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## REFLECTIONS ON PSYCHO-LEGAL PRACTICES IN THE TRIAGE OF THE PUBLIC DEFENDER'S OFFICE OF SÃO PAULO<sup>1</sup>

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**ABSTRACT.** In this article, we presented some developments of the doctoral research in which were studied psycho-legal encounters at the Defensoria Pública do Estado de São Paulo (Public Defender's Office of the State of São Paulo), taking the experience of the Centros de Atendimento Multidisciplinar (Multidisciplinary Assistance Centers – CAMs, acronym in Portuguese) as subject. Through a qualitative intervention-research methodology based on diaries and narrative construction, we have monitored professional practices involving the joint work of defenders, social workers and psychologists at the Public Defender's Office, between 2011 and 2013. Here, we decided to focus on the triage, space where the first assistance to people who look for legal help is performed, which allowed us to get in contact with the management of requests and the way they become legal, non-legal and psycho-social demands. In order to do that, we used information from referral forms sent to a CAM in the years 2010 and 2011, along with situations experienced in the course of this research. The theoretical references of this study are Foucault's thought and French Institutional Analysis. The triage showed that a traditional division between knowledges is utilized, which tends to (re)produce an "unintegrated" and disciplined legal assistance, providing a familialist mode of response to the problems presented by the population. However, mental health issues emerge as something that escapes divisions, producing shifts in the work process. We believe these ways of knowing-how-to-do generate a legal assistance that tends to be more oriented to comprehensive care, constituting an experience of thinking-knowing-doing between professions that does not submit to protocols and divisions already established.

**Keywords:** Interdisciplinarity; justice; institutional analysis.

## REFLEXÕES SOBRE PRÁTICAS PSI-JURÍDICAS NA TRIAGEM DA DEFENSORIA PÚBLICA PAULISTA

**RESUMO.** Neste artigo, apresentamos alguns desdobramentos da pesquisa de doutorado na qual estudamos encontros psi-jurídicos na Defensoria Pública do Estado de São Paulo, tomando a experiência dos Centros de Atendimento Multidisciplinar (CAMs) como objeto. Por meio da metodologia qualitativa da pesquisa-intervenção que contou com a elaboração de diários e de narrativas, empreendemos o acompanhamento das práticas profissionais que envolviam o trabalho conjunto de defensores, assistentes sociais e psicólogos na Defensoria Pública, entre 2011 e 2013. Aqui, privilegiamos mostrar a triagem, espaço no qual é feito o primeiro atendimento às pessoas que buscam assistência jurídica, que nos possibilitou nos aproximar da gestão dos pedidos e de como eles se transformam em demandas jurídicas, não jurídicas e psicossociais. Para tanto, utilizamos informações das fichas dos encaminhamentos feitos a um CAM nos anos de 2010 e 2011, com situações vivenciadas no percurso da pesquisa. Os operadores conceituais do estudo se apoiam no pensamento foucaultiano e na Análise Institucional francesa. A triagem mostrou que se privilegia a partilha tradicional entre os saberes, tendendo-se a (re)produzir uma assistência jurídica "desintegrada" e disciplinarizada, oferecendo-se um modo familialista de resposta às problemáticas apresentadas pela população. No entanto as questões de saúde mental emergem como algo que escapa às divisões, produzindo desvios no processo de trabalho. Acreditamos que esses modos de saber-fazer engendram uma assistência jurídica que tende à atenção integral, constituindo-se numa experiência de pensar-saber-fazer entre profissões que não se submete aos protocolos e divisões já instituídos.

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**Palavras-chave:** Interdisciplinaridade; justiça; análise institucional.

