell me why you think this office has a social worker.

Probe: How does this role contribute to the overall mission of the office?

Probe: How does having someone in a social worker fit with the values of the office?

Probe: Is the social worker function intended to focus on specific types of cases (e.g., people with substance use needs)?

2. **Holistic Defense.** Do you feel that your office uses a holistic defense model?

Prompt: holistic defense is a client-centered, interdisciplinary approach. In addition to legal representation for the client, it provides social work support to address the circumstances that contributed to the client's contact with the criminal system—such as substance use disorders, mental health needs, and housing instability—along with the collateral consequences of the client's system involvement—such as loss of child custody.

Probe: If no, do you feel like your office is striving to use a holistic defense model?

3. **Goals.** Please tell me about the goals of the social worker function.

Prompt: The word 'goal' refers to explicit targets for the social worker to achieve. For example, the goal may be to assess every client for substance use treatment.

Probe {If so}: What are they?

Probe: Are there both short-term and long-term goals? If so, please say more.

4. **Role.** What role does the social worker have in the office?

Probe: What work is given to them, which clients do they help with, and what responsibilities and duties do they have?

5. **Partnerships and resources.** Have you consulted or collaborated with any other people or organizations to help start the social worker function?

Prompt: For example, some offices have consulted with other offices with existing social work staff to determine how to structure their position.

6. **Funding.** Please tell us about funding for the position.

a. How long have you had a social work position?

b. How is the position(s) currently funded?

c. Do you feel like the funding you have is sufficient to recruit, hire, and retain social workers?

Probe: If funding was not an issue, how many social workers would you want to have in your office?

d. Does your office use fellows or interns for the social work function, for example students in a Social Work program at a local college?

Probe {if they use fellows or interns}: Who do you partner with to provide this resource?

Probe {if they do not use fellows or interns}: What are the barriers to preventing you from using fellows or interns in this role?

e. Do you have plans to sustain or grow funding in the future?

Prompt: Do you plan to use the same funding source?

Topic 2. Recruitment, onboarding, training, retention, & evaluation

{Intended respondents for this section include the following: chief public defender, unit supervisor or chief (if there is one), senior support staff or office management (if they exist), and a senior person in the social worker function.}

These questions are about the recruitment, onboarding, training, coaching, and evaluation of social worker staff. The training questions also touch on training provided to other staff.

7. **Recruitment.** Did you have a role in recruiting, onboarding, training, coaching, or evaluating the/a social worker?

Probe: What was your role?

a. {If relevant} What are the key qualifications and skills you look for when recruiting social workers in this office?

b. {If relevant} Tell me more about your recruitment process for the social worker position.

c. {If relevant} Is there a specific set of professional experiences or qualifications you look or screen for when recruiting for the social worker function – e.g. substance use counseling rather than child welfare?

8. **Onboarding.** Tell me about the onboarding process for new social workers.

Probe: Do you have documentation of the onboarding process, and would you be able to send me a copy of that documentation?

a. How does your office ensure the new social worker understands their roles and responsibilities?

b. What resources are available to new social work hires during the onboarding process?

Prompt: Does someone mentor or coach the new social worker, for example?

Probe: If the social worker does not have a legal background, how do you get them up to speed on understanding the legal system and terms of the trade?

c. How do [did] you integrate the social worker into the team?

Probe: What are the challenges in integrating the social worker?

9. **Training.** {if not addressed in prior question} What training does your office or IDS provide for the social worker?

Prompt: Training refers to a scheduled interaction to teach staff about a specific topic or skill.

{If the office says it follows a holistic defense model}

Probe: What training for the social worker is specific to being part of a holistic practice? What training is provided to other members of the office regarding holistic practice?

Probe: Does the office use a training manual or supporting documentation, and if so, would you be able to share that with us?

a. Do new attorneys get training to introduce them to the role of the social worker?

b. How do you determine when the social worker {or person in that function} is “fully trained”?

c. Are you able to provide opportunities for continuous learning and development both for the social worker and for other staff members of the office?

10. **Retention.** What are the main challenges retaining social workers?

Probe: Have social workers left the office? Can you share reasons why they left?

Probe: Have you ever had to fire a social worker? Without telling me any confidential personnel information, can you share what the issues were?

a. What strategies have you implemented to retain social workers?

Probe: What feedback do you gather from the social worker to support retention?

Probe: Does your office support the professional growth and development of the social worker? If yes, how?

11. **Evaluation.** Do you have a process to evaluate the social worker’s job performance?

Probe: If so, how often do you evaluate performance?

Probe: If so, what criteria do you use for these evaluations? Do you use specific performance goals?

