**1 PSY 551 PROFESSIONAL ETHICAL AND LEGAL STUDIES**

**Reformed Theological Seminary**

Spring 2019

3 Credit Hours

**Instructor**

**William Richardson, Ph.D.**

(W) 601-923-1630

(C) 601-316-8013

brichardson@rts.edu

**Office Hours –** Wednesdays 5-8:00 p.m.

**Meeting time –** Thurdsays 1-4:00 p.m.

**Class Location –** SC 1

**Course Description**

This course is designed to give students ethical, legal and practical guidelines for the practice of professional counseling in various settings. Students completing the course will develop a sensitivity to the ethical and legal aspects of the counseling process, better appreciate ethical constraints under which a counselor works, and develop skills to critically examine how they conduct themselves as counselors. Professional identity and advocacy issues pertinent to individual counseling, group counseling, and Marriage and family Therapy will be addressed.

**Course Objectives (Knowledge and Skill Outcomes)**

For students to gain and demonstrate comprehension of the following (applicable CACREP standard in parenthesis):

1. **History and Philosophy-** history and philosophy of the counseling profession and its specialty areas concerning individuals, groups, couples and family systems (2.F.1.a; 2.F.5.b.)
2. **Professional Roles-** the multiple professional roles and functions of counselors across specialty areas, and their relationships with human service and integrated behavioral health care systems, including interagency and interorganizational collaboration and consultation. The unique (2.F.1.b)
3. **Community Responsibility-** counselors’ roles and responsibilities as members of interdisciplinary community outreach and emergency management response teams (2.F.1.c)
4. **Professional Advocacy-** the role and process of the professional counselor advocating on behalf of the profession (2.F.1.d)
5. **Client Advocacy -** advocacy processes needed to address institutional and social barriers that impede access, equity, and success for clients (2.F.1.e)
6. **Professional Orientation -** professional counseling organizations, including membership benefits, activities, services to members, and current issues (2.F.1.f)
7. **Credentialing -** professional counseling credentialing, including certification, licensure, and accreditation practices and standards, and the effects of public policy on these issues (2.F.1.g)
8. **Labor Market -** current labor market information relevant to opportunities for practice within the counseling profession (2.F.1.h)
9. **Ethical Standards -** ethical standards of professional counseling organizations and credentialing bodies, the ethical foundational principles undergirding those standards and the applications of ethical and legal considerations in professional counseling. The application of ethical standards to individual, couples, family systems and group clients will be considered. (2.F.1.i; 2.F.5.b.)
10. **The process/steps of ethical decision-making-** the application of ethical standards will be elaborated via the consideration of ethical decision-making steps vis a vis specific case examples. (2.F.1.i)
11. **Technology -** technology’s impact on the counseling profession (2.F.1.j; 2.F.5.e)
12. **Self-evaluation -** strategies for personal and professional self-evaluation and implications for practice (2.F.1.k)
13. **Self-care -** self-care strategies appropriate to the counselor role (2.F.1.l)
14. **Supervision -** the role of counseling supervision in the profession (2.F.1.m)
15. **Legal Considerations in Professional Counseling –** the legal interface with ethical counseling practice as well as legislation and government policy relevant to clinical mental health counseling (2.F.1.i.; 5.C.2.i)
16. **Organizations** - professional organizations, preparation standards, and credentials relevant to the practice of clinical mental health counseling (5.C.2.k)
17. **CMHC Ethics** - legal and ethical considerations specific to clinical mental health counseling (5.C.2.l)
18. **Mandated Clients** - strategies for interfacing with mandated clients which are primarily from the legal system (court-referred clients) but can occur in other contexts, e.g., school systems (5.C.3.c)

**Methods of Instruction**

This course will be taught in the following format: traditional classroom, may include guest lecture, and/or student research presentations according to professor discretion.

