

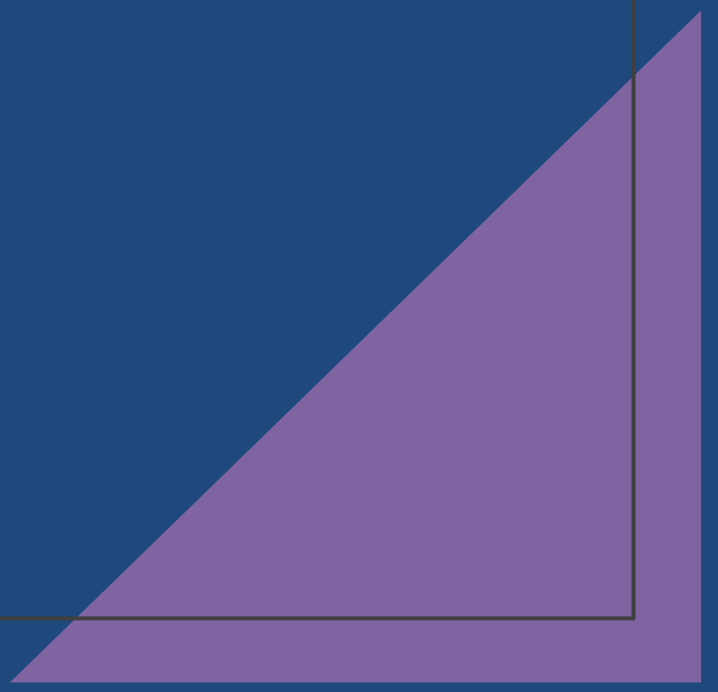


Modeling Reflective Practice: Pedagogical Opportunities in Natural Spaces of Encounter

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Agenda

- Background
 - Context
 - Professional ethics
 - Reflective practice
 - Empirical examples
 - Existing toolkits and current challenges
 - Natural spaces of encounter as fertile ground
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Who Am I ?

Practicing lawyer turned academic

Social work researcher and educator

Empirical work:

- Professionals and laypeople within legal systems

- Ethics in practice

Commitment combined with personal and professional unmooring



Overarching Questions

How do professionals navigate unjust or ineffective policies that they are charged with implementing, often in collaboration with/from a place of great commitment and empathy in relation to those whom they endeavor to serve?

How can educators use what we learn from practitioners to prepare future professionals for ethical and sustainable careers?





Critical Reflections on Lawyering

Progressive lawyering and legal education
literature critiqued lawyers and lawyering

Professional expertise prioritized over
lived experience

Exclusion of marginalized perspectives

Complicity with/shoring up oppressive
systems

Law-centric



Rephrasing the Question

Is it possible to practice law - or any other profession – with integrity within systems that are not designed for vision, goals, or values that we seek to pursue?

How do we answer this question for ourselves as educators?



Purpose, Context, and Why it Matters

Context of Professional Ethics

Professionals often face imperfect systems, ethical dilemmas, and compromises as normal parts of their work environments.

Role of Reflective Practice

Reflective practice is a relational, circular process where educators and practitioners learn together to sustain integrity.

Importance of Pedagogical Preparation

Educators must prepare students to navigate ethical challenges and act with integrity within complex systems.

Relevance Amid Contemporary Challenges

Reflective practice is crucial today given polarization, performance pressures, and limited tolerance for uncertainty.

Reflective Practice as a Basis for Ethical Practice

Most ethical practice strategies rely on staged processes grounded in reflective practice

- Seeing concerns
- Identifying values at stake
- Clarifying and weighing options and outcomes
- Decision-making
- Post hoc assessment



Examples from Two Studies

- Project Dawn Court: Looking Back, Looking Forward: Interview study with prostitution diversion program participants and professional stakeholder.
 - Ethics in Social Work Practice: Interview study with MSW-level social workers in a wide variety of practice settings.
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In psychology...you want your allegiance to be to your client [but] by the very nature of [court-mandated] programs, you have a dual role where you have a relationship with...the Court... Belle [manages] this by giv[ing] *very* minimal and very general updates... But I think that's an ongoing challenge...and I wonder, in some instances if that relationship – a trusting relationship - is never formed? Which I think most people say is a necessary component of the therapeutic process. But you know, again, what is the alternative?