Probe: If so, are all staff evaluated in a similar way?

- a. How would the office handle underperformance or issues that might come up with the social worker?
- b. Does the office seek feedback from the staff regarding what works and what could be improved about the social worker's function on the team? If so, tell me about it.

Probe: Is there a formal feedback mechanism, meaning there is an office protocol that staff are expected to follow? Are there informal channels for feedback?

Probe: How frequently is that kind of feedback sought?

Topic 3. Operation of the social worker function in the office

{Intended respondents for this section include the following: chief public defender, unit supervisor (if there is one), and the social worker(s) and/or the person in the social worker function.}

These next few questions address what the social worker does on a day-to-day basis.

12. Referrals. Please tell me about how referrals are made to social workers.

Probe: Who makes the referrals and for what types of cases?

Probe: Are only certain staff supposed to make referrals? Do relevant staff know about and follow the referral process?

Probe: Are clients whose case or circumstances meet certain criteria prioritized for referral? What are those criteria?

Probe: Are there exceptions as to which staff make referrals or what types of cases are referred? Tell me about why and when those exceptions occur.

- a. Does the referral require documentation?

Probe: Tell me about the documentation. Is it via an electronic form? An email? Or a phone call and then the social worker completes the documentation?

Probe: What does the referral need to say or indicate?

Probe: How frequently does the social worker see clients without this documentation? In what kinds of circumstances does that occur?

- b. After a referral is made, how does the social worker then connect with the client?

Prompt: The social worker may simply call the client.

Probe: Does the person doing the referring ever attempt to do a warm handoff, by introducing the social worker to the client in person? How often does that happen?

- c. Does the social worker ever self-initiate involvement in a case without getting a referral from an attorney?

Prompt: For example, the social worker may visit the jail to identify and connect with clients.

{If yes} *Probe: If so, how does that work?*

{If yes} *Probe: What kinds of cases does this apply to? About how many cases does this apply to – most or only some of the cases that the social worker sees?*

- d. Is the referral process documented, such as in a flow chart or manual? If so, would you share that with us?

Probe: Has the office always used the current referral process, or has it changed over time? {If the process has changed} Tell me about what changed in the process and why that change was made.

13. Collaboration and information sharing among office staff. Please tell me about how social workers share information about clients with other office staff.

Probe: are there formal or documented guidelines about information sharing?

Probe: how is the information sharing done? Are there regular team meetings for information sharing on cases; is there sharing as needed on a client-by-client basis?

Probe: if regular team meetings to discuss cases: when do they occur, how frequently, how long do the meetings last, and who attends and participates?

a. {Skip this question if it is answered above}. Please tell me about how other staff share information on clients with the social worker.

Probe: Are the expectations documented?

Probe: Is there any information that attorneys explicitly do not share with the social worker? If so, why?

b. Are other non-attorney staff, like administrative assistants, expected to collaborate with the social worker?

Probe: Which staff and for what purpose? Can you provide examples?

c. How do you ensure staff continue to collaborate and do not backslide into focusing only on their own job?

d. Have you had conversations in your office about social workers' obligations as mandatory reporters of known or suspected child abuse?

Probe: How did/will your office resolve the issue about mandatory reporting of known or suspected child abuse?

Probe: Is there a documented, formal policy on mandatory reporting of known or suspected child abuse? If so, would you please send us that policy?

14. Client interaction. How do social workers interact with clients?

Probe: Do they primarily meet face-to-face, or rely on phone calls or text messages?

Probe {if they use text messages}: Do social workers use special tools in this communication, such as Uptrust messaging communication?

a. Please tell me about the intake and initial assessment process for clients who see the social worker.

Probe: What is involved in the intake and initial assessment?

Probe: Does the intake or initial assessment use any tools to determine service need, such as the AUDIT-C for alcohol use?

Probe: Where does the intake and/or initial assessment for clients take place? Does this depend, for example, on whether the client is in custody or out of custody?

Probe: How long does a typical intake and/or initial assessment take?

b. {Skip this question if it is already answered above in question 11, "Referrals"} Tell me about the social work needs of clients. What do clients typically need help with?

Prompt: Do clients typically need help with any of the following?

- *Employment or income*
- *Housing or shelter*
- *Substance use*
- *Transportation*

c. Would you say the social worker focuses on certain types of cases?

Prompt: Do they spend most of their time helping clients with a particular set of issues – like substance use?

Probe: If so, was the position intended to have this focus area? Or did that focus area develop based on the social worker's skills and/or the client population?

d. Are there needs that clients have that you feel the social worker cannot help address?