## REFLEXIONES ACERCA DE LAS PRÁCTICAS PSI-JURÍDICAS EN LA SELECCIÓN DE LA DEFENSORÍA PÚBLICA PAULISTA

**RESUMEN.** En este artículo, presentamos algunas evoluciones de la investigación de Doctorado de en la que estudiamos los encuentros psi-jurídicos en la Defensoría Pública del Estado de São Paulo, teniendo la experiencia de los Centros de Atendimento Multidisciplinar (CAMs) como objeto. Por intermedio de la metodología cualitativa de la investigación- intervención que incluyó la elaboración de diarios y narrativas, se llevó a cabo el estudio de prácticas profesionales en la Defensoría Pública, entre 2011 y 2013. Aquí, nos centramos en la que muestra el espacio de selección, en el que se hace la primera atención a las personas que buscan asistencia jurídica, lo que hizo posible acercarse a la gestión de pedidos y respecto a cómo ellos se convierten en exigencias jurídicas, no jurídicas y psicosociales. Para eso, utilizamos informaciones de los registros de derivaciones al CAM, locus de la investigación en 2010 y 2011 y del informe elaborado por la Asesoría Técnica Psicosocial (ATP), cuyos datos presentan el trabajo de equipos de CAM en 2011, además de las situaciones vividas en el camino de la investigación. Los operadores conceptuales del estudio se basan en el pensamiento de Foucault y en el Análisis Institucional francesa. La selección mostró favorecer la división tradicional entre los saberes, tendiendo a (re)producir una asistencia jurídica “desintegrada”, disciplinarizada y despolitizada, que ofrece una forma *familialista* de la respuesta a los problemas presentados por la población. Sin embargo, las cuestiones de salud mental emergen como algo que escapa a las divisiones, produciendo desvíos en el proceso de trabajo. Creemos que estos modos de conocimientos engendran una asistencia jurídica que tiende a la atención integral, constituyéndose en una experiencia de pensar-saber-hacer entre profesiones que no está sujeta a los protocolos y las divisiones ya establecidos.

**Palabras-clave:** Interdisciplinaridad; justicia; análisis institucional.

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### Introduction

Studies indicate that the beginnings of what we know as Legal Psychology (Altoé, 2001; Brito, 2012) go back to its close connection with the birth of eighteenth-century Psychiatry, especially in studies to explain the degeneration of criminals, like Galton's phrenology and Lombroso's criminal anthropology, with their interpretation of human capabilities (character, intellectual functions) through the physical characteristics of the individual. The combination of psychology with the law, in the late nineteenth century, gave rise to what was called the psychology of testimony. Through the experimental study of psychological processes, testimony psychology aimed to verify the reliability of the reports of a subject involved in a legal procedure, i.e., assess whether the internal processes favor or hinder the veracity of the account (Altoé, 2001; Brito, 2012).

According to Brito (2012), in Brazil, the regulation of the professional practice of psychology takes place in 1962, amid a positivist bias expressed in the courses' curricula, which contained a large number of subjects related to the study and application of psychometric techniques. The branch of Psychology that provided tools to the legal field followed the same line and was strongly influenced by Mira y López (1896-1964), a Spanish psychiatrist who published the well-known work called *Manual of Legal Psychology* in 1945, in which he sought to present psychology as scientific knowledge that served as a base to support lawyers' daily lives.

Thus, the first jobs performed by psychologists were as experts appointed by magistrates and aimed at providing support to the judges' decisions. According to Altoé (2001) and Brito (2012) that initial practice of psychology was predominantly focused on providing forensic reports, criminological examination and psychological opinion based on psycho-diagnosis, using interviews and the results of psychological tests.

Altoé (2001) points out that from the 1980s on, when, after a long period of military rule, the discussion on citizenship and human rights intensifies, we can notice changes in the theoretical production and practices of psychology together with the law. Scholars and activists in this field have contributed to the introduction of a critical perspective in Legal Psychology, questioning its hegemonic use in favor of social control and the role of the psychologist as an indifferent agent of social exclusion processes (Altoé, 2001; Arantes, 2008; Brito, 2012).

Consequently, this initiative was followed by a process of greater concern and questioning about the doings, and the expansion of professional fields. Based on such discussions, the Conselho Federal de Psicologia (Federal Council of Psychology - CFP – acronym in Portuguese) has been using the expression "Psychology at the interface with justice" to contemplate the actions not only of psychologists who work in the courts, but also of those who perform jobs that are referred to the justice system. Thus, this approach extends the understanding of work at the interface to include psychologists who exert their professional practice in units that implement socio-educational measures, such as penitentiaries, Guardianship Councils, Centros de Referência Especializados da Assistência Social (Specialized Referral Centers of Social Assistance - CREAS, according to its acronym in Portuguese), NGOs, private clinics - when requested to work as technical assistants - among others (Brito, 2012; CFP, 2012).

As questioned in the studies of Altoé (2001), Arantes (2008) and Brito (2012), with the expansion of a psy and psychosocial presence in the contexts of the justice system beyond the courts, in the Defensoria Pública (Public Defender's Office), and recently also in the Ministério Público (Public Prosecutor's Office), we ask ourselves: could the admission of psychologists and social workers in an organization that aims to promote, fight and guarantee the rights of a population that is poor and historically marked by having difficulty in accessing justice, bring more transversal and co-managed arrangements to the legal scenario? Would such arrangements alter the practices aimed at the population? What happens between Psychology, Social Service and Law in the Public Defender's Office? Could these encounters be the emergence of ways of doing that require less disciplinarity (Foucault, 2006b), more interdisciplinarity or even non-disciplinarity (Rodrigues, 1998)?