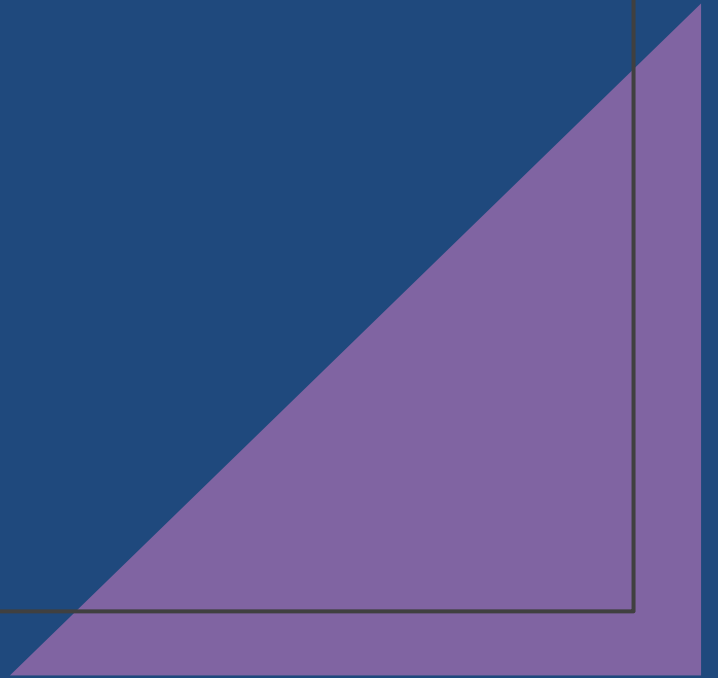
Daniel, psychologist and director of a trauma service program.

"What is the alternative?"

Professional practice conflicts

Mitigating harm

Agency survival



I had a much gentler approach, because I thought that...was the most appropriate role again if we are showing them a different side of law enforcement, if we're really coming together from both sides to reach a common goal, I didn't think it was necessary for me to demonstrate any of those other law enforcement tactics that they had been the brunt of in the past. I thought it was important that they see a softer, gentler side of law enforcement. And I'm sorry if that pisses the judge off. But I just I felt that we were there to empower the ladies, not to crucify them.

Prosecutor Jack described Emily as 'too invested personally in the cases and having trouble balancing when to be a prosecutor and when not to be a prosecutor.'

Emily, prosecutor working with Project Dawn Court

"I'm sorry if that pisses the judge off."

Professional embeddedness in:

- Roles
- Systems
- Teams

[W]e see it a lot in the Trump administration right now. You know, you just get up and you do your job because there are so many parts of the job that I enjoy doing and that it's the worst part of the job for me, and I think I'm fortunate enough I don't have to engage in that every day, or even very often [but]it's the elephant in the room—we're talking about it in this way but probably 98% of the people at the table don't believe it either. Everybody is part of the same kind of like silent circle of accepting it, but in their heads they're like, because it comes out in other conversations: it's, "Oh my god, I can't believe they wouldn't allow them to do this and that."...People's true values come out, but in the conversation of the compliance, it comes out in a different way. So even, I, you feel like a hypocrite. And you know, it definitely makes you feel guilty, but I think what allows you to continue that is the other aspects of the job that you love doing so much. But it was the first thing I brought up so it shows that it's something always there and present,

Meg, a social worker with a religious refugee services non-profit agency

"You just get up and do your job."

Structural impediments:

- Workarounds
- Engaging in meaningful work
- Allies

What Do Practitioners Teach Us?

- Reflection under conditions of uncertainty
 - Ethical dilemmas are rarely individual problems alone
 - Professionals balance competing goods rather than good versus bad
 - Workarounds signal creativity and structural dysfunction
 - Colleagues, teams, and communities sustain ethical practice
 - Reflective capacity requires conditions that support questioning and learning
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Professional Resources

Codes of ethics

Supervision

Collegial support

Workplace policy and norms

Ethics advisory boards

What Gets in the Way of Reflection?

Structural	Organizational	Cultural
Complex systems	Time pressures	Polarization
Bureaucratic constraints	Performance measurement	Binary thinking
Employment precarity	Productivity demands	Pressure for certainty
Policy volatility	Limited resources	No room for mistakes

Professional Education as Space of Natural Encounter

Humility: Recognizing limits of knowledge and control.

Curiosity: Maintaining openness toward ourselves and others.

Empathy: For students, colleagues, and people who are served and work in systems with which we interact.

Comfort with uncertainty: Developing tolerance for ambiguity and unresolved tensions.



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