Prompt: For example, it may not be possible to provide much help to clients whose primary need is housing if there are insufficient housing resources in the area.

e. Aside from intake and initial assessments, about how many times does a social worker interact with most clients?

Probe: How frequently do social workers interact with clients?

Probe: What is the nature of those interactions? A check-in? A service referral?

Probe: Are any of the interactions face-to-face? If so, which interactions and where do the interactions occur?

f. Tell me about how the social worker refers clients to community resources.

Probe: How frequently does the social worker make external referrals?

Probe: To what types of community resources does the social worker most frequently refer clients?

Probe: Are some types of services or resources in particularly short supply, meaning there's a big gap between what the clients can get and what they need?

Prompt: For example, no available mental health providers who take Medicaid or are free of charge.

g. Does your social worker provide any services directly to clients (for example, anger management groups)?

{Follow probes If answer is yes}

Probe: Which services are provided?

Probe: Which of those services are provided frequently?

Probe: Tell me about what's involved in providing the most common services (for example, a weekly, face-to-face anger management group).

Probe: Are these services protected by attorney-client privilege?

15. Stakeholders outside of this office. Tell me about any proactive outreach to and relationship building with community stakeholders/organizations that your social worker does.

Probe: What is the objective of the outreach?

Probe: What are your most important partnerships?

a. Tell me about how other criminal justice stakeholders, like judges and prosecutors, have reacted to your office having a social worker on staff.

Probe: In your view, which criminal justice stakeholders know about your office having a social worker?

Probe: How has having a social worker on staff changed the nature and outcome of interactions with these criminal justice stakeholders (like court proceedings and plea deals)?

b. Have you faced any challenges with other criminal justice stakeholders in relation to the social work position?

Prompt: For example, have any of the stakeholders tried to influence which cases the social worker is used on?

Probe: Have these challenges been addressed, and if so, how?

Topic 4. Systems and data to track operations of social worker function

{The person in the social worker function is the intended respondent for this topic.}

Let's talk about how the office tracks the social work-related needs of clients (e.g., housing, substance use) and their progress.

16. Systems that track individual clients and their progress. How does your office keep track of case-related information for clients. Do you use paper case files? A computer system?

a. Do you use an information system other than case files to track clients' social work-related needs and their progress? The system could be an Excel spreadsheet, a dedicated case management system accessed by the social worker or part of a system that other staff in the office use.

{If yes} Probe: Please describe the information system—what is the software, what name does the office give it [if different], and who has access to and uses it?

{If no} Probe: So, the office tracks client progress—such as whether the social worker makes a referral—by recording it in the case file? There's no separate way of tracking that information?

{If respondent verifies that case files is the only way to track the information, ask the following}

Tell me about what information on clients' extra-legal needs is kept in case files.

{Then skip to question 17, about how they track outreach to and connection with the community.}

b. Tell me about what information about the client and their extra-legal needs is captured in the information system. Which of the following information does it contain?

- Client case history
- Reason for referral to the social worker
- Need for extra-legal service (e.g., need for substance use treatment)
- Referral for extra-legal service (e.g., referral to a substance use treatment provider)
- Receipt of extra-legal service (e.g., attending substance use treatment)

Probe: how is that information different from or the same as the information that is kept in case files?

c. What information does the system record regarding client contact?

Probe: Does the system record whenever the social worker {and/or person in the social worker function}, say, talks with a provider on behalf of a client? If so, how frequently does that information get entered into the system (none of the time, some of the time, most of the time, or every time)?

d. Does the social worker {and/or the person in the social worker function} use the information system to record every instance that they follow up with a client?

Probe: For example, is every follow-up call recorded in the information system?

e. When did the office start using the information system? Was there a prior system and what was it?

17. Information system that tracks community outreach and connection. Does the office keep any kind of database or list of the community resources that are available in the community?

Probe: what details does the list include about each resource? For example, does it include a point of contact, information about the type of service, etc.?

Probe: how often is this list updated?

18. Documented policies. Do you have any written policies on the use of the information systems that we have discussed?

Probe: Would you be willing to share the policy documents with us?

Topic 5. Staff impressions of the function

{Per the instructions at the top of the guide, obtain a staff roster and ask at least one person within each staff type the questions in this topic. The staff types may include:

- Assistant public defender who handles adult criminal cases
- Chief public defender
- Investigator/mitigation specialist
- Paralegal/legal assistant
- Social worker or other title of the person in the social worker function
- Support staff in an administrative role (e.g., office manager)
- Unit supervisor or unit chief who oversees staff on adult criminal cases}

Let's talk about what's working well and what could be improved about the practices, processes, and policies regarding the social worker.

Again, please tell me about the job itself rather than the person doing the job.

