

Legislative Casework: Where Policy and Practice Intersect

LARRY P. ORTIZ

University of Maryland

CINDY WIRZ

Director of Constituent Services
San Antonio, TX

KELLI SEMION

CIRO RODRIGUEZ

Congressman
San Antonio, TX

Legislative casework is an ongoing activity in many state and federal legislative offices. Although the activity carries the implication of being a social work activity, there is little evidence from the literature, or in the field, that social workers are more than marginally employed in these positions. Reasons for the lack of professionally educated social workers in this important area of practice and politics are not clear. This paper explores the field of practice known as legislative casework, its history and purpose, and presents generalist social work examples from a Congressional district office wherein which professional social workers are employed. In conclusion the authors encourage social work presence in legislative casework and suggest increased attention to this field of practice in social work education at both the BSW and MSW levels

Key words: congress, casework, policy practice, community work, politics

Introduction

Legislative casework, also known as constituent casework, has been an integral part of constituent services in state and federal elected offices for the better part of two centuries. The service takes a page from the historic practices of social work, yet largely without professional social workers in its ranks. Davidson and Oleszek define the practice as involving the fundamental social work tasks of mediating between the larger systems and the individual (Hofer, 1999, 78). Legislative casework is micro and macro practice, using direct interventions while at the same time employing indirect social work roles, focusing on personal troubles linked to policy and regulatory issues. As a field of service legislative casework approximates many aspects of policy practice, because of its setting—in a political environment—its access to policy and regulatory change, and the linkage of constituent troubles to much larger social issues rooted in laws and program regulations. Social workers in this area of practice are poised to fill a gap identified by Haynes and Mickelson (2000) that links practice with policy change. This paper is largely a case example designed to provide an overview of legislative casework as it is practiced in a congressional district office.

At the federal level, all congressional district offices engage in some level of legislative casework, but it varies significantly from one district to another. Some congressional offices place a high priority on direct constituent services, while others place less of a priority on it. Regardless of the priority one thing congressional offices can count on is “an endless stream of constituent casework (Shapiro, 1998, 89).” The demand for casework service in district offices has increased significantly in the past few years. A study by the Congressional Management Foundation (Shapiro, 1998) reported, “53% of House offices and 42% of Senate offices receive between 1000 and 5000 cases each year, and 32% of Senate offices report more than 7500 cases annually (89).” These numbers represent a reported increase in services delivered by a majority of House and Senate offices. The average increase in casework services to constituents in the past five years is 35%. This is particularly significant because congressional offices also have reported that their caseloads have more than doubled since the 1980s (Shapiro, 1998).

The nature of casework requests, the type of casework delivered, and the priority the service receives in the office depend on a number of variables. These variables include: the district's unique needs; demographic factors such as significant populations of immigrants, aging, and veterans; temporal and historical characteristics of the district. For example, areas prone to natural disaster or those undergoing economic shifts, and the very poor or wealthy districts tend to use casework services more than middle-income districts (Johannes, 1980; Johannes and McAdams, 1987; Johannes, 1996). Additionally other variables such as the location of the office in the district, size of staff, and priorities of the district, as well as the Member's view of his/her mission in Congress also impact on the approach and priority legislative casework has in providing constituent services.

In district offices in which casework is a high priority, the staffs usually perform under very heavy loads, often exceeding more than a 100 cases each; they are encouraged to meet all needs of constituents while viewing each case situation as a high priority by exploring all avenues and recourses. Referrals to social agencies are made when there is a need for services beyond the scope of the office's resources. Frequently the staff assumes an advocate role for constituents, as defined by the social work profession (Schneider and Lester, 2001) but within very specific guidelines of House Rules or other legislative bodies. Additionally, the staff aggressively reaches out to constituents to let them know of available services that include casework. Some outreach mechanisms used in these offices are: the opening of small satellite offices in less populated areas in the district; frequent town meetings; press conferences, newsletters, on-line forums, brochures detailing services to constituents; and meetings with targeted groups with common needs, i.e. veterans, seniors, farmers, the unemployed, etc. (Shapiro, 1998). Inevitably, these types of information activities lead to high levels of constituent self-referrals.