**Assignments (Student Performance Evaluation Criteria)**

1. Ninety percent attendance for this course is required unless prior written permission is attained or student illness occurs.
2. Satisfactory fulfillment of all class requirements by the end of the final exam period is necessary for successful course completion.
3. All written assignments must be completed and emailed to the course professor (and teaching/grading assistant if applicable) by the end of the last day of the final exam period of the term in which the course is taken.
4. For grading purposes all written assignment segments will be graded as Satisfactory or Unsatisfactory regarding content. Unsatisfactory assignments may be repeated with no late penalty.
5. For grading purposes all written assignment segments will be treated as 10 point quizzes regarding timeliness. One point will be deducted for each week-day late.
6. **Corey Mid-term and Final Exams (30%)** Students will have a Mid-term (A1a.) and a Final Exam (A1b.) covering chapters of the Corey text (M1) as indicated on Course Schedule. Questions will come only from distributed Corey multiple-choice test banks. Due Dates TBA \_\_\_\_\_
7. **Quizzes (20%).** Students will complete nine quizzes on the Wilcoxon text (M3) as per Course Schedule. Students will have bonus-point opportunities on each quiz. Bonus points will be taken from the non-member sections of the AMHCA and ACA org web sites. The two lowest quiz grades will be dropped at the end of the term. Sample Questions for “quizzable” chapters of the Wilcoxon text are included in this syllabus. (See Syllabus Addendum 2.)
8. **Lecture Final Exam (20%)** Students will be tested over class lecture material (comprehensively) including guest speaker and students’ presentations, if any occur. Due Date TBA \_\_\_\_\_
9. **Code of Ethics Comparison Paper (10%).** Students are to read the current Codes of Ethics published by the American Psychological Association, the American Counseling Association, and the American Mental Health Counseling Association and generate a (three-page-minimum) comparison of the three codes. “Comparison” for this assignment is operationally defined as describing 6 code differences the student(s) consider salient. This project may be completed by one person individually or in 2-3 person groupings. Due Date TBA \_\_\_\_\_
10. **Values based referrals (S/U).** Students are to read “Ethical Courses of Action for Complex, yet Common Ethical Issues” (M7.) prior to class meeting #7 and bring to that class a hard copy of their answer to Exercise 2 contained in the article. (Doc will be incorporated into Quiz 4b)
11. **Managing value differences (S/U).** Students are to read Chapter 5 of the ACA Ethical Standards Casebook prior to class meeting #7 and bring to that class a hard copy of their definitions of “ethical bracketing” and “a discriminatory referral.” (Doc will be incorporated into Quiz 4b)
12. **Licensure Law Assignment (10%).** Students are to obtain and read the current LPC/LMHC 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 (4-page-max), include exact website address, due at class time according to Course Schedule. Due Date TBA \_\_\_\_\_

**Required Materials (Texts, Readings, Videos, etc.)**:

1. Corey, G., Corey, S., Corey, C. & Callanan, P. Issues and ethics in the helping professions, 9th Ed (Updated with 2014 ACA Codes). CA: Brooks / Cole.
2. Wilcoxon, S., Remley, T., Gladding, S. (2012). Ethical, legal and professional issues in the practice of Marriage and Family Therapy, 5th ed. New Jersey: Pearson Education.

(See Syllabus Addendum 1 on why include an MFT text in a Counseling course.)

1. Herlihy, B., & Corey, G. (2014). ACA Ethical Standards Casebook (7th ed.). Alexandria,VA: American Counseling Association. 2014).
2. \_\_\_\_\_, (2014). ACA Code of Ethics. American Counseling Association: Alexandria, VA.
3. \_\_\_\_\_, (2015). AMHCA Code of Ethics. American Mental Health Counselors Association: Alexandria, VA.
4. \_\_\_\_\_, (2017). Ethical Principles of Psychologists and Code of Conduct. American Psychological Association: Washington, DC.
5. Richardson, W. (2018). “Ethical Courses of Action for Complex, yet Common Ethical Issues.” Workshop presentation at the 2018 RTS Christian Counseling Conference. (Available of CANVAS.)
6. “A Brief History of the American Mental Health Counselors Association” (AMHCA website)
7. “Our History” (ACA website)

**Course Process and Schedule**

The lecture portions of this course will be taught twice weekly. Quizzes will be given at the start of class.

