Managing Stress in Courtroom Environments


“I remember going to court and doing a termination [of parental rights case] and I felt like I was a piece of meat and the sharks were swimming around me and taking little pieces out of me. And then I remember we had a break and one of the attorneys said, “I don't know why you're taking this personally.””

Suburban Child Welfare Worker (Vandervort et al., p 546)

This quote vividly describes the stress or tension many social workers experience in their interactions with legal professionals in courtroom environments. Vandervort and colleagues (2007) found that a number of child welfare workers perceive work with lawyers as extremely stressful. Furthermore, researchers are beginning to explore a connection between the stress of these interactions and burnout and turnover in child welfare.

Factors contributing to courtroom stress are abundant and wide-ranging. Perceptions and misunderstandings combine with structural and operational factors to exacerbate the tension. For instance, an attorney’s zealous advocacy on behalf of a client can be perceived by a social worker as blaming or attacking. The adversarial nature of the court often discourages productive communication among legal and social work professionals. On the other hand, attorneys are often confused and distressed over what they may perceive to be emotional reactions by social workers.

It is true that child welfare workers may not have an adequate understanding of courtroom culture and norms. Those factors are not traditionally addressed in social work education. The possibilities for confusion and misunderstanding are many across the system and particularly around roles and responsibilities of the various participants that operate within the courtroom environment. An attorney representing a parent in one case may be serving as the GAL in another. In addition, turnover in both child welfare and the legal arena contributes to lack of both expertise and continuity. Turnover itself contributes to higher case- and workloads for professionals who stay, which in turn can result in delays in hearings which impact the court and all professionals working with it.

**REMEMBER:** It’s not personal. It’s business.
Studies have also identified other factors contributing to stress, factors shared by child welfare and judicial systems alike. Federal legislation instituting judicial oversight and accelerated timeframes for permanency creates pressure on both workers and judicial and legal partners. Both systems are overburdened and underfunded. In addition, they may lack the political clout to garner adequate resources. As a result both agencies and courts may be unable to hire sufficient personnel causing caseloads to rise and staff turnover to increase. Similar to child welfare social workers, legal professionals working in child welfare courts often share an undervalued status among their peers.

Strategies for managing stress are most successful when they are pursued simultaneously at two levels – individual and organizational/system. At the individual level, stress management strategies typically focus on changing the ways that individuals responds to stress and/or increasing coping capacity. Examples of this type of stress management includes relaxation techniques, time management, conflict resolution, and cognitive-behavioral programs.

Stress management at the organizational or systemic level involves changing the organizational environment to ameliorate factors that contribute to stress. Examples of organizational-level interventions include court improvement projects, cross-disciplinary training, structured systems meetings, informational meetings and informal gatherings. These types of collaborative efforts between legal, judicial and child welfare agencies can facilitate communication, build positive working relationships and develop a culture of respect among professionals within the system.

Training is a commonly suggested intervention. Training needs to be focused on both specific, job-related knowledge and skills including increasing interdisciplinary understanding. Assisting child welfare workers in understanding the ethical issues that underlie the aggressive and seemingly erratic behavior of lawyers may decrease the stress associated with these interactions. Staffing could also be improved by “role clarification including respect for professional boundaries and reducing judicial, micromanagement “of social work practice.” (p.29)