Social work's involvement in this field of service has been selective and limited. Most district offices do not actively seek social workers for staff positions, even though the job typically demands social work skills. Legislative caseworkers come from a variety of backgrounds including, law, political science, management, public relations, etc. Staff that work in these capacities

usually receives extensive training prior to assuming the position of caseworker and in most district offices there is extensive on the job training that continues while employed. However, legislative casework is a viable field of service for social work because in its practice caseworkers utilize knowledge of relationship building skills, problem solving models, social work roles, social welfare policy, and change strategies. Persons holding these positions are able to link practice with policy in unique ways. In offices where social workers are employed as legislative caseworkers it has been found to be a natural fit. In a speech to his colleagues, one former Republican Congressman strongly encouraged other newly elected legislators to add social workers to their staffs (B. Guhman, personal communication, March 3, 1999).

Literature Review

Pontius (1996) defines congressional casework as "assistance provided by Members of Congress and their staffs at the request, and on the behalf of, constituents in their dealings with the federal agencies . . . and typically includes a problem, grievance, question of eligibility, need or other tangible interest or benefit to these individuals (1)." Historical records indicate congressional casework dating back to the Jacksonian Era (Hamilton 1992; Pontius 1996). However it was not until 1946, with the enactment of the Legislative Reorganization Act, that Members were able to hire assistants to take on a large part of the casework burden (Pontius 1996).

Because legislative casework holds varying priority levels in elected offices, casework loads vary from one Congressional District to another. There is no standard load of cases per staff person. There are a few predictors of high levels of demand for casework (Johannes 1980 and McAdams 1987), requests in districts vary with demographic variables serving as a major predictor. For example, lower socioeconomic class constituents tend to make requests having to do with "social security concerns, jobs, and military discharges" while higher socioeconomic class constituents often make requests related to "tax matters, information and documents, appointments to military academies and to express opinions (Johannes 1980, 533)."

The majority of casework requests arrives by letter or phone (Hamilton 1992) and mostly concerns government "red tape" (Baldwin 1985). Seasoned caseworkers develop knowledge of who to call to expedite for various types of constituent requests (Baldwin 1992 and Johannes 1996). The personal and professional relationships caseworkers establish with colleagues in other federal agencies are very important in obtaining salient programmatic information, knowledge of agency procedures, and providing clarifications regarding miscommunication and misunderstandings on behalf of either the constituent or agency. It has also been found that constituent troubles may be the result of contradictory program rules or procedures. In these occurrences casework and legislative work are inextricably linked. As a result of constituents bringing problems they are having with federal agencies to their congressperson's office, many programs have been amended (Hamilton 1992).

Johannes (1984) found that congressional staffers believe the most important traits for a caseworker are "empathy and sympathy, patience and persistence, knowledge of the executive branch, and ability to listen and communicate (71-72)." There are times, of course, when the constituent does not receive the results he or she is seeking, but alternatives suggested by a perceptive and knowledgeable caseworker can still address underlying needs. The focus of casework is not solely on securing benefits; an emphasis is also on providing information and facilitating communication between constituents and bureaucracy. Congressional casework helps people feel less "alienated" from government, reduces frustration, and allows people to "blow off steam" (Hamilton 1992). Johannes (1984) found that many women had made federal casework a professional career, inferring perhaps that the general view in congressional offices mirrors the traditional view of the sexes and assumes women possess highly desirable characteristics like empathy and an ability to communicate, traits indispensable to the position. He also states women were more likely to perceive casework troubles as linked to legislation, in other words able to recognize the connection between personal troubles and public issues.

As noted earlier, social workers have not necessarily been highly visible among the professions hired into legislative

casework positions. However, Baldwin (1985) asserts that many Members are starting to hire professional social workers to attend to casework in their offices. A trend that does seem to be occurring is the placement of social work students in legislative offices. Both BSW and MSW students are beginning to have these experiences in state and federal district offices. Hoefler, (1999) reports on a MSW specialization that places students in a political setting. Students going through the program are placed in a legislator's offices where they combine constituent casework with policy development. The Legislative Internship Program is a macro placement utilizing students direct practice skills and knowledge of social policy, its impact and development. Although Hoefler reports on a specific MSW program Wolk, Pray, Weismiller, and Dempsey (1996) found in their national sample of CSWE accredited programs several who reported using legislative offices for student placements. Of those programs included in the sample, most students placed in political settings were in government relations capacities providing constituent services similar to those described in this paper. Success of these placements has been noted among some state legislators. For example one State Senator in Texas is making an effort to pass legislation that would require all state legislative offices hire a social worker to handle constituent services, (L. Moore, personal communication, October 2002).