In the process of this discussion, we chose the Public Defender's Office of São Paulo as the place for our empirical research because we believe it is an organization of the justice system that can provide visibility to the needs of the poor that historically had and often have their demands undervalued<sup>3</sup>. The Public Defender's Office is a body of the judicial system provided for in the Federal Constitution of 1988. It aims to ensure access to justice for poor people - those which, according to the law's criteria, have a family income of up to three minimum wages. Unlike health, it is not a public policy that provides universal access, it uses socioeconomic criteria to define the target audience of their actions (Oliveira, 2015).

In São Paulo, the Public Defender's Office was established in 2006, being the latest organization to compose the legal scenario of the state. It features a number of innovative proposals that guide its actions, including: Defender's Open Moment (space for dialogue with the Superior Council - the organization's deliberative body); cycle of public conferences (meetings with the population to discuss their main demands and build parameters for the office's action) and multidisciplinary intervention with psychologists and social workers. Multidisciplinary intervention happens on three fronts: Psychosocial Technical Assistance - ATP (acronym in Portuguese) – a body that advises the Administration on matters related to the work of psychologists and social workers; Specialized Nuclei - divided into specific themes - childhood and youth, women's rights and the prison situation, among others, which provide institutional guidelines for actions concerning these themes, and in the Multidisciplinary Assistance Centers - CAMs (acronym in Portuguese)) (Oliveira, 2015).

According to Oliveira (2015), CAMs had been planned since the creation of the Public Defender's Office, but they began their operations in 2010 when the first psychologists and social workers joined the organization's permanent staff. They are places where professionals and students of Psychology and Social Work perform their duties. They are designed to ensure comprehensive attention<sup>4</sup> to citizens seeking legal assistance in different regions of the state (capital, metropolitan area and interior).

Referrals to the service are made by legal professionals (law interns and public defenders) who request psychosocial support after triaging assistance applications. Overall, referrals are made for

<sup>3</sup> We used the expression undervalued to give visibility to the inequities of the justice system that historically disqualifies and depreciates the demands of the poor.

<sup>4</sup> Comprehensive care is a guideline that orients the work of the Public Defender's Office of the State of São Paulo. Although there is no common understanding of what this guideline means, during the research, the professionals referred to this practice as giving attention to all aspects related to the request made by the person seeking legal assistance, and to exhaust all possibilities to address the demands of the population. Comprehensive care meant an expansion in hearing and in the tools used in the work process (Oliveira, 2015).

issues involving family conflicts, chemical dependency, criminal charges and the need to access other public policies, especially in the areas of social services and mental health (Oliveira, 2015). According to Cavalcante (2015), a psychologist at the Public Defender's Office of São Paulo, CAM's work can be organized into five main areas of activity, namely: psychosocial care, extrajudicial conflict resolution (the resolution of conflicting demands by agreement without generating a lawsuit), mapping and coordination with the tools of other public policies, education on rights and technical production (drafting opinions as a technical assistant of court proceedings).

In this article, we will focus especially on the practice of triage, since it is when defenders and / or law interns first provide a service to people seeking legal assistance, and the moment when they decide whether or not to refer a person to psychologists or social workers. The analysis of requests management and how they become legal, non-legal and psychosocial demands showed two dynamics. On the one hand, the traditional knowledge division, tending to (re) produce an "unintegrated" and disciplinary legal assistance (Foucault, 2006), which provides a familial response method (Donzelot, 1998) to the population's problems. On the other hand, we can see emerging practices that tend to provide comprehensive care, which is an experience of thinking-knowing-doing through professions, that does not submit to the protocols and divisions already established.

### Research pathway and methodological strategy

Research in the Public Defender's Office of São Paulo took place between August 2011 and December 2013<sup>5</sup>. Over this period, we had contact with different organizational arrangements of the work process and with some of their effects. There were many concerns raised during the research, since monitoring processes evokes a mix between what was lived and invented (Merhy, 2013) full of tensions, risks and challenges.

The qualitative methodological approach is part of the intervention-research field, with conceptual tools from French Institutional Analysis (Barembly, 2002; Lourau, 2004). This knowledge production method allows the analysis of institutions, questioning their purposes, otherwise regarded as natural. From this perspective, institutions are not associated with the idea of establishment, they refer to the constant process of production of social practices legitimization methods, including how subjects agree or not to participate in what regulates their lives and behavior (Lobo, 2004; Lourau, 2004).

We also employ analyzer concepts as a device to deconstruct the participant elements of a totality, questioning certain assumptions and encouraging the creation of alternative and / or alternative realities, (Lourau, 2004; Rodrigues, Leitão, & Brandão, 1992) and implication analysis (Barembly, 2002; Coimbra & Nascimento, 2012; Lourau, 2004). Implication analysis is a process in which the researcher analyzes his positions throughout the research path (Barembly, 2002; Coimbra & Nascimento, 2012; Lourau, 2004; Prudente & Tittoni, 2014), considering he/she is always involved, i.e., the researcher is not neutral and is constantly under the influence of multiple relations with institutions (social practices) that intersect with and shape him/her.

