PSY 551
PROFESSIONAL, ETHICAL AND LEGAL STUDIES - COURSE SYLLABUS
Dr. Richardson – Summer 2013

Schedule:

Tuesday and Thursday, 1-4:15, June 3 – August 1, 2013 (excepting the weeks of June 24, July 1 and July 15)

Purpose:

This course is designed to give students ethical, legal and practical guidelines for the practice of marriage and family therapy and individual counseling in various settings. Course content will be focused on these guidelines and also will include:

- Comparative professional identities within the mental health delivery field \textit{vis a vis} training, practice, employment and licensure / credentialing
- History and philosophy of the counseling and MFT professions, including significant factors and events
- Technological and electronic issues impacting the helping professions
- Advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients

Requirements:

1) Students are to read all assigned portions of course texts:

Corey, G., Corey, S. & Callanan, P. \textit{Issues and ethics in the helping professions, 8\textsuperscript{th} ed}. CA: Brooks / Cole.


Wilcoxon, S., Remley, T., Gladding, S. (2012). \textit{Ethical, legal and professional issues in the practice of Marriage and Family Therapy, 5\textsuperscript{th} ed}. New Jersey: Pearson Education, Inc. (The 2007, 4\textsuperscript{th} Ed of this book may also be used.)

2) Students are to complete 11 designated chapter summaries of the Corey text by days indicated per Course Schedule.

3) Students are to read the American Psychological Association Code of Ethics and the American Counseling Association Code of Ethics and generate a (two-page-minimum) comparison of the three codes (AAMFT code is a part of Wilcoxon, et al. Text) due at class time according to Course Schedule.

4) Students are to read one recent edition of the \textit{Family Therapy Magazine}. (This is operationally defined as reading two main articles and all other pages in a recent (published within the last 18 mos.) edition of the \textit{Family Therapy Magazine}) Available in the MFTC Conf. Rm, Statement of completion, due at class time according to Course Schedule.

5) Students are to read and summarize one recent (past 12 mos.) MFT refereed journal article pertaining to professional issues, due at class time according to Course Schedule.
6) Students are to obtain and read the current LMFT or LPC licensure law (including rules and regs attachments) from one state of their choosing. Students are to prepare an organized summary/outline of that law primarily specifying the clinical and academic requirements for obtaining licensure and the disciplinary aspects of that particular licensure law, i.e., a practical guide on how to obtain and how to lose that mental-health provider state license. Outline (3-page-max), include exact website address, due at class time according to Course Schedule.

7) Students are to read The Gift of Therapy and write a “plagiarized” book entitled Irvin’s Little Instruction Book. (Cite Yalom.) Each “book” is to be composed of the students’ favorite (non-chapter-title) phrase or sentence from any 81 of Yalom’s 85 chapters. Students are to hand-in their “plagiarized” books in sections of 9 chapters by class time according to Course Schedule.

8) Other readings or projects may be required. All written work is due via email to Prof and TA at designated times and must be satisfactorily completed for successful course accomplishment.

**Testing Procedure:**

1) Students will receive Sample Questions for “quizzable” chapters of the Wilcoxon text.

2) Students will be tested over specified Wilcoxon chapters and class lecture material as listed on Course Schedule. Quizzes are NOT comprehensive. (See Course Schedule for quiz dates and content.)

3) Students will have bonus point opportunities on each quiz. Bonus points will be taken from the non-member sections of the AAMFT and ACA org web sites.

4) Students will be tested via a comprehensive final exam.

**Course Grading:**

1) The final course grade will be based on class quizzes (35% weight), a final exam (35% weight) and the quality and timely completion of all dated Requirements/Assignments, above (30% weight).

2) Quizzes will not be comprehensive but will include the previous class lecture material (including any guest speaker presentations).

3) Two lowest quiz grade will be excluded in final grade computations.

4) The final exam will be comprehensive and will include Wilcoxon, et al., text and class lecture material (including guest speaker presentations, if any).

5) Satisfactory fulfillment of all class requirements by **8/9/13** is necessary for successful course completion.

6) All written assignments, must be type-written (double spaced, New Times Roman, 12 pt. font, 1 in. margins.) and emailed to Prof and TA @ the times designated on the Course Schedule.