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Class # | Lecture Topics | M1. Corey Chapter # | Assignments: Wilcoxon Quizzes, Corey Exams, etc | 2016 CACREP Standards | Course Objectives |
| 1 | Historical Philosophical and Theological foundations. Professional Identity and Roles, |  | Portions of the histories of ACA and AMHCA (M8 and M9) will be referenced/read in class as part of lecture. | 2.F.1.a, 2.F.5.b., 2.F.1.b | CO 1, CO 2, |
| 2 | 1. Professional orientation 2. Foundational Ethical Principles and the process of ethical decision-making | 1 | A2. Wilcoxon ch 3a. Q1a | 2.F.1.a, 2.F.1.f, 2.F.1, 5,C.2.k.i | CO 1, CO 6, CO 10, CO 16 |
| 3 | Ethical issues and the helping relationship: Confidentiality and informed Consent | 3 | A2. Wilcoxon ch 3b. Q1b | 2.F.1.b, 2.F.1.i, 2,F.1.k | CO 9. CO 12 |
| 4 | Ethical issues in the 21st century, e.g., HIPAA, HIV and technology | 4 | A2. Wilcoxon ch 4-8. Q2 | 2.F.1.i, 2.F.5.b., 2.F.1.j, 2.F.5.e | CO 9, CO 11 |
| 5 | Ethica Issuess applied to couples and families, e.g. power inequity, Convening,Partner Violence, DSM | 5 | A2. Wilcoxon ch 4-8. Q3 | 2.F.1.i, 2.F.5.b. | CO 9, CO 2 |
|  |  |  | A1a. Corey mid-term, chapters 1-6 taken out of class any time during weeks \_\_\_\_\_\_\_\_\_\_ TBA |  |  |
| 6 | Ethical Codes: Case studies and counselors' values | 6 | A2. Wilcoxon ch 9a. Q4a | 2.F.1.i, 2.F.5.b., 5.C.2.l | CO 9, CO17 |
| 7 | Ethical Codes: Case studies | 7 | A2. Wilcoxon ch 9a. Q4b A5. and A6. Values assignment due | 2.F.1.i, 2.F.5.b., 5.C.2.l | CO 9, CO 17 |
| 8 | Interfacing with the legal system, and government policy | 8 | A2. Wilcoxon ch 10 Q5 | 5.C.2.i, 5.C.3.c | CO 15, CO 18 |
| 9 | Family Law and Ethical decisions | 9 | A2. Wilcoxon ch 11. Q6 | 2.F.1.i, 2.F.5.b, 5.C.2.i | CO9, CO 15 |
| 10 | Supervisio, Professional Identity and Credentialing | 10 | A2. Wilcoxon ch 12. Q7, A7. Licensure law paper due | 2.F.1.f, 2.F.1.g, 2.F.1.m, 5.C.2.k | CO 6, CO 7, CO 14, CO 16 |
| 11 | Community mental health, professional advocacy and client advocacy | 12 | A2. Wilcoxon ch 13,14. Q8 | 2.F.1.c, 2.F.1.d, 2.F.1.e | CO 3-5 |
| 12 | Professional practice the labor market and self care | 2 | A2. Wilcoxon ch 15. Q9 | 2.F.1.h, 2.F.1.k, 2.F.1.l, | CO 8, CO 13, CO 16 |
| 13 | Lecture Final Exam | 13 | A4. Lecture final exam |  |  |
|  |  |  |  |  |  |
|  |  |  | A4.Code of Ethics comparison due,TBA | 2.F.1.i, 2.F.5.b | CO 9 |
|  |  |  | A7. Licensure law assignment due, TBA | 2.F.1.g, 5.C.2.i | CO 7, CO 15 |
|  |  |  | A1b. Corey final exam, chs 7-13, ~~11~~, TBA |  |  |

**Policies and Important Information**

All written assignments should be in 12 pt Times New Roman font and double spaced with one inch margins all around.