The experiences and meetings conducted throughout the research were recorded in diaries. The field diary, a strategy-tool used by institutional analysis, allows reflections on "the researching" based on the analysis of the relationships involved in this experience. It has the potential of clarifying the lines of force and tension in a given social situation that when exposed, affect and are affected, create and transform reality (Lourau, 2004).

In order to characterize and analyze the psycho-legal encounters, we utilized: a) participation in events organized by the Public Defender's Office School (Edepe, according to the acronym in Portuguese) - seminars and conversation circles with professionals; b) interviews with defenders who witnessed the creation of the Public Defender's Office in São Paulo c) monitoring the practices of a CAM team located in the capital.

The choice of which team to attend was made for the following reasons: it was composed of professionals and students of psychology and social work - the research participants - (at the time of

<sup>5</sup> The research project was approved by the ethics in research committee, in accordance with the rules established to conduct research on human subjects by the National Health Council (1996) - Resolution No. 196/96, through the registration no. 11382312.5.0000.5482 on Plataforma Brasil (Brazil Platform website).

the study, not all CAMs had such composition); it provided assistance to one of the most populous regions of the city of São Paulo, allowing contact with a greater diversity of demands; the team invested in collective spaces of discussion on work process (team meetings and internship supervision), allowing the researcher to follow moments of very fruitful discussions on themes related to the research. Dialogue with research participants in order to share their production occurred throughout the process, since from the perspective of intervention research the logic is not "data collection" followed by "feedback", but to increase participation of researcher and research subjects in an implicational camp (Lourau, 2001).

Whereas triage conducted by defenders is mandatory for people who seek assistance, when deciding whether or not to refer a person to the CAM, we believe it is a strategic opportunity to problematize psycho-legal agreements and disagreements in the Public Defender's Office. Attending triage allowed us to see where it all starts - how supplies and demands are created, how the work process is organized and how the demands produced are managed.

Triage was analyzed using information from referral forms from 2010 and 2011; data from the CAM teams work report, drafted by Psychosocial Technical Assistance in 2011; the monitoring of a team's work routine and reflections made by the professionals themselves during research.

We prioritized the first two years of service operation, the period between 2010 and 2011, which amounted to 350 forms. The reasons for the first referrals that appear on the forms were organized by themes, and subtotal per theme and total per year were tallied. The themes correspond to four broader categories (see Tables 1 and 2).

**Table 1.** Referrals made to CAM in 2010

Topics	Reasons for first referrals	Subtotal
Social vulnerability/network	Assisted person's need/ social vulnerability (16)	30
	Referral to Social Service and Health networks (5)	
	Eviction (4)	
	Inclusion in housing programs (3)	
	Social service benefits guidelines (2)	
Family	Domestic violence (8)	21
	Family counselling (7)	
	Possibility of termination of family power (3)	
	Family with psychiatric problems (1)	
	Understand family relationship record (1)	
	Paternity investigation (1)	
Mental health/network	Emotional shock (4)	20
	Follow-up/ psychological treatment (4)	
	Referral to Social Assistance and Health networks (5)	
	Mental disorder (2)	
	Child psychological treatment counselling (2)	
	Drug abuse (2)	
	Psychological evaluation (1)	
	Professional help due to stress (1)	
Others (refers to a mix of requests)	Suspected mental health case (1)	7
	Psychosocial care (1)	
	Assistance support (1)	
	Guidance to assisted person in hearing (1)	
	Difficulty understanding assisted person's request (1)	
	Issue beyond legal assistance (1)	
	Sexual abuse (1)	
Total	Not listed (1)	78

Source. Referral forms to CAM in the year 2010.

**Table 2.** Referrals made to CAM in 2011

Topics	Reasons for first referrals	Subtotal
Conflicts	Conciliation (80)	80
Social vulnerability/ network	Eviction - User has no place to go (13) Social service benefits guidelines (2) Referral to Social Service and Health networks (5) Assisted person's need/ social vulnerability (16) Inclusion in housing programs (3) Social services due to divorce (1)	40
Family	Family counselling/ CAM follow-up (28) Domestic violence (16) Bad behavior of children (2) Children Homelessness (2) Custody request (2) Hear adolescent - custody situation (1)	51
Mental health/ network	Follow-up/psychological treatment (4) Emotional shock (10) Doubts regarding mental health/ mental disorder (7) Compulsory hospitalization (7) Clarification regarding treatment of chemical dependency cases (6) Emotional support/ assistance (4) Drug abuse (2) Assess situation - interdiction or referral to mental health network (1)	52
Others (refers to a mix of requests)	Psychosocial assistance/ follow-up (13) Qualified hearing/ welcoming (12) Clarify demand/ review request (7) Assistance support (6) Spontaneous search/ requested CAM's assistance (4) There is no judicial action (2) Accompany assisted person in hearing (1) Find out real reasons of assisted person (1) Not listed (2) Illegible (1)	49
Total		272