Pagliaccio and Gummer (1988) suggest social workers who are not employed in congressional offices can offer supportive services for Members and in particular their casework staff. Social workers within the district can provide Members with information regarding problems facing client groups and community, serve as a source for referrals, access to diverse communities and key informers, input on legislative issues, training and assistance to staff on casework related issues, including mental health assessments of constituents with presenting needs. These activities are consistent with the high level of political activity social workers as a profession, typically engage (Ezell, 1993). Haynes and Mickleson state that social workers have begun to understand that they can no longer leave critical issues and decisions on social policy to nameless others (Ezell, 1993, 94).

In sum, according to the literature, legislative casework has historically been as integral a part of elected officials' duties as passing legislation. It is a means by which Members represent their constituents. Approaches to this aspect of representation vary from Member and district, depending on several different variables. There are no empirical findings to suggest whether doing more or less constituent casework helps or hinders re-election. Opinions in the literature are split concerning what effect high level of legislative casework has on constituents voting patterns in future elections. Some authors (Epstein & Frankovic 1982; Serra 1994) assert that casework has a positive impact on voting behaviors of constituents, while Johannes & McAdams 1987, suggest that casework does not have a positive effect on voting behaviors, because constituents believe casework is part of the legislator's job and expect the service whether or not they support this Member with their vote. Generally, Members' response to constituent needs is because of their commitment to those they represent, not as a political ploy. Staff members employed to do legislative casework are differentially prepared educationally; most however, receive on the job training and even though they may follow a quasi-social work model for practice are not formally educated social workers.

In the following discussion the authors present a case example of legislative casework based on a generalist social work practice model. This model is presently used in a congressional district office, wherein the elected Member holds an MSW as does the Director of Constituent Services. This approach is effective in this office, where four Legislative Assistants utilize the same practice method.

Casework Process

This congressional district lies in a southwestern state that includes a portion of a major metropolitan city, but extends south and west to the border with Mexico. Despite pockets of urban life, the district is mostly rural, poor, and Mexican American. Problems and issues associated with this population are typically addressed in any of the District's three offices, all of which provide legislative casework. The congressman for this district was first

elected in 1997 in a special election held to replace the previous incumbent who died while in office. Subsequently, he has been re-elected three times. Previously, he had represented part of the district in the state's Assembly. He holds an MSW and previously held a faculty position in a School of Social Work. Shortly after taking office the Congressman put in place a casework process that would tend to the needs of constituents in the district. Next a staff was hired to attend specifically to the needs of constituents. The Director of Constituent Services, who also holds an MSW, structured an approach to legislative casework that is based on a generalist social work model.

Constituent needs requiring casework services come to the attention of the district staff through different means. People call or walk into the office to present their needs, write, fax, or e-mail their concerns to the district office. Problems and concerns are also identified when the Member holds town hall meetings in various communities. These meetings are held on a regular basis throughout the district, and focused on specific issues regarded as important to the constituents. Sometimes certain constituent groups are targeted, i.e. elderly, veterans, immigrants, farmers, families, etc., while at other times these meetings are an opportunity for the general population to provide feedback to the Member on their needs and concerns. During the question and answer portion of the meeting specific constituent needs often emerge. As problems are identified, caseworkers and other legislative assistants traveling with the Member to these town hall meetings take the opportunity to do an immediate assessment of the trouble facing the constituent and provide follow up support and intervention as needed.

When constituents request service they are asked to complete a *Privacy Act Release Form*. The *Privacy Act of 1974*, states that information from personal records held by federal agencies may not be released to anyone including the Congressional office without express and written consent. The purpose of this statute is to ensure confidentiality, and protect constituents.

The steps followed by legislative caseworkers in this example are similar to those taught in schools of social work and basis for several texts, including, Hepworth, Rooney, and Larson (1997) include: assessment, planning and implementation, termination and closure, and involve the utilization of several social

work roles in support of these phases. Professional roles most frequently used in the casework process are: broker, mediator, and advocate. As with all professional social work, good attending and listening skills are essential and self determination is an important value to continuously communicate to constituents. Legislative caseworkers believe their primary role is to comply with the wishes of the constituent, providing guidance, but not projecting their individual biases onto them. This is especially important during the planning process, as the constituent ultimately guides the direction of their case and inquiry.