**Disability Policy**: If you have a documented disability (physical, psychological, learning, or other disability which affects your academic performance) and would like to receive academic accommodations, please inform your instructor prior to the start of this course. The instructor and student will discuss the available accommodations for the course. If the student with a disability does not disclose that s/he has a disability, then the student is agreeing to take full responsibility for any related consequences that may occur.

**Access to Research Database:** RTS provides Jackson MFTC students access to the Ebscohost Psychology & Behavioral Science Collection of full text journal articles. You can access this collection from computers in the library, or from your personal computer by following the link below and logging in with a username and password to be provided in class. <http://search.ebscohost.com/>

**Submission of work**: Written assignments are to be emailed to the instructor for this course by 11:59 PM on the date due. Keep a digital copy of your work.

**Late work:** (See “Assignments (Student Performance Evaluation Criteria),” above.

**Anonymity**: Toward the goal of grading with as much objectivity as possible all written assignments and exams should be identified by the last six digits of students’ Self-Service ID number rather than by name.

**Return of work**: All work returned to students will be available in the MFT Office. Any work not collected by the first full week of the next semester will be disposed of.

**Grading Scale:** The RTS grading scale listed below (with possible slight modifications) will be used.

A (97-100)

A- (94-96)

B+ (91-93)

B (88-90)

B- (86-87)

C+ (83-85)

C (80-82)

C- (78-79)

D+ (75-77)

D (72-74)

D- (70-71)

F- (Below 70)

**Attendance Policy:** Regular attendance is expected and required. Excessive absences (more than 3 class meetings) will result in the loss of points equal to one letter grade per absence. If serious illness or an emergency prevents a student from attending any class, please notify the instructor before the class begins. It is the responsibility of the student to obtain any materials handed out or presented during the missed class from a classmate.

**Student Learning Outcome Table**

The table below shows how the objectives of this course will meet / relate to CACREP Standards.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **CACREP Standard** | **Course Objective** | **Material \*** | **Lecture / class meeting #** | **Assignment / Evaluation \*\*** |
| 2.F.1.a | CO1. History and Philosophy | M1: 1; M1: 8; M2:1-2 | 1, 2 | A1a; A1b\*\*; A2 (Q1a, Q1b) |
| 2.F.1.b | CO2. Professional Roles | M1: 1; M1: 8; M2:1-2 | 1, 2, 12 | A2, (Q1, Q2) |
| 2.F.1.c | CO3. Community Responsibility Issues | M1: 13 | 11 | A3 |
| 2.F.1.d | CO4. Professional Advocacy | M1: 13 | 11 | A3 |
| 2.F.1.e | CO5. Client Advocacy | M1: 13 | 11 | A3 |
| 2.F.1.f | CO6. Professional Orientation | M1:10, M2: 2, 13-15 | 1, 10 | A2 (Q 2, 9), A4 |
| 2.F.1.g | CO7. Credentialing | M1: 8; M2: 13-14 | 10 | A2 (Q8), A3, |
| 2.F.1.h | CO8. Labor Market | M1: 13; M2: 15 | 12 | A2 (Q8), A3 |
| 2.F.1.i, 2.F.5.b | CO9. Ethical Standards | M1: 4-7; M2: 9-11; | 6, 7, 8 | A2 (Q4a, Q4b), A7 |
| 2.F.1.j; | CO10. Technology | M1: 5-6 | 4 | A2 (Q3), A7 |
| 2.F.1.k | CO11. Self-evaluation | M1: 2-3 | 7 | A3, A5, A6 |
| 2.F.1.l | CO12. Self-care | M1: 2 | 12 | A3 |
| 2.F.1.m | CO13. Supervision | M1: 8-9; M2: 12 | 10 | A2 (Q8), A3 |
| 2.F.1.i, 5.C.2.i; | CO15. Legal Issues | M1: 6; M2:10-12 | 8, 9 | A2 (Q7-8), A3 |

\* A quick reference to Materials and Assignments is listed below.