Source. Referral forms to CAM in the year 2011

### Triage: where (almost) everything gets separated

When both tables are compared, we can notice a regularity among the themes on which CAM is requested to act, namely: issues involving families, mental health and "social vulnerability". Robert Castel (1994) uses the term "vulnerability" to refer to the effects of work precarization associated with weaknesses in the relational fabric within an economic environment marked by neoliberalism and the weakening of the state, especially in the late 1980s. This weakening of the social protection systems in the world made it increasingly difficult to ensure the protection of citizens against social risks such as illnesses, unemployment, accidents, incapacity for work due to disability or age, among others, resulting in increased poverty, marginalization and having desocializing effects on work and relationships.

The notion of vulnerability is now widely used in health, social security, social service, childhood / adolescence and custody policies in Brazil. However, there are variations in its use, ranging from one side that prioritizes emancipation and social change to another where vulnerability is used as an argument for moral guardianship, constituting a subtle way to prevent poor subjects from exerting their rights. Because of these different uses, we chose to use the term social vulnerability in quotes.

In 2010, the situations considered as "social vulnerability" were usually associated with the request "contact with the network." In 2011, we realized that these solicitations also started happening in cases

of "mental health", especially in situations involving chemical dependency and "compulsory hospitalization" requests<sup>6</sup>. In both years, the record of referrals to CAM indicates that solicitations are sometimes related to the theme of care (family issues, social vulnerability, mental health) and sometimes are requests made by law professionals (defenders and interns) regarding procedures to be adopted by CAM professionals. In this case, there is significant emphasis on conflict resolution or out-of-court settlement, which are alternative ways to resolve a legal demand before it becomes a lawsuit, encouraging initiative and autonomy of the persons involved in the conflict in question (Cavalcante, 2015).

In order to get a broader view of these requests, let's look at some information about referrals to CAMs in other Defender Office units in 2011. These data are contained in the report drafted by the ATP of the Public Defender's Office of São Paulo, based on information provided by professionals that work at the CAMs.

Referrals to CAMs in 2011 were as follows: 1) Agreement facilitation; 2) Family Conflict; 3) Social security benefits and issues involving custody and curatorship; 4) Chemical Dependency; 5) Mental disorder and psychological support; 6) Domestic Violence. In regards to the theme "conflicts", the existence of more than one categorization, taking the legal area into account, allowed us to know on which themes CAMs are requested to act in "agreement facilitation". Thus, we have: 1) family and successions (various conflicts involving families); 2) civil (usually conflicts between neighbors) and 3) "without appropriate legal action" (when the law does not legislate on what is demanded).

When compared to the information obtained through the analysis of the forms, the repetition of the themes referred to the CAMs becomes evident. Psychology and Social Work have been called to act especially with families, "social vulnerability", mental health and in situations considered conflictive, as shown in Tables 1 and 2 (It is noteworthy that in addition to the forms, more detailed studies should be developed to further elucidate what the so called social vulnerabilities are, and how such assistance could give rise to collective and emancipatory struggles).

We will now address two dimensions of the demands that are important analyzers: - the first is the repeated presence of demands described as psycho familial matters (family conflicts, domestic violence, issues involving custody and curatorship); the second is madness as a destabilizing factor in intestate succession, demanding new processes of work, where almost everything gets separated.

Let us move on to the first analyzer. At the Public Defender's Office, the relationship between supply and demand that brings social workers (Castel 1994; Donzelot, 1998) and law professionals together, has been established by the intervention in family matters. Why are families at the center, as seen above?

In the discussion on the establishment of disciplinary societies, Michel Foucault (2008) shows us the "privileged" position families will hold in this process. For the author, the development of a disciplinary society required the strengthening of the family institution, since it works articulating different devices, ensuring both the inclusion of individuals in them and the passage from one to another - from school to work, for example. According to Foucault (2006b), the term "discipline" has two uses, one related to knowledge – a discursive way of controlling the formulation of new discourses - and another related to power – a set of techniques due to which systems of power have the individualization of subjects both as a goal and as a result.