Assessment

Assessment is both a process and a product, designed to determine the needs of the person, family, or group requesting the services, and the basis for planning, implementing, and evaluating services. However, information obtained at one initial interview is not always complete. In time more information emerges, and the work in progress often changes directions accordingly. Initially, caseworkers in a legislative district office must determine whether a constituent's service request is appropriate. For example, if the presenting concern is a legal matter, in which there is litigation or a need for legal representation, a referral to an appropriate source is made. The House of Representatives, Committee on Standards, "prohibits certain off-the-record comments, known as ex-parte communications directed to executive or independent agency officials, on the merits of matters under their formal consideration (<http://www.house.gov/ethics/welcome.htm>)". This restriction complies with various rules of the House, agencies, and courts prohibiting adversarial processes from undue political influence.

Most problems that come into the district office for casework are of the "desperation" nature, meaning this is the constituent's last stop after a long, fruitless, and frustrating journey. Initially, an important question to ask is where has the person previously received service or sought assistance? Followed by related questions: what agencies and/or resources have they pursued their claims for service; who have they seen at the agencies; what has been the result? Another level of assessment is whether the constituent is able to assist in the intervention process and to what degree. Specifically, the constituent's ability to negotiate

physically, their spoken and written language skills, and their ability to read and comprehend, are important factors in gauging to what degree a constituent will be able to assist in their effort. Some constituents suffer from mental illness, which impact their ability to provide information, make decisions, and assist on their own behalf. The caseworkers ability to assess and work effectively with a wide range of mental abilities is very important. Knowledge from this level of the assessment help to determine the breadth of resources needed for working this case. Differential diagnostic skills often are useful, for at least two reasons, one as guidance for proper and appropriate communication, and two for making an appropriate referral for mental health services.

Another area legislative caseworkers must be mindful are the expectations the constituent has for the Congressional office staff or Member to solve their problems. Some people believe that because the Member is a part of the federal government, s/he can resolve all government-related problems. Determining the realistic expectations of what the legislative caseworker can actually do for the constituent and discussing this with the client is important during the assessment phase. Throughout the assessment phase, and throughout the entire relationship, the caseworker proceeds with a degree of informed, cautious optimism. Direct, sensitive, honest, discourse is of essence in the communication because people who are in crisis, desperate, or emotionally unstable often have unrealistic expectations. Unmet expectations can cause constituent dissatisfaction with the Member's efforts, therefore, clear and frequent communication of ongoing efforts and the realistic limits of the caseworker are important to periodically reinforce.

Planning and Implementation

These phases of the casework process, although conceptually different, often occur simultaneously. Choosing an intervention strategy precedes, in moments only, the implementation. Several considerations are made at this point, these are: the range of services needed, the various roles the social worker will need to assume, how to involve the constituent meaningfully in the problem solving process; who in the caseworker's or constituent's system can be drawn upon for assistance; and, a reasonable timeline for

evaluating progress and attaining the desired outcome. Time is a variable of an interesting nature in legislative casework. On one hand it is limited by a sense of urgency because the constituent presents a crisis or the problem has reached its "end of the line". Also, caseloads are heavy, in this office especially. While on the other hand, time is also out of the control of both the constituents and workers because the issue almost always involves other agencies with whom the caseworker has to interact and work within their time frame. Therefore, seldom are constituents put on a schedule of a fifty-minute appointment every week. Rather, it is not uncommon for a case to experience a flurry of activity over a day or two, followed by days or weeks of only phone contact. Setting timelines, is sometimes tricky, but nonetheless an important aspect of the planning and implementation phase.

Hepworth, Rooney, and Larsen, (1997) define three systems linkage roles that serve as the basis for practicing caseworkers during this phase of providing constituent services: broker, mediator, and advocate. As a broker, the caseworker's ability to make important and useful linkages on behalf of their constituents is essential. An important part of the job is developing and maintaining contacts with persons in other governmental and social welfare agencies who can provide a wide range of information and services for constituents. Often these relationships can result in maximizing the efficacy of a referral, by cutting through the layers of bureaucratic red tape and moving toward a solution quicker. For instance, upon receipt, most federal agencies will respond to a congressional inquiry between 30 and 45 days. Although the time line for issuing responses may vary from agency to agency, it is widely accepted that a congressional office will most likely receive responses more rapidly than a constituent acting on his/her own.

However, it often occurs that providing brokering services are not enough, making further caseworker involvement necessary. Hepworth, Rooney, and Larsen (1997) define a second role, mediator/arbitrator, which caseworkers employ to "eliminate obstacles to service delivery (28)" in a manner that creates a win-win situation for both parties. As noted earlier, the legislative district office is often the last resort for constituents seeking assistance. It is not uncommon that they have been denied services to which they

believe they may have been entitled, because of poor communication, inadequate information, and/or simply falling through the cracks. The role of mediator requires the caseworker to utilize skills to foster a relationship and rapport between constituent and other social welfare personnel to obtain any necessary services the constituent believes they are entitled.

