

Case Study

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The Other Side of the Human Experience: Providing Access to Social Service Case Files

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Abstract: Social service case files provide a virtual biography of individuals who otherwise would leave few written records of their life experiences. These files also raise issues of confidentiality and access for archivists and depositing or donating agencies as well as for researchers seeking such files. This case study profiles the Urban Archives Center at Temple University and its efforts in collecting and providing access to social service agency case files from the late nineteenth century to the present.

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SOCIAL SERVICE AGENCY CASE files serve as an excellent source for scholars investigating how citizens most in need survive in a changing (and usually urban) environment. These case files provide an unparalleled view and an invaluable social history of the nation's most neglected population. While most scholars understand the complexities of social service work in a historical context, they may not understand sensitive issues of confidentiality in relationship to those individuals represented in case files. Archivists and manuscript curators must be keenly aware of these issues since it is they who ultimately provide access to case files according to predefined institutional policies.

The Urban Archives Center at Temple University is one institution that attempts to gather and make available, among other records, case files created by social service agencies in the Philadelphia metropolitan area. The Urban Archives was established in 1967 by a member of Temple's History Department to document the social and economic development of the Philadelphia area from the mid-nineteenth century.¹ Social history, as it has come to be known, was in its early evolutionary stage in the late 1960s. Temple, and a number of other universities—usually located in cities—established centers like the Urban Archives to document the experiences of everyday people and processes affecting their everyday lives.² Instead of collecting the papers of well-known figures, these new social history archives acquired manuscript collections that related to services provided to

common people. Typical collections include the records of housing organizations, minority groups, labor unions, and education and social welfare agencies.

The Urban Archives acquires personal papers and organizational records in two fashions: (1) it accepts gifts, typically from individuals; and (2) it accepts deposits from organizations. In the latter case, more common at the Urban Archives, the agency maintains the physical and intellectual ownership of their records. Many of the collections have common characteristics in that they contain administrative, financial, and programmatic files that document the activities of the agency. Social service agency records, however, also include case files that often contain some rather sensitive information.

This growing body of information presents new opportunities as well as new problems for both the historian and the archivist. Scholars' use of social service agency records, and particularly the case files created by social workers in carrying out the agencies' work, are typical of the "new social history." While these resources present exciting possibilities for interpreting the history of working class life in cities, the use of case files risks the breach of individual confidentiality. Despite these obstacles, researchers have made excellent use of these enlightening, but very personal documents of the human experience.

Before addressing some of the access problems, it is important to understand the general issue of confidentiality and its relationship to the purpose and work of social service agencies. Social service agencies in Philadelphia, like those in many other cities, developed modern case work practices in the last quarter of the nineteenth century. Blacks, newly arrived immigrants, unskilled laborers, and women and children increasingly relied on these agencies to provide shelter, food, medical care, recreational opportunities and other needs until

¹See, for example, Fredric M. Miller, "Documenting Modern Cities: The Philadelphia Model," *Public Historian* 5 (Spring 1983): 75-78.

²Other examples of social history collections can be found in Linda J. Henry, "Collecting Policies of Special Subject Repositories," *American Archivist* 43 (Winter 1980): 57-63; and Fredric M. Miller, "Social History and Archival Practice," *American Archivist* 44 (Spring 1981): 113-24.

the federal government assumed some of these responsibilities during the Depression of the 1930s.

Archivists face the challenge of balancing the privacy of the individual against the free flow of information and academic inquiry. The National Association of Social Workers "Code of Ethics" specifies that "social workers should respect the privacy of clients and hold in confidence all information obtained in the course of professional service."³ While this statement seems fair, it does not address the issue of protecting confidentiality of deceased clients.³

In response, the Urban Archives staff cautiously developed two policies governing access to case files. The first was formulated to follow the U.S. Census Bureau guidelines, wherein records older than seventy-two years are open for research.⁴ Most likely, after seventy-two years the client discussed in the case files is dead. The Urban Archives also established a second policy pertaining to case files less than seventy-two years that states "no one will be allowed to research such files without the prior approval of the Depositor or the representatives of the Depositor" (see Figure 1).⁵ Generally, this safeguards clients' confidentiality and shifts the issue of liability to the depositor.