Donzelot (1998) shows us that when industrialization begins to establish itself as a mode of production, there is a retraction of family networks, a drop in fertility, which characterized the "end of the large family" and of other social and economic support networks. This process is called by Donzelot

<sup>6</sup> In research undertaken at a Public Defender's Office unit of the State of São Paulo, located in the metropolitan area, regarding requests of "compulsory hospitalization" involving youth under chemical dependency, Nagayasu, Oliveira and Henriques (2014) concluded that most requests made to the Public Defender's Office as "compulsory hospitalization" referred to involuntary hospitalization, that is why quotes were used. Thus, the high demand for "compulsory hospitalization" reflects tensions in the fields of health and justice. The Brazilian Justice, along with the health network, provides the population with the possibility of three types of psychiatric hospitalizations, both for chemical dependents and people with mental disorders, as follows: I - Volunteer Hospitalization: one that happens with the person's consent; II - Involuntary Hospitalization: one that happens without the person's consent and at the request of a third party; and III - Compulsory Hospitalization: one determined by the court. Some specific care policies have been discussed and built at the state Public Defender's Office to meet this demand. Taking the logic of the Psychiatric Reform into account, the CAMs have been working to provide care to family members, offering hearing, welcoming and facilitating the access of subjects to the health network (Duarte, Andrade, Souza, & White, 2012).

(1998) "family crisis" (p.152) without which it is no longer possible to keep what Castel (1994) called "protection by proximity" (p.48), mutual aid carried out through intrafamily or neighborhood networks.

This process of "family crisis" is also linked to the rise of the state as responsible to ensure full protection, which had previously been done by proximity networks. Thus, we will find a number of devices acting to regulate and rule families, or rather, as formulated by Donzelot (1998), when "the police of families" (p.139) is created, the family as an object and at the same time the agent of regulation.

In the Brazilian reality, poor families are historically also object of a series of public and social policies, especially in the areas of Health and Social Service. The social effort to demonstrate the importance of marriage, work and home life, and the attempt to establish standards of hygiene and organization of space inside the homes, was and is carried out by legal and technical devices. Therefore, in addition to laws such as family allowances, healthcare centers were created, which allowed medical, education and psychiatry professionals, alongside State and Law men, to manage resources and with them, the way of life of the popular classes (Saraiva, Rezende Reis, Ignatius, & Schucman, 2015; Rodrigues, Guareschi, & Cruz, 2013).

Not by chance, as we saw earlier, it is in this context that a series of disciplinary devices emerge, trying to remedy the "crisis of the family" (Donzelot, 1998, p. 152), by organizing disciplinary substitutes to them, such as orphanages, for example. It is in this historical time that "social workers" (Donzelot 1998, p.99) responsible for the management of families and childhood, exert what Michel Foucault (2001) calls "Psy-function" (p.106).

For the author, this function corresponds to the set of agents, discourses, institutions, objects - therefore, it is a psychological, psychopathological, psychosociological function, among others that operate the disciplinary device. It is a subjection of bodies and a constitution of individuals in a power relationship that produces standardization effects (Foucault, 2001; 2006a; 2008).

Gradually, the "Psy-function" was extended to all other disciplinary systems - the school, the army, the factory etc. - becoming discourse and control of all disciplinary systems in the early twentieth century. According to Scheinvar (2006):

Family became the immediate reference for the individual in the modern world. The emphasis on the family in health campaigns, in pedagogical discourse, in legal regulations and in all current professional practices, expresses the naturalization of a social structure based on the individual-family perspective. The family has built a private space, whose main attribution is the responsibility for its members. Assumed by a number of disciplinary control strategies, family practice produces effects both on its internal setting (private) or on the external context (public order). Private and public spaces interconnected by a concomitant production (Scheinvar, 2006, p. 50).

The author uses contributions from the thoughts of Donzelot (1998) - "the family is the smallest possible political organization" (P. 51) to forge the idea that the family is a device of depolitization of social practices, even more, of individualization, which affirms the private character of modern society. Thus:

The production of what is social expresses itself par excellence within the family, because it implies both the intimate relationship in its internal space (private) and the external relations that constitute it. These external relations have been controlled by public policies since the beginning of the century, when the hygienist ideal was incorporated by scrutinizing families in the name of "purity". Since then, control has been institutionalized by social organizations and specialists who operate the "psy-function" (Scheinvar, 2006, p. 50).

This way, the correlation between public and private is sustained by the discourse of prevention, since it produces a subjectivity according to which family control is what ensures social order. In Brazil, in the social policies aimed at poor families, there is a discourse of concerns disguised as justice and security that implies that such families are not able to adhere to the established order. This discourse leads to the justification of interventions in which this population is considered as an object, in the name of "public order" (Scheinvar, 2006, p. 51).



As we have previously seen, the triage practice in the Public Defender's Office of the State of São Paulo seems to prioritize a traditional division between social workers and law professionals, fragmenting comprehensive care and organizing demands by a family logic (understood as familism). This model makes it difficult to implement a comprehensive care and tends to cause fragmentation and power loss, since it compromises critical thinking and the collective sense of the practices.