Constituent advocacy is a third role used by legislative caseworkers. Working exclusively on behalf of the client to obtain a needed resource for an unresponsive system or agency (Hepworth, Rooney, and Larsen, 1997; Schneider and Lester, 2001) is a tricky, but necessary role legislative caseworkers consistently negotiate. Because of House Rules on ethics, legislative caseworkers are constantly aware that they cannot overstep the advocate role. They cannot for example represent constituents in any formal way at hearings, grievances, or other legal or administrative proceedings, for this would be a violation of the House ethics rules. But, as noted, advocacy on behalf of constituents in terms of exploring avenues of recourse, negotiating reviews, truncating procedures, etc. are routine activities of legislative caseworkers, and within ethical guidelines. Many caseworkers also try to use this role as a teachable moment for constituents by providing both a model and information for how to locate their own resources, information and solutions. Some individuals do not have the capacity to act on their own. In these situations the caseworker must assume a more prominent role in working with the constituent, always ensuring the constituent's right to determine the direction of the case.

The following case scenarios illustrate the incorporation of these roles in the legislative casework in this congressional office. The three vignettes illustrate two levels of legislative casework, one which is direct practice in nature and focuses on work with a constituent denied welfare compensation because of slipping through bureaucratic cracks, while the other two demonstrate how constituent experiences uncover gaps in social or program policies that can be used to lead to policy or regulatory changes.

Case Vignette: Direct Practice

Jeremy is a 49 year old, Mexican American veteran, who served in the military from July 1978 to November 1979. While

in the service he stated that he suffered constant harassment and racism. As a direct result, he stated that a previously diagnosed mental health condition (Paranoid Schizophrenia) became exacerbated and caused him to be unable to function within the parameters of the United States Military. This exacerbation led to a further inability to function in a job setting after leaving the military. Therefore, due to his time and experiences in service he believed that he should receive service-connected benefits for this impairment. He filed for these benefits through the Department of Veterans Affairs.

The Code of Federal Regulations defines 'service-connected', "with respect to disability or death, that such disability was incurred or aggravated, or that death resulted from a disability incurred or aggravated, in line of duty in the active military, naval, or air service (38CFR 3.1k)." A service-connected condition may be found to impair the individual to the point his/her ability to otherwise function in everyday life is restricted. Service-connected conditions are rated in percentage of impairment terms. For example, if a person who suffered a severely broken leg while in active military service developed a limp in his/her gait as a result and can prove that the limp is a direct result of the service injury, could be eligible for a service-connected disability if it interferes with daily life. But, the degree of eligibility is dependent on how much it interferes with the person's ability to be gainfully employed and assume other socially expected civilian or familial roles. This degree of impairment can range from 0% to 100%, resulting in veterans receiving prorated monthly compensation.

Jeremy came to this congressional office because he was unable to develop any further avenues to pursue his claim on his own. The caseworker's first responsibility was to define what the constituent wanted. In Jeremy's case he wanted to be compensated for the aggravation of a mental health diagnosis.

Because of Jeremy's condition, it was necessary for the caseworker to broker links, to community resources for him to access ongoing mental health counseling. The caseworker also had to encourage Jeremy to become engaged in outside activities as a means of establishing boundaries, preventing him from becoming dependent on the caseworker. In the case of Jeremy, who enjoys

talking on the phone, referrals were made to community agencies for mental health services and to local prayer lines to volunteer his services. The caseworker also had to serve in the roles of mediator and advocate for Jeremy with the Department of Veterans Affairs. This was to ensure that Jeremy received all due consideration of his claim and that all the evidence was thoroughly reviewed, as Jeremy seemed to be unable to mediate on his own.

Jeremy's claim was resolved after 10 years and the involvement of two Members of Congress. He was awarded 100% service connection for his mental health diagnosis in the early 1990s. Today Jeremy is pursuing a claim for retroactive pay back to the date of discharge. He no longer needs the legislative caseworker or a Member of Congress, as he is acting on his own behalf as he pursues his claim knowing that the key element for working with the Veteran's Administration is time.