³National Association of Social Workers, *Code of Ethics* (New York: National Association of Social Workers, 1967). See Virginia Stewart, "Problems of Confidentiality in the Administration of Personal Case Records," *American Archivist* 37 (July 1974): 387-98; and David Klaassen, "The Provenance of Social Work Case Records: Implications for Archival Appraisal and Access," *Provenance* 1 (Spring 1983): 5-30.

⁴Guidelines for access to census enumerations are made by agreement between the Archivist of the United States and the Director of the Bureau of the Census, see 44 USC §2108(b). This agreement is further clarified in the National Archives and Records Service, *Guide to Genealogical Research in the National Archives* (Washington DC: National Archives and Records Service, 1982), 11.

⁵Agreement of Deposit form, Urban Archives Center, Temple University Libraries.

The depositing agencies are usually willing to provide access to serious researchers, such as Ph.D. candidates, opening to them all but their very recent records. This openness might be attributed to the fact that in addition to providing services, many social service agencies provide advocacy and welcome the opportunity to promote social welfare issues. No matter what is contained in each case file or how sensitive the information may be, the researcher agrees in writing to maintain case anonymity for anyone discussed in the case files, shifting the liability issue to the researcher.⁶ However, despite such clear policies, actual practice is not always simple.

The diversity of active agencies in Philadelphia at the turn of the century reflects the varied needs of the city's population which at the time exceeded 1.2 million people. More than half of the nearly 2,400 agencies listed in Philadelphia's Civic Club directory of 1903 were dedicated to the relief of "physical suffering," including agencies providing child welfare, support to women, and aid to the poor.⁷

One such agency was the Pennsylvania Society for the Prevention of Cruelty to Children (known today as the Philadelphia Society for Services to Children). Established in 1876, the Society investigated reports of neglect and child abuse. Its case records, like those of many other social service agencies, provide rich descriptive data about people confronted with an ever-changing urban environment. The Society's case records typically document harsh

⁶The Urban Archives requires researchers to sign a registration form, agreeing to abide by rules for use of materials. Included in that list is this stipulation: "Restrictions on the collections must be honored. Case records may be seen only with prior approval of the depositor. Case anonymity must be respected." Registration form, Urban Archives Center, Temple University Libraries.

⁷Civic Club, *A Directory of the Charitable, Social Improvement, Educational and Religious Associations and Churches of Philadelphia* (Philadelphia: Civic Club, 1903).

treatment to children, usually by their “drunkard parents,” and the children’s ultimate placement. All 84,924 of the Society’s case files (or 62 cubic feet up through 1967), provide the name and address of the complainant; the name, age, and final placement of the “sufferers;” and a complete list of family members. Occasionally, photographs accompany the case files. The narratives in case files are fascinating and form a virtual biography of the individuals, who otherwise would have left few written records of their life experiences.

Some of the narratives are brief, while others follow the child through his or her adult life. The case of Miss H. is typical. She was living in a “paramour relationship for seventeen years” before her case was brought to the Society’s attention in 1945. She was accused of child abuse, and upon investigation was found to have “beat[en] her chdn [sic] unmercifully.” The Society followed her, her unmarried companion, and the placement of her three children until 1966.⁸

On a more dramatic note, one of the Society’s earlier cases is quite stark, involving Janet R. in a charge of “baby farming” in 1879. For a fee, the baby farmers took in children of destitute working class mothers under the pretext of providing child care. This informal child care system enabled working class mothers to secure employment, but in the more notorious cases, baby farming was a means of disposing of unwanted babies. According to the Society’s case records, between May and July of 1879, Janet R. had been taking “3 or 4 babies . . . out of the house dead; the little coffins were placed in a private carriage, and rapidly driven away. There has been no sign of a doctor or undertaker attending the

house—no crepe ever appeared on the door or shutters.”⁹

Not only do these examples illustrate the problems of child abuse, but they exemplify the personal issues relating to confidentiality. So often, archivists and manuscript curators, working with historians and other social scientists, remove the working people from the case files and treat them as historical objects. To overcome this tendency, the archival community needs to remind itself that it is providing not just valuable research information, but also access to a very sensitive side of the human experience.