19. What's working well. What do you think is working well with having a social worker in the office?

Probe: how about the processes – such as the referral process – is there anything else you'd like to tell me that's working well regarding process?

Probe: how about the policies – such as what kinds of clients are referred to the social worker – is there anything else you'd like to tell me that's working well with regard to policies?

a. How does having a social worker improve clients' lives?

b. {For non-social worker staff only} Does having a social worker make your job easier? How?

20. **Improvements.** What do you think could be improved about the social worker position?

Probe: How about the processes – such as the referral process – is there anything else you'd like to tell me that needs improving about the process?

Probe: How about the policies – such as what kinds of clients are referred to the social worker– is there anything else you'd like to tell me about what policies need improving?

a. What do you think needs to be done to improve the issues you have just raised?

Probe: What actions could the office take to improve things?

Probe: What needs to happen outside of the office to improve things?

b. How do you think the social worker could be better used to support clients?

c. Are there any barriers to improving or changing the social worker's role?

d. {For non-social worker staff only} Have there been challenges in your job because of having a social worker on staff, and if so, what are they?

Probe: Are those challenges still ongoing? When did they start and end?

Probe: What do you think would stop those challenges from arising in the future?

Probe: Has your office had to deal with requirements regarding mandatory reporting of known or suspected child abuse for social workers? Has that been resolved successfully, and if so, how?

End of discussion guide

Appendix B. Office & Client Satisfaction Surveys¹⁶

Public Defender Office Satisfaction Survey – Non-Social Work Staff

Your office is participating in a study evaluating the implementation of social workers in North Carolina public defender offices. As part of the evaluation, it's important to know what you think about having a social worker on staff.

Below, there are seven statements about having a social worker on staff. Please indicate how much you agree or disagree with each statement. We are not asking you to evaluate the specific person in the social worker role. Instead, think about the job itself.

Your responses will be kept confidential and will be transmitted directly to the UNC School of Government Criminal Justice Innovation Lab, which is executing the implementation evaluation.

Your responses will not be shared with anyone at your office or with the North Carolina Office of Indigent Defense Services. Study reports will aggregate individual responses and will not include any individual responses from which you or others might be identified.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
1. I understand what the social worker's role is in my office.					
2. Having a social worker on staff makes my job easier.					
3. Having a social worker on staff improves legal outcomes for clients.					
4. Having a social worker on staff improves non-legal outcomes for clients (housing status, employment, behavioral health, etc.).					
5. The office takes full advantage of the social worker's skill set, knowledge, and abilities.					
6. I am glad to have a social worker on staff.					
7. Working in a Public Defender office that has a social worker is better than working in a Public Defender office without a social worker.					

¹⁶ The office satisfaction survey was administered to staff in an electronic format via Qualtrics. The client satisfaction surveys were printed and administered on paper.

Client Satisfaction Survey

Your Public Defender Office is part of a study of how North Carolina public defender offices use social workers. The UNC School of Government Criminal Justice Innovation Lab (Lab) is running the study. As part of the study, it's important to know what you think about working with a social worker on your defense team.

Your responses to the short survey below are anonymous and will not be traced to you. Your responses will be sent directly to the Lab study team and will not be shared with anyone outside of the Lab, including people at the public defender office. Study reports will not include any survey responses, including yours.

Below, there are six statements about having a social worker on your defense team. Please say how much you agree or disagree with each statement.

	Strongly Disagree	Disagree	Neither Agree nor Disagree	Agree	Strongly Agree
1. I understand why the social worker was involved with my case.					
2. The social worker helped me with my legal problems, like helping me get out of jail or not go to jail.					
3. The social worker helped me with other problems, like getting housing, work, or treatment.					
4. It was easy to contact the social worker.					
5. I trust the social worker.					
6. I am glad the public defender's office has a social worker.					

Thank you for your time!

Appendix C. Tracking Log Template¹⁷

Instructions

- This tracking log should be filled out each day. We ask that you complete it for three weeks, but the three weeks do not need to be back-to-back.
- All of your work should be reflected in one of these categories, meaning the "daily total" at the bottom should reflect the total number of hours worked that day. If you are having trouble breaking down your work activities into these categories, please let us know so we can make modifications.
- See the "Definitions" tab for explanations of each social work activity - we know some may overlap!