All three social work roles identified earlier were used in this case. For example, utilizing brokering, the caseworker set up contacts for the constituent to have mental health counseling as well as to have avenues for volunteer work. These two avenues provided him both therapeutic and activity outlets, which served him well throughout the process. She also worked as a mediator between Jeremy and the VA. It was necessary for specific information to be given to the VA, and the caseworker worked with Jeremy to provide that information. Constituents sometimes are unable to decipher what is being asked of them, and therefore the caseworker steps in to assist by interpreting confusing and requests that are sometimes worded in technical bureaucratic terms. And, as an advocate for Jeremy, the caseworker had an ethical obligation to be vigilant on his behalf, as he was awarded over \$100,000 for his service-connected disability. As a man with a mental health condition and a trusting spirit he made a good target for those with less scrupulous motives. Therefore, she worked with his family members to ensure his safety and security and developed means to protect Jeremy's interest.

In this capacity as a legislative caseworker the social worker worked through the social welfare system using her knowledge and skills to assist Jeremy, whose interests had slipped through the cracks of an unresponsive system. Her various roles included clinical assessment and referral of Jeremy for mental health services, advocating to the Veteran's Administration on his behalf,

monitoring communication between Jeremy and the Veteran's Administration, and helping to create a protective environment for him that included family, volunteer and social agencies. After safe guards were in place, the case was closed based on the constituent receiving the services to which he was entitled.

Some cases can take years to resolve, like Jeremy's did. But, this process cannot go on forever, therefore, time lines are very important to discuss with the client in both the planning and implementation phase. A balance between the needs, as well as expectations, of the constituent and the grinding gears of governmental bureaucracies is delicate one to maintain. There must be a reasonable time line given to the constituent for follow up.

Case Vignette: From Practice to Policy

Individual work with constituents can lead to identifying gaps in public services. With access to the legislative branch, the member of congress in particular, issues identified in the casework relationship can lead to efforts to change the policy or regulatory procedures. Examples of these are discussed below.

Ms. Montoya is a 65 year old recently retired constituent who is living on a small fixed income and insured by Medicare. She is a diabetic who has suffered from the disease since she was in her late 40s. Because of the advanced nature for her illness she needs to have frequent tests that she now finds are not covered by Medicare. She presents to the legislative caseworker distraught, worried about not obtaining the medical care she needs because she does not have money to pay out of pocket for the tests she needs. Meeting her most immediate needs, after assessing the situation, the legislative caseworker refers Ms. Montoya to an appropriate community health center who can perform the diagnostic procedures without payment. Meanwhile, the caseworker researched the Social Security Act and confirmed that these procedures are not covered. This is particularly problematic for this constituent population because of the epidemic nature of diabetes among Mexican Americans. At a subsequent discussion with the Congressman the staff member reported her findings regarding the gap in the Medicare law and the problem this created for Ms. Montoya. Further research on the issue was done by the legal staff and other caseworkers in other districts to gain a perspective of the scope of the problem. Subsequently, the Congressman asked his legislative and legal staff to further research this issue and then signed on as a co-sponsor for H.R. 2236 Access

to Diabetes Screening Services Act of 2003 that amends Title XVIII of the Social Security Act to provide coverage under the Medicare Program for diabetes laboratory diagnostic tests and other services to screen for diabetes. At the time of this writing this bill is in the Subcommittee on Health of the Energy and Commerce Committee, and in the House Ways and Means Committee. The bill has 39 co-sponsors.

Rufus, a constituent currently in the military contacted the District Office regarding ineligibility for educational benefits as he was contemplating retirement from active duty. He had been under the impression that he was eligible for education benefits after his career in the military. He found out though he was not eligible for benefits as he had missed an opportunity to sign up for such benefits several years ago, and money had not been deducted from his pay. Rufus had serious concerns about this for a number of reasons. The missed opportunity to sign up for educational benefits is not always clear to service personnel. Furthermore, with only a short window open for signing for these benefits a person's life situation may significantly change over the course of a military career making an earlier irrevocable decision more problematic later in life. Rufus does not believe in getting something for nothing, all he wanted was another chance to contribute to his educational fund while in active service. Although there was nothing the legislative caseworker was able to do for this constituent at the time he presented, she did research on the question and brought it to the attention of the Congressman. He subsequently asked his legislative staff to research the issue further and they determined this was indeed a problem that many military personnel face. After careful evaluation the Congressman asked his legislative staff to draft a bill that would address this situation. He subsequently introduced H.R. 2174, Educational Access for America's Soldiers Act of 2003 designed to amend Title 38, United States Code, to provide for any service member who did not enroll for the program of educational assistance under the Montgomery GI Bill an opportunity to enroll for that program. The bill provides an opportunity for military personnel a second chance at signing up for educational benefits by allowing the individual to make an irrevocable election for entitlement to basic educational assistance under the Montgomery GI Bill, if the individual meets the following requirements: 1) first became a member of the armed forces or entered active duty before, on, or after July 1, 1985; (2) has served on active duty without a break in service and continues to serve for some or all of the year before enactment of this Act; (3)