As mentioned earlier, researchers gain access to the social service case files by first securing written permission from the agency for post-1918 case files, and agreeing to maintain case anonymity for any case file regardless of the date. But these access concepts can be complicated. The experience of two recent researchers at the Urban Archives Center, both Ph.D. candidates, will best illustrate this point.

Sherri Broder, an assistant professor at Boston College, earned her doctorate from Brown University. Her research topic focused on the debate concerning work, sexuality, and family relations in the late nineteenth century.¹⁰ Dr. Broder examined thirty-two bound volumes of child abuse case records of the Pennsylvania Society for the Prevention of Cruelty to Children, ranging from 1877 to 1901. Since these case files clearly fell before the seventy-two-year cutoff (1918), she was able to use the collection freely and had no need to contact the agency. She abided by the rule of case

⁸Case number 1367, Philadelphia Society to Protect Children Records, Urban Archives Center, Temple University Libraries, hereinafter cited as PSPC Records.

⁹Case number 1080, PSPC Records. This case is more fully profiled in Sherri Broder’s “Child Care or Child Neglect? Baby Farming in Late-Nineteenth-Century Philadelphia,” *Gender & Society* 2 (June 1988): 128-48.

¹⁰Sherri Broder, “Politics of the Family: Political Culture, Moral Reform, and Family Relations in Gilded Age Philadelphia” (Ph.D. dissertation, Brown University, 1987).

anonymity and referred to the clients listed in the registers by their first name and last initial. She also freely annotated her text with descriptive personal elements such as religion and ethnic origin.

Although Broder's research predates the seventy-two-year cutoff, there is still concern in providing access to these early files, especially case files documenting children. For example, a case file may begin and end when the records are clearly open for inspection. But many years after the file has been designated inactive by the agency, additional correspondence relating to that case may be interfiled with the original material. These documents, of course, could easily postdate the current 1918 closure. Further complicating this issue is the fact that case files often include information about more than just the child under consideration. For example, the files may mention siblings, relatives, friends, and ultimately the spouse of the child, all of whose confidentiality needs to be safeguarded.¹¹ Technically, for a researcher to examine these files, they should get permission from the agency. Broder had few such problems while conducting her research. But any case beginning, say, in the 1890s, could be suspect.

The second researcher is Carl Nightingale, a Ph.D. candidate at Princeton University. He is researching the acculturation and socialization of poor black children growing up in Philadelphia over the past fifty years.¹² Mr. Nightingale specifically wanted to examine case files of court-referred boys and pregnant teen-age girls during the post-War period. These files are especially sensitive, since the children dis-

cussed in the files now range from kids to middle-aged adults. Since these are very recent records, Nightingale had to approach the appropriate agencies for permission to view their case files.

Among other agency records at the Urban Archives, Nightingale requested access to the files of the Sheltering Arms of the Episcopal Church. Sheltering Arms was established in 1882 to care for destitute mothers and their newborns, and for abandoned infants. Episcopal Community Services absorbed Sheltering Arms in 1959, and it is that agency that made the deposit and has the authority to grant access. Nightingale proposed five conditions to the agency for access to their case files. He agreed to: (1) maintain strict case anonymity by omitting all names, addresses, and employment histories of anyone discussed in the files; (2) disqualify any personal acquaintances; (3) avoid reading any entries marked "confidential" as well as any incidents that have generated publicity outside the social service network; (4) code all case numbers in his footnotes so future scholars would first have to contact Nightingale, and then the appropriate agency to gain access; and (5) submit a final draft of his work to all agencies that provided access to ensure that he abided by the specified policies. All in all, Nightingale agreed to jump through several hoops in order to work with very recent social service case files. His diligence paid off, for he approached and was granted access to not only Episcopal Community Services' records, but those of three other private agencies, and three public agencies as well.