Social Work Activity	Date:	Date:	Date:	Date:	Date:	Date:
	Hours Spent	Hours Spent	Hours Spent	Hours Spent	Hours Spent	Hours Spent
Advocacy						
Alternative sentencing						
Assessment and screening						
Community resource assistance						
Crisis intervention and stabilization						
Documentation						
Driver's license assistance						
Education and employment assistance						
Housing assistance						
Mental health assistance						
Mitigation						
Psychosocial evaluation						
Release planning						
Substance abuse assistance						
Therapeutic intervention						
Administrative/Other						
Total Daily Work Hours	0	0	0	0	0	0

¹⁷ The social work tasks listed on this tracking log and their definitions are adapted from Buchanan, S. and Nooe, R.M. (2017). "Defining Social Work within Holistic Public Defense: Challenges and Implications for Practice." *Social Work* 62 (4): 333-339. <https://doi.org/10.1093/sw/swx032>.

Advocacy

Educating the public, working on behalf of clients in court

Alternative sentencing

Proposing strategy to divert clients from incarceration

Assessment and screening

Identifying and evaluating presenting problems

Community resource assistance

Planning, securing, or coordinating a range of services

Crisis intervention and stabilization

Providing immediate intervention to reestablish coping strategies

Documentation

Writing case notes or otherwise recording client interactions and progress

Driver's license assistance

Providing information and guidance for reinstating driving privileges

Education and employment assistance

Giving clients guidance with applications and linkages to resources or jobs

Housing assistance

Identifying and assisting clients with securing appropriate housing

Mental health assistance

Planning or securing inpatient or outpatient mental health services

Mitigation

Identifying factors that contribute to fair sentencing

Psychosocial evaluation

Conducting in-depth examination of client and environment

Release planning

Combining the aforementioned services to assist reintegration after incarceration

Substance abuse assistance

Assessing, planning, and assisting clients in securing substance use services

Therapeutic intervention

Psychotherapy, counseling, and psychoeducation

Administrative/Other

Any other extraneous tasks not covered in the above categories

Appendix D. Social Work Data Inventory

Five of the seven participating offices had deidentified sample social work case files for our team to review. Some were paper files while others were spreadsheets that tracked client information and social work tasks. Using these case files, we created an inventory of variables that are tracked within and across offices. As seen in the table below, there is limited overlap between offices in terms of their data collection practices. However, there are potential alternative sources for some of this information. For example, case-related outcomes—while not tracked consistently by social work staff—could be obtained from court records data.

	Office A	Office B	Office C	Office D	Office E
Client Information					
Client Name	X	X	X	X	X
Public Defender Unique ID Number			X		
Date of Birth			X		X
Age at Arrest			X		
Documented Client Needs (i.e. substance use, housing, etc.)			X	X	
Internal Attorney Referral Information					
Referral Date	X		X	X	X
Assigned Attorney(s)			X	X	X
Attorney Request	X		X	X	
Request Completion Date				X	
Case Information					
Felony or Misdemeanor Charge			X		
County of Initial Charge	X			X	X
Custody Information					
Date Arrested	X				
Date Released	X				
Number of Days Incarcerated	X				

	Office A	Office B	Office C	Office D	Office E
Internal Social Work Services Provided					
Completed Assessments		X	X		
Provided Bus Pass	X				
Disposition Planning			X		
Records Requests				X	X
Mitigation				X	X
Other Detailed Tracking of Various Social Work Tasks ¹⁸				X	
Community Referral Information					
Referral Type	X	X		X	
Referral Submitted Date				X	
Referral Completed Date				X	
Referral Outcome	X				
Referral Provided (Y/N)				X	
Referral Source		X			
Client Contact					
Jail Visit				X	X
Client Contact (Out of Custody)		X		X	X
Family Contact				X	X
Team Meeting		X			X
Client Outcomes					
Connected to Services	X				
Declined Services	X				
No/Lost Contact with Client	X				

¹⁸ In Office D, the social work staff member reports how frequently they engage in wide variety of discrete social work tasks, including ROI signature requests, assisting with trial prep, attending in-house trainings, giving testimony in court, and conducting collateral interviews for mitigation purposes.

	Office A	Office B	Office C	Office D	Office E
Client Outcomes Cont.					
Admitted to Mental Health Program	X		X		
Completed Mental Health Program	X		X		
Admitted to Substance Use Program	X		X		
Completed Substance Use Program	X		X		
Other					
Free text notes with additional information on referrals, client outcomes, client needs, etc.	X		X	X	X

The UNC School of Government is non-partisan, non-advocacy and responsive to the needs of public officials. We do not advocate for any political ideology or policy outcome or allow our personal beliefs or those of our audiences to influence our work.

This paper may not be copied or posted online, nor transmitted, in printed or electronic form, without the written permission of the School of Government, except as allowed by fair use under United States copyright law. For questions about use of the document and permission for copying, contact the School of Government.

© 2025 School of Government. The University of North Carolina at Chapel Hill