\*\* A1a. and A1b., The Corey, et.al. Midterm and Final, together Literally cover every CACREP Standard of Professional Counseling Orientation and Ethical Practice (2.F.1.a-m). This Assignment will not be listed on each row of this Table. (Other materials are used to provide more in depth considerations where Corey, *et.al*., do not give fuller treatment.)

**Quick Reference to Materials and Assignments**

**Materials**

1. Corey
2. Wilcoxon
3. ACA Casebook
4. ACA Code of Ethics
5. AMHCA Code of Ethics
6. APA Code of Conduct
7. Richardson paper
8. AMHCA History
9. ACA History

**Assignments**

1. Corey Mid-term and Final Exams (30%).
2. Quizzes (Q) (20%).
3. Lecture Final Exam (20%)
4. Codes of Ethics Comparison Paper (10%).
5. Values based referrals (S/U).
6. Managing value differences (S/U).
7. Licensure Law Assignment (10%)

**551 Syllabus Addendum 1: Reasons for inclusion of the Wilcoxon, et.al., text with its emphasis on Marriage and**

**Family Therapy in a course on Counseling ethics and professional issues.**

1. Wilcoxon, Remly and Gladding (WRG) are all major figures in the Counselor Education, CACREP, ACA academic and professional culture, e.g.,
2. Wilcoxon just retired after a long careers as Professor and chair of the Counselor Ed. Ph.D. program at the University of Alabama, and as AL, LPC Board member.
3. Gladding is a past president of ACA.
4. All three authors are LPC’s and Ph.D. Counselor Education program professors (or chairpersons).

1. However, WRG are not only knowledgeable of ACA and CACREP academics and culture, they are also trained and active in the systems therapy (MFT) portion of the helping field.
2. Wilcoxon and Gladding are AAMFT Clinical fellows and Approved Supervisors.
3. Remly is an LMFT.

The result is that WRG consistently weave couples, family, adolescent and child (systemic) considerations into foundational and practical contemporary ethical issues.   The Corey, et.al. text, with its long-term (10th edition) immersion and acceptance (Corey is the co-editor of the ACA’s ethics casebook) in the counseling profession, has only a single chapter on MFT ethics.  WRG give students a far more complex treatment of the way ethical guidelines can have unique couple-and-family-system ramifications, e.g., they expose students to questions such as

* relative to confidentiality can you call a husband of their suicidal partner if that partner is your client,
* can you have a conversation with the father of an adolescent if the mother has sole custody (given there are 4 types of child custody),
* if your client is a couple stating they want to be seen together should you ever request individual sessions as part of your work, why or why not,
* if your client is an individual when should you seek to convene significant others, if ever, if so, how would you go about this,
* re informed consent to treatment, is the age of majority nationally uniform, and regardless of age of majority what are the exceptions giving minors majority status rights to treatment-consent and to privacy?  (Of course, this is a family systems concern and also a legal issue.)

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1. The Wilcoxon, et.al., text exposes students to legal issues that interact with codes of ethics in far greater depth than does the Corey, et.al., text. Besides being a professor of counseling, an LPC and LMFT, Theodore Remly also holds a JD degree. Therefore, WRG not only provide rudimentary, general legal explanations (notably basic malpractice (tort) and fiduciary and family law), but, like they do with family systems concepts noted above, they consistently explain ethics in light of legal issues once they introduce these issues. They take up such topics as:
2. consent decrees,
3. how to communicate with a guardian ad litem,
4. how to handle a subpoena, even
5. legal liability insurance issues, e.g., they note that unintentional tort is covered by professional liability insurance, typically intentional tort is not.  Learning this important difference is relatively simple, but not common knowledge, e.g. “battery” is typically considered intentional tort and the legal definition of battery is “unconsented touch.”