The policies that Nightingale codified are indeed strict, especially his fifth and final point relating to agency review of his draft, but these were the policies agreed upon by the researcher and the agency in order to negotiate access to the agency's recent case files. Once the two parties came to an agreement, it was then up to the Urban Archives to administer the case files as per

¹¹For privacy considerations on those associated with the individual discussed in case files, see Gary M. Peterson and Trudy Huskamp Peterson, *Archives & Manuscripts: Law* (Chicago: Society of American Archivists, 1985), 53.

¹²Carl Nightingale, "'It's a Wonder that I Keep From Going Under': Growing Up Black and Poor in Philadelphia in the Post War Era" (Ph.D. dissertation, Princeton University, forthcoming).

the depositing agency's instructions. The Urban Archives also served as a facilitator by providing the researcher with the name and telephone number of the agency's executive director, who then granted access.

Several other important issues about access to case files must be raised. In the natural course of events some agencies will complete their lifecycle and stop providing services. Consolidation by larger and better endowed agencies is common, as was the case with the Sheltering Arms by Episcopal Community Services; private social service agencies are sometimes replaced by public agencies, although public monies in this area have been few in the last decade; or agencies simply close down altogether, often due to a lack of funding. For the archivist, the last scenario poses serious problems.

Two examples will illustrate this point. The Philadelphia-Camden Social Service Exchange was established in 1911 as a registration center for social service agencies around the city. During its existence, the Exchange generated a rich resource of case file cards contributed to and used by its members to track clients seeking assistance from the city's many social service agencies. In 1970, the Exchange was forced to close due to (1) a denial of funding from the local United Way and (2) a growing uncooperative spirit among social workers (although, interestingly, this is not well described in the agency's records). Planning for their demise, they made arrangements to donate the records to the Urban Archives Center. This in itself created a great controversy among its members. Prior to the donation, it was agreed that the case file cards would be sealed for twenty-five years. This earlier agreement is contradicted by the subsequent institutional policy of seventy-two years that follows the census guidelines. Thus in 1995, the Archives staff will need to determine whether those files should, in fact, be opened.

Another, more troubling case involves an agency that deposits its records and later

ceases operations. This was the case with the Eromin Center, an organization that provided counseling services, community education, and social advocacy to gay men and women. The Eromin Center began operations in 1973 and closed eleven years later, due to a schism between the board of directors and its clinical staff. The records now reside at the Urban Archives with no agency contact, since there is no longer an agency. The counseling files provide incredible insight to problems confronted by gay youth, but will remain sealed for seventy-two years, because no one is authorized to grant access in the interim.

In addition, the question of who has the authority to grant access to social service case files is sometimes unclear. In most cases, it is the executive director as defined in the deposit or gift agreements. In some cases the executive director empowers another senior member of the agency to grant authorization. The Urban Archives staff dealt with a conflict over authority to grant access in 1988. Although this problem involved access to legal case files of the Philadelphia chapter of the American Civil Liberties Union, it illustrates the problem of authorization to grant access in a way pertinent to social service files.

The ACLU is one of the Urban Archives' earliest depositors. Initially, the ACLU deposited only its administrative records. Years after the first accession, the director of the ACLU and the Urban Archives came to an agreement regarding their case files, which were deposited with a stringent access policy: only the director of the ACLU could authorize access to the case files. After the director who negotiated the agreement retired, he continued to authorize access to the case files, taking on a paternalistic role to the chapter that he had nurtured for almost four decades.

One particular request for access to the ACLU's case files brought the existing arrangement between the ACLU and the Urban Archives into question. This former

director allowed representatives of a California public defender's office to use some of the case files of a former ACLU client. He telephoned ahead to inform the staff and assured them that a letter would be forthcoming from the ACLU, as it had in the past. His personal letter was all that materialized. The researchers ultimately requested photocopies of one and a half cubic feet of case files for their defense. Since no formal letter had arrived from the ACLU office, and a photocopy request had been made, the Urban Archives staff contacted the ACLU for clarification. This was especially important because, if the photocopy request were granted, both the ACLU office and the Urban Archives would lose any and all control over the material. The request for clarification prompted a series of meetings where both the former and current ACLU directors agreed that only the current director or his designate would have the authority to grant access. Incidentally, the photocopy request was denied.