During the research, we witnessed some discussions among professionals at the Public Defender's Office that revealed discomfort with the way triage is organized there. It is centered on an individualized hearing with the defender and then with a professional from the psychosocial area, without any systematic work among the different professionals regarding a joint analysis and the work process. As a defender reports: *"We missed the chance of placing the CAM coordinating defender to analyze the demands at the initial assistance, so that he/she could see what was coming and work more closely with us"* (Defender, interview done by the researcher on 10-30-2012); *"You provide individual assistance, but it does not address the political problems"* (defender, conversation circle held at PUC-SP in May 2012); *"the effectiveness of a concrete demand depends on a lot of work, not only on knowledge"* (psychologist, conversation circle held at PUC-SP in May 2012)

When talking about the triage flow, one of the criticisms raised referred to the fact that it allows little possibility of coordination among professionals and with the network, because it is organized in alternating shifts, and the space looks more like a hallway. The Defenders' triage model had been taken as a reference to the practice of psychologists and social workers, even though defenders themselves criticized this operation mode a lot. "What would it be like if CAMs were participating in the initial triage?", was a question raised by one of the psychologists (Research diary notes, September 2012, our emphasis).

Wasn't the standardized "model" of triage-practice operating to maintain the professional separations, with the traditional division between knowledges? Doesn't this mode of operation hinder the implementation of comprehensive care, tending to produce fragmentation and energy loss, by compromising critical thinking and the collective sense of the practices? Doesn't it contribute to produce a legal assistance that is "unintegrated" and based on disciplinarity (Foucault, 2006), working within the same patterns of the psycho-legal relationships constructed in Modernity? Are there possible openings? Which are they?

The increase in the number of requests to perform conciliation, the existence of work that is coordinated between sectors and in network, as well as the requests to support assistance service (in order to clarify and deepen discussions, welcome users, join hearings) indicate that there is room for actions between professions. In such cases, requests demonstrate a stronger coordination between professionals, since "each one's" knowledge is not enough to deal with the complexity of the situations presented.

The production of a psychosocial demand to act in conflict resolutions and in joint work with the network (services provided by other public policies) indicates openness to welcome other forms of attention. Almeida (2012), a psychologist at the Public Defender's Office São Paulo, believes the admission of psychologists and social workers in the organization has allowed even "crooked" demands to find a direction. "Crooked demands" are the ones that do not fit in the law because they have no legal grounds and cannot become a legal action. In these situations, the conflict resolution strategy is a powerful tool, because it gives a perspective to issues that do not fall under the law.

Some situations do not fit easily, such as mental health cases. In these situations, profession divisions become more permeable, and require an attempt at a psychosocial doing, as Eduardo Vasconcelos (2008) presents us. According to the author, the psychosocial field can be understood as:

... an area of knowledge whose goal is the intersection of psychological, social, biological and environmental phenomena, forming an applied field. Such a field has an eminently pluralistic, multidimensional and interdisciplinary perspective, marked by ethical and political engagement in the struggles of several popular social movements and their historical projects. It is also committed to the construction of universal social policies based on the principles of comprehensiveness, intersectoriality and broad accessibility, as a right of citizens and responsibility of the state (Vasconcelos, 2008, p. 15).

We believe the changes identified by the authors Altoé (2001) and Arantes (2008), previously presented, indicate that such psychosocial perspective is interesting for the psycho-legal encounter, and that situations involving mental health demand new practice arrangements.

"Mental health" may allow us to implement practices oriented by cross-disciplinary, cross-professional, intersectoral and comprehensive arrangements. Such a possibility was strengthened by CSDP Resolution no. 219 of 03/11/2011, that provide for care in cases of mental health in the Public Defender's Office. It legitimizes the "do with" among defenders and CAM professionals, the "do in network" between the Defender's Office and public and social policies, and the "know-how-to-do with" or the "undo". These practices should be taken into account to formulate educational policies that shift traditional intervention in specific areas, which historically tends to be aimed at the individual and not at the public level.