Such things are intertwined with ethical doctrines such as client autonomy and privacy, such ethical guidelines such as informed consent and confidentiality.  Corey, et.al only lightly touch on legal issues. Their primary focus is ethics.

1. Lastly, RTS, MAC students frequently encounter couple and family systems in their Practicum and Internship experience (and thereafter).  Note that 150 of their 400 pre-graduate supervised clinical hours (37.5%) are required to be “relational hours,” i.e., client units comprised of more than one person (which can include both group counseling and couples and family systemic counseling). The RTS, MAC program requires a fairly large number of relational hours as well five hours of course work in couples and family systems because of the couples and family counselees served at clinical facilities where our students are trained.)

In summary, firstly, I believe the Corey, et.al., text content is highly useful because of its longterm immersion and acceptance in the professional counseling portion of the helping field. Secondly, given client populations frequently encountered by our students, I believe the Wilcoxon, et.al., text is a necessary course inclusion for its significant integration (as opposed to Corey’s much lighter treatment) of both family systems and legal issues into counseling ethics and professional issues.

**Syllabus Addendum 2: 551 Sample Questions: Wilcoxon, et. al.,**

**Ch 3a (pps. 42-60) Quiz 1a**

1. What is given as the pinnacle ethical duty in all mental health care?
2. Explain the difference between mandatory and discretionary actions relative to ethical codes.

3. Van Hoose and Kottler (1985) state that ethical codes define basic principles that ought to guide professional activities. These authors then specify 3 purposes which professional ethical codes fulfill. Know two of these 3 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. The “Koocher model” of ethical decision making contains 8 steps. List any 2 steps that usefully elaborate the Kitchner model in your estimation.

7. Be able to recount the four components of ethically responsible behavior according to Van Hoose (1980).

8. Given any of the five biomedical ethical principles (Beauchamp and Childress, 2009) seen as overarching/foundational to psychotherapy, be able to supply a definition.

9. What is care-based ethical decision-making?

10. Define virtue ethics. What is its opposite?

11. Illustrate the difference between nonmaleficence and beneficence as applied to the issue of sexual intimacies with clients.

**Chapter 3b (pps. 61-70) Quiz 1b**

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. Define the ethical issue of informed consent.

8. 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?

9. What is the difference between a Therapeutic Contract and a Professional Disclosure Statement?

**Chapters 4 – 8**

In Chapters 4 – 8 Wilcoxon, *et.al*., point out 12 ethical issues (listed below) that often have implications unique to counseling with marriage partners and/or families. Presented with any of the issues below designated as either Quiz 2 or Quiz 3 be able to articulate at least one ethical concern addressed by the authors on the respective designated quizzes.

1. Confidentiality
2. Privileged Communication
3. Informed consent
4. Problem definition
5. Systemic inequity, triangulation (Quiz 2)
6. Therapist power as change agent (Quiz 2)
7. Convening issues (Quiz 2)
8. Paradoxical procedures
9. Partner violence (Quiz 3)
10. DSM (Quiz 3)
11. Managed Care
12. HIV/AIDS (Quiz 3)

**551 Sample Questions: Wilcoxon, et. al.,**

**Chapter 9, *ACA Code of Ethics*, and the “ACA Policies and Procedures for Processing Complaints of Ethical Violations” (See ACA website for the latter.) Quiz 4a, Quiz 4b**

