

Senate Judiciary Committee  
Hearing on SB 128

Proponent Testimony from:  
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Members of the Committee,

My name is Courtney Ellis, and I am a social worker at The Midwest Innocence Project, providing mental health and reentry services to individuals who have been wrongfully convicted and are reintegrating into society after incarceration. I offer this testimony in strong support of SB 128, which recognizes the necessity of a mandatory reporting exemption for social workers operating under the supervision of attorneys.

In my role, I work directly within a legal team, providing mental health and reentry support to clients, as well as working with their families to ensure a solid home plan. There have been instances where my background in social work could have been valuable in assisting with legal investigations, but the constraints of mandatory reporting laws have made it difficult to engage in that capacity.

Social workers embedded within legal teams serve a unique function—bridging the gap between advocacy, mental health, and reentry preparation. However, under current mandatory reporting laws, we face ethical conflicts that can disrupt both the legal process and our ability to provide meaningful support.

For example, while working to develop a stable home environment for a client's reintegration, I may meet with family members or community connections who are vital to that transition. In these interactions, I might learn information that, under current law, could trigger a mandatory report. In such situations, reporting may not always be in the best interest of the client or the broader pursuit of justice, creating a dilemma where my legal and ethical responsibilities are at odds. This conflict can discourage individuals from engaging fully with the support systems available to them and can even create barriers to effective legal advocacy.

Additionally, no social worker should have to choose between maintaining their professional license and serving as a valuable asset to a legal team. Yet, under current law, some social workers may feel compelled to let their license lapse to avoid mandatory reporting obligations that conflict with their role in legal advocacy. This is an unnecessary and unjust choice that limits the availability of trained professionals in a space where their expertise is critically needed.

SB 128 strikes the right balance between legal and social work ethics, allowing social workers to provide critical support without compromising the attorney-client relationship. This exemption ensures that individuals and their families can access the help they need without fear that seeking assistance could unintentionally harm their case. By clarifying the role of social workers within legal teams, this bill strengthens both the legal process and the rehabilitation of those seeking to rebuild their lives.

I urge you to support SB 128 and affirm the critical role of attorney-supervised social work in advancing justice and public safety. Thank you for your time and consideration.