7) 100 % attendance required (unless due to illness) unless prior written permission by professor is obtained.
## 551 Course Schedule 2013

<table>
<thead>
<tr>
<th>Class Number</th>
<th>Date</th>
<th>Wilcoxon Chap. QUIZ</th>
<th>Corey Chapters</th>
<th>Other</th>
<th>Assignments</th>
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<tbody>
<tr>
<td>1</td>
<td>4-Jun</td>
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<td>2</td>
<td>6-Jun</td>
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<td>3</td>
<td>11-Jun</td>
<td>3b</td>
<td>2</td>
<td>Family Therapy Mag</td>
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<td>4</td>
<td>13-Jun</td>
<td>4 &amp; 5</td>
<td>3</td>
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<td>5</td>
<td>18-Jun</td>
<td>6</td>
<td>4</td>
<td>MFT article</td>
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<td>6</td>
<td>20-Jun</td>
<td>7-8</td>
<td>5</td>
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<td>7</td>
<td>9-Jul</td>
<td>9</td>
<td>6</td>
<td>Code comparison</td>
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<td>8</td>
<td>11-Jul</td>
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<td>23-Jul</td>
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<td>25-Jul</td>
<td>12</td>
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<td>Licensure law</td>
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<td>11</td>
<td>30-Jul</td>
<td>13 &amp; 14</td>
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<td>12</td>
<td>1-Aug</td>
<td>15</td>
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<td>Gift of Therapy</td>
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<td>final exam</td>
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1. What is Barry's definition of ethics? (4th Ed.)
2. Explain the difference between mandatory and discretionary actions relative to ethical codes. (5th Ed.)
3. Van Hoose and Kottler (1985) state that ethical codes define basic principles that ought to guide professional activities. These authors then specify four purposes which professional ethical codes fulfill. Know two of these four purposes.
4. If sued for malpractice by what standard would the therapist be judged?
5. Given any one of Kitchner's (1986) four major psychological processes underlying applied ethics and psychotherapy, be able to explain that particular process. (one sentence per process)
6. Be able to recount the four components of ethically responsible behavior according to Van Hoose (1980).
7. Given any of the five biomedical ethical principles (Beauchamp and Childress, 2009) seen as overarching/foundational to psychotherapy, be able to supply a definition.
8. What is care-based ethical decision-making?
9. Define virtue ethics. What is its opposite?
10. Illustrate the difference between nonmaleficence and beneficence as applied to the issue of sexual intimacies with clients.
11. Illustrate the difference between mandatory and discretionary ethical decisions as applied to the issue of sexual intimacies with clients.

SAMPLE QUIZ Q’S  Wilcoxon, et. al.: Chapter 3b (remaining pages)

1. What is confidentiality and why is it needed in psychotherapy?
2. Define privileged communication.
3. How does "privacy" differ from "privileged communication" and "confidentiality"?
4. When is it the therapist's "duty" to violate a client's rights to privacy?
5. According to Knapp and VandeCreek (1982), when are psychotherapists not liable for failure to warn in cases of violence?
6. Be able to outline Corey's six point procedure to be used in cases of imminent serious danger (of violence).
7. What are the three positions given in your text regarding confidentiality in Marriage and Family Therapy? (4th Ed.)
8. Define the ethical issue of informed consent.
9. According to Hare-Mustin, et.al. (1979), what are the three types of information that clients should have in order to make informed choices about psychotherapy?
10. What is the difference between a Therapeutic Contract and a Professional Disclosure Statement?
SAMPLE QUESTIONS: Wilcoxon, et. al., Chapters 4 & 5 (5th Ed.)

1. The authors point out issues unique to marriage and family under six rubrics (excluding confidentiality).
   a. Informed consent
   b. Problem definition
   c. Power inequity
   d. Therapist as change agent
   e. Convening complications
   f. Paradoxical procedures
   Presented with any of these be able to articulate at least one ethical concern addressed by the authors.

2. According to Grunebaum (1984), what is a necessary precondition to families adopting the therapist's problem definitions? (4th Ed.)

3. How are autonomy concerns potentially at risk in problem definition issues?

4. How could institutional/agency triangulation lead to inequity imbalance and what ethical code (number) item may be in question?

5. Give three reasons cited in this text for convening significant familial groups in therapy vs individuals in therapy.

6. What do your authors see as the major danger in misuse of therapists' power?

7. What are the three positions given in your text regarding confidentiality in Marriage and Family Therapy? (5th Ed.)

QUIZ ASSIGNMENT: Wilcoxon, et. al., Chapters 6-8 (5th Ed.)
To be done and emailed to Prof and TA before class.

1. Compose a one paragraph summary of the key issues presented in the partner violence chapter (chapter 6 5th Ed.).

2. Describe any five key ethical issues identified in the contemporary issues chapter (chapters 7 & 8 5th Ed.).
SAMPLE QUESTIONS: Wilcoxon, et. al., Chapter 9 (5th Ed.)

1. Who may approach the Ethics Committee with complaints against AAMFT members?
2. All such complaint cases are decided after the "defendant" appears before the Ethics Committee. (T or F)
3. In cases where mutual consent is not reached, the AAMFT Judicial Council can take what final actions?
4. As today’s class and all future classes students should be able to analyze quiz scenarios like those above and judge them in accord or violation of the AAMFT Code of Ethics. Students do not need to quote code numbers but must be able to paraphrase code principles and prescribe ethical courses of action.

SAMPLE QUESTIONS: Wilcoxon, et. al.; Chapter 10 (5th Ed.)

