

UNITED STATES DISTRICT COURT

EASTER DISTRICT OF LOUISIANA

ADAM A., BARRY, B., CHARLES C.,  
DONALD D., EDITH E. AND FRANK F.,  
by his parents JOHN and MARY F.,  
individually and on behalf of all  
others similarly situated,

Plaintiffs

CIVIL ACTION

NO. 86-1928

-against-

SECTION: I

SANDRA ROBINSON, M.D.,  
in her official capacity as Secretary  
of the Louisiana State Department of  
Health and Human Resources, ELLIOTT ROBERTS,  
in his official capacity as Director of  
Charity Hospital of Louisiana, and Edwin W.  
EDWARDS, in his official capacity as Governor  
of the State of Louisiana,

Defendants

DIVISION: 4

CLASS ACTION

MOTION OF THE NATIONAL ASSOCIATION  
OF SOCIAL WORKERS, LOUISIANA CHAPTER,  
TO FILE BRIEF  
AND PARTICIPATE AS AMICUS CURIAE

NOW INTO COURT, through undersigned counsel, comes the National  
Association of Social Workers, Louisiana Chapter, and moves the Court for leave  
to file a brief and participate in this action as amicus curiae for the reasons  
set forth in the attached memorandum.

Respectfully submitted,



SUSAN L. KRINSKY  
832 Pine Street  
New Orleans, Louisiana 70118  
(504) 865-9773

Attorney for the National Association  
of Social Workers, Louisiana Chapter

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CERTIFICATE OF SERVICE

I do hereby certify that I have on this 3<sup>rd</sup> day of June, 1987, served a copy of the foregoing pleading on counsel for all parties to this proceeding, by mailing the same by United States mail, properly addressed, and first class postage prepaid.

Susan L. Krasney

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MEMORANDUM IN SUPPORT OF  
MOTION TO FILE BRIEF  
AND PARTICIPATE AS AMICUS CURIAE

MAY IT PLEASE THE COURT:

The National Association of Social Workers (NASW), Louisiana Chapter,  
is a non-profit professional organization with a special interest in the mental  
health system in Louisiana and, in particular, the crisis intervention services  
that are the subject matter in this case.

NASW, Louisiana Chapter, has 1600 members and is a branch of the  
National Association of Social Workers, Inc., which was formed in 1955 and has  
more than 100,000 members nationwide. The objectives of social work as set  
forth by the organization include:

- Help people obtain resources.
- Make organizations responsive to people

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-Facilitate interaction between individuals and others in their environment.

-Influence interactions between organizations and institutions.

1 Encyclopedia of Social Work 751 (1987).

The greatest proportion of NASW members (26.6% in 1982) work in mental health settings. 2 Encyclopedia of Social Work 337, 358 (1987). As one of the four core professions <sup>1/</sup>working in the mental health field, social workers' roles involve working with individuals and families in high-stress situations and making maximum use of family and community resources to solve problems. Social workers assess the personal needs of their clients, provide direct service, and coordinate treatment efforts by other professionals.

The NASW Standards for the Practice of Clinical Social Work include the following:

Standard 4. Clinical social workers shall be knowledgeable about the services available in the community and make appropriate referrals for their clients.

#### Interpretation

In accordance with the definition of clinical social work . . . the perspective of the person-in-situation is central to clinical practice. Therefore, clinical social workers must be alert to the clients' situations, especially those that affect the clients' behavior and functioning, and must be able to modify the environment, when possible, by referrals to other community services. There will also be occasions when advocacy on behalf of a client will be necessary to obtain needed services.

<sup>1/</sup>The four core mental health professions are psychiatrists, psychologists, registered nurses, and social workers. Within the mental health field, social workers are second in number only to registered nurses. 2 Encyclopedia of Social Work 128 (1987).

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When a client is being served by other agencies, the clinical social worker shall maintain collaborative contacts as necessary with the other providers to ensure the coordination of services and the client's receipt of optimal benefits from the various services.

The NASW Code of Ethics and Summary of Major Principles includes the following:

II. THE SOCIAL WORKER'S ETHICAL RESPONSIBILITY TO CLIENTS

Rights and Prerogatives of Clients. The social worker should make every effort to foster maximum self-determination on the part of clients.

The purposes of and policies behind the profession of social work, then, touch in significant ways on the issues in this case. In addition, members of NASW, Louisiana Chapter, are likely to have professional relationships with the plaintiff class.

Many of the patients of Charity Hospital's Crisis Intervention Unit (CIU) are poor or indigent. Such individuals are most likely to be clients of social workers, both for direct treatment and linkage to other services, 1 Encyclopedia of Social Work 417 (1987). Indeed, social workers are frequently the point of entry into the mental health system for this population. Therefore, social workers have a special interest in plaintiffs' treatment at the CIU.

In light of the strong and long-held interest of NASW, Louisiana Chapter in the issues in this case, as demonstrated by the foregoing, the Board of Directors of the Louisiana Chapter of NASW has voted to petition the court to be permitted to submit briefs as a "friend of the court" in this action. NASW's national office supports the Louisiana Chapter in this position.

If granted amicus status, the Louisiana Chapter of NASW could provide

information in such areas as the availability of community resources and support services, the appropriateness of various types of services, linkage between the health care system and the community at large, and coordination of available services.

NASW, Louisiana Chapter, hopes to offer the Court access to the expertise of its members and to make other contributions for the benefit of the mentally ill, the mental health system, and the citizens of Louisiana who may find themselves in need of crisis intervention services.

Amicus curiae motions, while permitted at the sole discretion of the court, have been allowed in controversies where the amicus "has a special interest that justifies his having a say." Strasser v. Poorley, 432 F.2d 567, 569 (1st. Cir. 1970). Trial courts have permitted the filing of briefs amicus curiae in cases in which the expertise of the amicus would be useful to the court. See, e.g. Hubert v. Saucier, 347 F.Supp. 152 (N.D. Ga. 1972), a suit challenging a state plan for aid to families with dependent children administered by State defendants, wherein the U.S. Department of Health, Education and Welfare was requested to present a brief to assist the court.

#### CONCLUSION

In this case, the National Association of Social Workers, Louisiana Chapter has a special interest in the outcome of this case that justifies its having an opportunity to express an opinion regarding the court's decision with respect to the Crisis Intervention Unit at Charity Hospital, New Orleans. The organization offers to become a friend of the court and to offer the perspective of professionals interested in the mental health system and the welfare of Louisiana's citizens.

For the foregoing reasons it is submitted that the Motion of the National Association of Social Workers, Louisiana Chapter to file Brief and Participate as Amicus Curiae should be granted.

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Attorney for The National Association  
of Social Workers, Louisiana Chapter

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