has completed requirements of a secondary school diploma or the equivalent of 12 semester hours in a program leading to a standard college degree; and (4) is discharged or released from active duty honorably. At the time of this writing the bill has four co-sponsors and has been referred to the Subcommittee on Benefits of the House Veteran's Affairs Committee, and the House Services Committee.

These scenarios demonstrate the access legislative caseworkers have to impacting policy. Because of their unique position they have the capacity to assist constituents with immediate concerns and also influence changing laws and regulations that may help to eliminate the source of many social problems and prevent similar distress for others.

Throughout this whole process, the importance of good listening skills and relationship building should never be underestimated. At every step of the casework process these social work skills are employed. Constituents present in severe hardship when they finally arrive at the district office, requiring social workers practice their clinical skills to diffuse some of the anger, frustration and hopelessness felt by the constituents when dealing with the overwhelming task of working with a federal agency. Caseworkers then take those feelings and work to channel it into positive actions the client can pursue on his/her behalf. Additionally, the caseworker frequently must use their assessment skills to make proper referrals to agencies on behalf of their constituents if there are unattended problems that persist, as in the case of Jeremy's mental health needs, and Ms. Montoya's health needs. Relationship skills are also very important to working with other systems on behalf of constituents. As demonstrated in these vignettes work on behalf of a constituent involves many other systems and good relationships are essential to make things happen for the benefit of the person in need.

Termination and Closure

Termination indicates that a problem has been resolved and that no further action is needed, or possible. This can be the result of a positive or negative decision from a federal agency. One of the most difficult aspects of the latter type of termination is accepting there is nothing more that can be done for the constituent and sharing that decision with them. There are circumstances where

a termination is necessary due to the fact that all avenues have been exhausted; for instance, appealing a case to the highest levels of a federal agency, to have it denied and nothing short of a legal action would be possible. In this case termination would have to take place despite the constituent's expectations and desires.

Closure, refers to the constituent moving on and is empowered to act on their behalf. Legislative caseworkers invest much into the relationships with constituents and constituents also share with the worker trust and hope. Closing is typically difficult, as in Jeremy's case. His caseworker helped him to achieve his goal of getting service connected disability compensation, but also formed a relationship with him of lasting quality.

At termination and closure referrals for other resources is a major consideration. Some constituents need no referrals, having tapped into appropriate systems while working with the caseworker. Others need these referrals for possible resources to meet current and future needs, such as financial assistance, food, clothing, guardianship, as in Jeremy's case, or health care assistance in Ms. Montoya's situation.

Summary and Conclusions

Legislative casework is a practice area conducted within an elected person's office designed to aid constituents with a variety of problems, most of which are related to unmet or insufficiently delivered services. The model for practice used in this discussion is based on the generalist problem solving approach taught in School's of Social Work and utilized by social workers in a variety of professional settings. Legislative casework can well be designed as a practice site for policy practice. Many aspects of policy practice discussed in the literature (Figueria-McDonough, 1993; Jansson, 1984; Jansson, 1994, and Wyer, 1991) are an integral part of legislative casework. For example, social workers engaged in legislative casework continuously combine direct practice with the full knowledge of the social policies' impact on constituents and the community, and the importance of developing social policy to be more responsive to the needs presented by constituents and community. This role fills a gap identified by Haynes and Mickelson (2000). They state . . . "[A]llybyst cannot sway a legislator on a piece of legislation . . . without statistics, scenarios,

or both to back up his or her position, . . . and the practitioner on the frontline . . . often develops particular insight into social problems as well as firsthand knowledge of the target population (74).” Legislative caseworkers are among those on this frontline. A vision for this field of practice is that legislative caseworkers can bridge a gap between aggregated practitioner diagnosis and the data necessary to impact the political arena (Haynes and Mickleson, 2000, 76).