1. Be able to define and differentiate between Statutory, Administrative and Case Law.
2. Differentiate between Criminal and Civil Law in terms of definition and remedy.
3. What are the two most frequently encountered situations calling for therapists to serve as "sources of information"?
4. Be able to briefly outline the facts of the Tarasoff case as well as the three factors emanating from the Tarasoff decision which are pertinent to a therapist's duty to warn.
5. Marriage and Family Therapists who act in good faith in reporting suspected cases of child abuse or neglect are immune from suit. (T or F, explain)
6. Be able to recall and broadly define the three Treatment Specialist functions that Marriage and Family Therapists may serve.
7. What is a "consent decree"?
8. Be able to recall two results of comparisons between mediation and court adjudication.
9. What is the ideal role of the Marriage and Family Therapist as "expert witness"?
10. Who can serve as an "expert witness"?
11. Be able to recall three of the five points made by your author under "Preparation" for courtroom testimony.
12. Marriage and Family Therapists' major areas of people liability come under what three headings?
13. How is a therapist's relationship with his client a fiduciary relationship?
15. Define malpractice. (Include the first two elements necessary to prove malpractice.)
16. Be able to recognize any of the five negative effects of psychotherapy constituting tortious injury.
17. Malpractice is an unintentional tort. (T or F)
18. Differentiate between intentional & unintentional tort.
19. Explain any three intentional torts.
20. Know the difference between “occurrence-based” and “claims-based” professional liability insurances.
SAMPLE QUESTIONS: Wilcoxon, et. al.; Chapter 11 (5th Ed.)

1. What is a prenuptial agreement and how are such agreements used today?

2. Recently, the Supreme Court has supplied judicial opinion in favor of support benefits from parents to illegitimate children. (T or F)

3. Be able to recognize the sorts of evidence courts can be expected to employ in attempts to prove paternity.


5. Define and state the purpose of the guardian ad litem?

6. Be able to briefly define "annulment."

7. Be able to briefly summarize Orlando's (1978) report on required conciliation counseling.

8. According to the Census Bureau (1981), about what percentage of divorces involved alimony at the time of reporting?

9. Know the difference between common law and community property rights laws.

10. What is the difference between the tender years doctrine and the best interest of the child standard?

11. Indicate 3 relevant factors courts may use to delineate the best interest of the child according to the Uniform Marriage and Divorce Act.

12. Be able to define and differentiate between the four types of child custody listed in your text.

13. Typically, child support awards remain in effect until a child reaches the age of _____.

SAMPLE QUESTIONS: Wilcoxon, et. al.; Chapter 12 (5th Ed.)

1. Given an oral or written presentation of cases 1-6 in your present chapter, briefly state the core of your authors' conclusion and their legal reasoning behind that conclusion.

2. The Buckley Amendment (FERPA) basically states that parents and "eligible" students have the right to inspect the educational records of those students. To which schools does this law apply?

3. The therapists may legally refuse court testimony if state statutes grant him privileged communication regardless of the wishes of the particular client. (T or F)

4. List two means that a court might use to acquire information that would be less intrusive than the subpoena of therapist testimony or records.

5. Supervisors are ultimately legally responsible for the welfare of clients seen in therapy by their supervisees. (T or F)

6. Supervisees are absolved of legal liability for their clients in light of the legal doctrine of respondeat superior. (T or F)
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SAMPLE QUESTIONS: Wilcoxon, et. al.; Chapter 13 & 14 (5th Ed.)

1. What does AFTA stand for and how is it different from AAMFT?

2. The American Psychological Assoc. is individualistic in its theoretical presuppositional base and therefore opposed to marriage and family/systems concepts. (T or F)

3. What does IAMFC signify and of what larger professional body is it a subgroup?

4. Explain "MCE" and AAMFT's MCE policy for continued clinical membership.

5. Your text cites other authors pointing out that the purpose of state licensure of M&F therapists is:
   a. consumer protection
   b. monopolistic self-protection of “market place” income
   c. both a and b above
   d. neither a nor b above

6. According to your author, how is research relevant to professional identity.

7. According to your author MFT is a distinct profession rather than a professional specialization. (T or F, explain both concepts.)

SAMPLE QUESTIONS: Wilcoxon, et. al.; Chapter 15 (5th Ed.)

1. Be able to list any 5 therapeutic uses of individual sessions listed by your authors (either in diagnostic or ongoing therapy sessions).

2. Do your authors believe that values should ever be addressed in therapy? (yes or no)

3. What does your author believe regarding written consent and the use of substitute therapists in cases of therapist absence?

4. It is unethical, according to AAMFT, to use a collection agency in light of confidentiality problems. (T or F) Explain your answer.

5. Drawing from the issues presented by your authors under Question 8, list three of these you see as the most problematic professional concerns regarding "small town" practice?