The resolution was built jointly and approved about a year after the start of CAMs' work in the organization, showing the result of the encounters between knowledges produced in this period. Among them, Almeida (2012) and Kohara (2014) highlight: the expansion of the organization's hearing repertoire and interpretation of the demands of the population; qualification in citizen welcoming; identification of legal demands that had previously gone unnoticed. Let's see how these issues happen in practice based on the account of a CAM professional on the assistance performed:

*On Monday I attended a lady who wanted her neighbor to be removed from his home because when she opened the faucet his voice flowed like water through it. She heard and saw shadows of that neighbor inside her house. But besides hearing her neighbor's voice coming out of the tap, she was in debt with the bank for borrowing money. For that reason, she had a legal demand and needed a lawyer assigned to represent her. When the defender who attended her heard that a voice came out of the faucet, he/she understood it was no longer for him/her to solve, but for a psychologist. An interesting work we have done is to identify this demand as a disorder, categorize it correctly as sensitive hearing, and refer it to the appropriate professionals. Right, there is a disorder, but isn't there a legal demand too? So, how are we going to deal with that? How are we going to mediate this person's totally insane speech, so that her demand is not ruled out simply because she has a disorder (Conversation circle on practices, PUCSP, May 2012, our emphasis).*

In that moment, the legal, not legal, psychosocial arrangement becomes rather - legal *and* not legal *and* psychosocial, and may be conducted from a more connective and integrated perspective. According to Kohara (2014):

*It is unlikely that the Public Defender's Office could identify the deficiency of health and social care networks for people under mental distress without the help of the Multidisciplinary Care Centers. In such cases, their condition of psychological distress becomes an obstacle for them to bring these demands to the Public Defender's Office (Kohara, 2014, p. 1014) in an organized manner themselves.*

Thus, we believe the field of "mental health" causes shifts in what is specific to each profession and may motivate trends that Rodrigues (1998) calls undisciplinary. "Madness" disturbs the rigid disciplinary boundaries. This disturbing movement produces a "disintegration" of the doing Law, doing Psychology, doing Social Work, because what is (only) of each profession is not enough, and the traditional way of work is also hardly capable of communicating with madness.

## Final considerations

The research undertaken with the CAMs at the Public Defender's Office of the State of São Paulo allowed us to approach psycho-legal encounters that have been forged in the context of legal

assistance. Despite the fact that the work among psychologists, social workers and law professionals is relatively new in this context, the contact between social workers and the legal field is not recent. It has been marked by a series of alliances, disputes and confrontations.

The triage at the State of São Paulo Public Defender's Office maintains the traditional division between Psychology, Social Work and Law. The separation of applications under legal, non-legal or psychosocial demands tends to (re) produce an unintegrated, disciplinary and depoliticized legal assistance. It results in fragmentation and energy loss, since it compromises critical thinking and the collective sense of the practices, and offers a familial response to the problems presented by the population.

However, in triage, where (almost) everything gets separated, madness produces between-knowledges and between-professions, exposing that something escapes divisions and making room for other ways of doing at the Public Defender's Office. The resolution that provides for assistance in mental health cases proved to be a powerful analyzer to think of other possible arrangements in the work process - encounters scheduled by the do with, do in network, and know-how-to-do together.

The Psychosocial, in this case, distances itself from its historical position - as we have previously seen - and approaches a more inventive, less disciplined and disciplinary ways of doing (and knowing). We believe these ways of knowing-how-to-do create a legal assistance that tends towards comprehensive care, constituting a between professional work in which the experience of thinking-knowing-how-to-do between professions does not submit to the protocols and divisions already established.

In this paper we focused more specifically on the practice of triage, which is itself an institution of classification and separation, a mechanism that has been problematized by the Sanitary and Mental Health Reforms, in favor of welcoming and conversational strategies. It should be mentioned that other practices already underway were not presented or discussed here (coordination with service networks and other public policies, psychological or social support, education on rights seeking to promote access to justice). Such practices point towards interdisciplinarity, as can be seen in the book *Interdisciplinaridade na Defensoria Pública (Interdisciplinarity at the Public Defender's Office). Contribuições da Psicologia e do Serviço Social* (Barros et al, 2015) - (Contributions from Psychology and Social Work) for the common doing and not for the specialty; for creative interference and the possible connections that avoid the restriction of plurality to the unitary and uniform.

Thus, at the end, it is not about achieving true interdisciplinarity or pursuing the total or even totalizing approach to a problem. Instead, we have learned from Michel Foucault that the struggle to discipline knowledge (and the separation between scientific and unscientific, rational and non-rational), this economic-political struggle around knowledges undertaken in Modernity, has been part of the construction of disciplinary societies, characterized by an increase in containment spaces, by widespread surveillance, by standardization and individualization processes. In this process, the interdisciplinary can be exactly this network of knowledges, that along with a network of institutions, aims to fix individuals in a standardization and production device, connecting the individual to a process of formation or correction (Foucault, 2006b).

What matters in these meetings among psychologists, social workers, defenders, users and other subjects in the network, is the emergence of methods of doing that refuse the various kinds of reductionism produced by fragmentation and partialization of knowledge, but also refuse the normalizing technologies that set standards of normality and abnormality, trigger networks of moral subjectivity and individualize social problems.

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