All agencies that maintain case files experience some turnover in senior staff. In fact, many incoming directors, especially those of small social service agencies, may not know that an outside agency maintains their organizational files, much less know who has authority to grant access. The issue typically comes to a new director's attention when the agency is approached by researchers like Dr. Broder or Mr. Nightingale.

Some agency directors have no idea what their predecessors had previously arranged. Conversations with the current director of Philadelphia Society for Services to Children, the agency that succeeded the Pennsylvania Society for the Prevention of Cruelty to Children, revealed that she was under the impression that access to their case files would be granted only upon application to the agency. In fact, the Urban Archives staff had provided access according to the seventy-two-year guideline spec-

ified earlier. This miscommunication resulted in a policy change for the Society's case files; now researchers need to secure written permission to gain access to *any* of the Society's case files, no matter what the date.

Ultimately, it becomes the repository's responsibility to keep its constituent agencies notified that they hold their inactive records. Tools such as a repository newsletter or yearly announcement help keep new directors informed that their inactive records are stored elsewhere and may renew interest with current administrators. Unfortunately, regular reminders may be burdensome for many repositories.

Archival policy issues must be flexible to change with current practices of the communities that they document. Many of the current access policies were developed in the early 1970s after discussions among archivists and manuscript curators. Rarely did any pressure come from the agencies to impose restrictions on their own case files, and in fact, there is little consistency in the way that social service agency directors manage their inactive files. Some just "dump" the files on the repository's lap while others exercise greater care. Therefore, archivists must be proactive, both in acquiring records and in developing policies for dealing with sensitive records.

With more than twenty years experience in collecting the records of social service agencies, the Urban Archives developed a number of policies to service these sensitive case files. These policies—to collect and to provide access to researchers on one hand, while protecting the confidentiality of those represented in the files on the other—are not unique to the Urban Archives. They are found in a variety of repository settings: social service, medical, legal, labor, and others. Many of the access and confidentiality policies previously cited evolved out of the four broad problem areas previously described. Archivists can meet

some of the challenges presented by following certain guidelines that have worked at the Urban Archives.

First, there are no established guidelines for providing access to sensitive case files. Archivists should establish their own guidelines for handling these files, typically using the U.S. Census Bureau guidelines to open case files older than seventy-two years. To ensure full communication and understanding with depositing or donating agencies, the issues of confidentiality should be explicitly discussed with the agency, creating at the time of initial transfer specific guidelines for users. Additionally, the person with the authority to grant access should be identified at this time. The repository should also discuss confidentiality and access issues with researchers, clearly communicate established policies, and facilitate negotiations between agencies and researchers.

Second, additional documentation that is less than seventy-two years old may be found within case files that are open for inspection. Following social welfare clients over many years is typical in modern case work practice, and thus the discovery of recent documents may be problematic. It may well be necessary to browse suspect records before providing them to researchers.

Third, and most troubling in the last decade, is the pattern that finds many private social service agencies completing their life cycle and closing their doors. In order for a repository to protect itself from unnecessarily sealing the records, the deposit or gift agreement should include a clause detailing what is to be done in the event that the agency ceases operations or is taken over by a new agency.

Fourth, due to the budgetary and grass roots nature of social service agencies, there may be difficulty in maintaining a working relationship with senior level administrators, especially when there is a change in leadership. To that end, sending yearly announcements and repository newsletters will spark new and renewed interest in the preservation of the agencies' historical records.

In order to preserve and make social service files available for research, archivists need to overcome a variety of competing forces: they must balance access and confidentiality, seek out and preserve records that might be destroyed, and select the significant historical social service collections that truly reflect the lives of everyday people for today's social historians. The policies of the Urban Archives represent one repository's conscious efforts to grapple with these issues.