It is the belief of the authors that legislative casework is a field of practice in which more social workers need to enter and schools of social work need to prepare students for careers. Entry into this field of practice can begin with the placement of students in district offices for their practicum, (Wolk, Pray, Weismiller, and Dempsey, 1996; Hoefler, 1999; L. Moore, personal communication, October 12, 2002). These types of placements can fit into the curriculum at all levels, BSW generalist, MSW foundation and concentration. Although some have questioned whether legislative casework is indeed generalist practice, (Wolk, Pray, Weismiller, and Dempsey, 1996; Hoefler, 1999) we have demonstrated in this paper the use of the generalist model for practice in this setting. Students in this setting use a generalist problem solving model, engage in direct and indirect service with clients and systems, and utilize a myriad of social work roles. As a stronger link between education and this setting are developed, there will be an increase in the conceptualization of standardized practice principles resulting in more effective and efficient services to constituents.

With social workers becoming increasingly active in politics (Ezell, 1993), as formal and informal lobbyists, legislative assistants, and elected officials, the opportunity for social work, as a profession, to lay claim to legislative casework is ripe. As a profession wholly dependent on social policy for practice, the profession needs to continue to find ways to increase its presence in the policy arena.

References

- Baldwin, D. (1985, September/October). Taking care of business. *Common Cause Magazine*, 11, 17–19.
- Code of Federal Regulations 38CFR 3.1k
- Congressional Research Service (November 19, 1996). Casework in a Congressional Office (CRS publication). Pontius, J.S.

- Epstein, L. K. & Frankovic, K. A. (1982). Casework and electoral margins: Insurance is prudent. *Polity*, 14, 691–700.
- Ezell, M. (1993) The political activity of social workers: A post-Reagan update. *Journal of Sociology and Social Welfare*, 20 (4) 81–97.
- Figueria-McDonough, J. (1993) Policy practice: The neglected side of social work intervention. *Social Work*, 38, (2), 179–188.
- Hamilton, L. H. (1992). Constituent service and representation. *Public Manager*, 21, 12–15.
- Haynes, K. and Mickelson, J. (2000) *Affecting Change: Social Workers in the Political Arena*. Boston: Allyn and Bacon.
- Hepworth, Rooney, and Larson (1997) *Direct Social Work Practice: Theory and Skills*. 5th edition. Pacific Grove, CA: Brooks/Cole Publishing Company.
- Hoefler, R. (1999) The social work and politics initiative: A model for increasing political content in social work education. *Journal of community practice*, 6, (3) 71–87.
- <http://www.house.gov/ethics/welcome.htm> *House of Representatives Code of Ethics*. Accessed 11/13/02.
- Jansson, B. S. (1984) *Theory and practice of social welfare policy: Analysis, processes, and current issues*. Belmont, CA: Wadsworth.
- Jansson, B. S. (1994) *Theory and practice of social welfare policy: Analysis, processes, and current issues*. (2nd edition) Belmont, CA: Wadsworth.
- Johannes, J. R. (1980). The distribution of casework in the U.S.Congress: An uneven burden. *Legislative Studies Quarterly*, 4, 517–544.
- Johannes, J. R. (1984). Women as congressional staffers: Does it make a difference? *Women and Politics*, 4 (2), 69–81.
- Johannes, J. R. & McAdams, J. C. (1987). Entrepreneur or agent: Congressmen and the distribution of casework, 1977–1978. *Western Political Quarterly*, 40, 535–553.
- Pagliaccio, E. & Gummer, B. (1988). Casework and congress: A lobbying strategy. *Social Casework*, 69 (3), 155–161.
- Schneider, R. and Lester. L. (2001) *Social Work Advocacy: A New Framework for Action*. Belmont, CA: Wadsworth/Thomson Learning.
- Serra, G. (1994). What's in it for me? The impact of congressional casework on incumbent evaluation. *American Politics Quarterly*, 22 (4), 403–420.
- Shapiro, R. (1998). Frontline Management: A Guide for Congressional District/State Offices. Congressional Management Foundation Guidebook. Casework Considerations. In House Ethics Manual. 102nd Congress, 2nd Session. April 1992. Washington, G.P.O., 1992, pp. 239–266.
- Wolk, J. Pray, J. Weismiller, T., Dempsey, D. (1996) Political practica: Educating social work students for policymaking. *Journal of Social Work Education*, 32, (1), 91–100.
- Wyers, N. (1991) Policy-Practice in social work: Models and Issues. *Journal of Social Work Education*, 27, (3), 241–250.

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