1. Who may approach the ACA and/or AAMFT Ethics Committees with complaints against respective association members? (See Wilcoxon text and “**ACA Policies and Procedures for Processing Complaints…” for Sample Questions, items 1 and 2.)**
2. After investigation and hearings what actions can be taken by Ethics Committees?
3. As of today’s class and all future classes students should be able to analyze scenarios like those in the *ACA Casebook* and both Corey and Wilcoxon texts, and assess them as in compliance or in violation of the ACA Code of Ethics (if not in accord then describe an ethical course of action). Students do not need to quote code numbers but must be able to paraphrase code principles and prescribe ethical courses of action for the presented scenarios. (Including class day #6 there are 5 more class days. Be prepared to analyze ethics case scenarios in the order listed below. Refer to Parts II and III in the ACA Casebook.)
4. Class day 6 – ACA Code Section A
5. Class day 7 – ACA Code Section B
6. Class day 8 – ACA Code Section C
7. Class day 9 – ACA Code Sections D and E
8. Class day 10 – ACA Code Sections F
9. Class day 11 – ACA Code Sections H
10. Class day 12- ACA Code Sections I

**Chapter 10 Quiz 5**

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.

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"?

1. Be able to recall three of the five points made by your author under "Preparation" for courtroom testimony.
2. Marriage and Family Therapists' major areas of legal liability come under what three headings?
3. How is a therapist's relationship with his client a fiduciary relationship?
4. Define tort.
5. Define malpractice. (Include 3 elements necessary to prove malpractice.)
6. Be able to recognize any of the five negative effects of psychotherapy constituting tortious injury.
7. Malpractice is an unintentional tort. (T or F)
8. Differentiate between intentional & unintentional tort.
9. Explain any three intentional torts.
10. Know the difference between “occurrence-based” and “claims-based” professional liability insurances.

**551 Sample Questions: Wilcoxon, et. al.,**

**Chapter 11 Quiz 6**

1. What is a prenuptial agreement and how are such agreements used today?
2. Supreme Court rulings favor support benefits from biological parents children of unwed mothers. (T or F)
3. Be able to briefly outline the holdings of Roe v. Wade (1973), Bellotti v. Baird (II) (1979), H.L. v. Matheson (1981) and Planned Parenthood of the Blueridge v. Camblos (1998).
4. Define and state the purpose of the guardian ad litem?
5. Be able to briefly define "annulment."
6. Be able to briefly summarize Orlando's (1978) report on required conciliation counseling.
7. Know the difference between common law and community property rights laws.
8. What is the difference between the tender years doctrine and the best interest of the child standard?
9. Indicate 3 relevant factors courts may use to delineate the best interest of the child according to the Uniform Marriage and Divorce Act.
10. Be able to define and differentiate between the four types of child custody listed in your text.
11. Typically, child support awards remain in effect until a child reaches the age of .

**Chapter 12 Quiz 7**

1. Given an oral or written presentation of cases 1-6 in this 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.

1. Supervisors are ultimately legally responsible for the welfare of clients seen in therapy by their supervisees.

(**T or F**)

1. Supervisees are absolved of legal liability for their clients in light of the legal doctrine of respondeat superior. (**T or F**)
2. Re insurance fraud, the authors point out 3 often practiced but prohibited behaviors. One involves the provider of service, another diagnosis and the third, fee waiver. Briefly explain the ethical and legal issues involved with each.
3. What is the “consistent judicial trend” on the issue of privileged communication and multi-person psychotherapy, e.g., marital therapy.
4. On the same topic as immediately above, what is the third party rule and how universally is this applied?
5. Usually courts value the welfare of children above the privacy of their parents. (T / F)

**551 Sample Questions: Wilcoxon, et. al.;**

**Chapters 13 & 14 Quiz 8**

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

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

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

4. 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

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

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

**Chapter 15 Quiz 9 (Will be included in Lecture Final Exam if class meets only 10 times.)**

1. Be able to list any 3 therapeutic uses of individual sessions listed by your authors (either in diagnostic or ongoing therapy sessions).

1. Do your authors believe that client and therapist values should ever be addressed in therapy?
2. Providing a family with an alternate values viewpoints equates to client exploitation (T or F, explain)

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

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

6. Drawing from the issues presented by your authors under Question 6, list 2 of these you see as significant professional concerns regarding "small town" practice?

7. Drawing from the items presented by your authors under Question 8 as ways for therapists to achieve balance between professional and personal life, list 2 of these you see as potentially useful.