



LEWIS & CLARK COLLEGE

GRADUATE SCHOOL OF EDUCATION AND COUNSELING CPSY 566: LEGAL AND ETHICAL ISSUES IN MCFT FALL 2011

Time & Day: Tuesdays, 5:30-8:30 pm.

Place: South Campus Conference Center, Room 117

Instructor: Pilar Hernández-Wolfe, Ph.D., LMFT.

Office Hours: Mondays, 10-12 pm; Wednesday, 1-5 pm and by appointment

E-Mail: pilarhw@lclark.edu

CATALOG DESCRIPTION

Survey of current issues relating to ethical practice and legal responsibilities in family therapy and counseling. Addresses issues such as confidentiality, informed consent, dual relationships, and therapist liability. Includes models for ethical decision making, working with the legal system, and relevant aspects of family law.

COURSE DESCRIPTION

This course is designed specifically to meet the educational requirements for students in the Marriage, Couple and Family Therapy Program. Topics include major trends, legal considerations and ethical issues relative to the practice of relational therapy.

COURSE OBJECTIVES

The following objectives are in keeping with the AAMFT Core Competencies. At the end of this course, students are expected to:

1. Understand the ethical and legal considerations specifically related to the practice of family therapy (e.g., confidentiality & release of records in relational therapy). Know and follow the AAMFT Code of Ethics, standards of practice, and state laws and regulations for the practice of MCFT.
2. Understand the implications of professional issues unique to the practice of family therapy, including contemporary debates in the field (e.g., diagnosis and relational therapies, evidence-based & common factors movements).
3. Understand philosophies and best practices for ethical decision making. Learn to apply a model of ethical decision making appropriate for clinical work.

4. Become familiar with family law, family regulating agencies, and actions required of family therapists, (e.g., reporting child abuse & neglect, going to court, responding to subpoenas, working with child protection agencies).
5. Develop a beginning understanding of the behavioral health care delivery system, its impact on the services provided, the barriers and disparities in the system, and how institutional barriers prevent members of varying cultural and class groups from using/benefiting from mental health services.

TEACHING METHODS

A variety of teaching methods will be utilized during this course in order to achieve the above objectives. Among those methods will be assigned readings, class discussions, reflecting team exercises and experiential activities, and lectures. Students will watch videos clips and engage in group learning tasks and role play demonstrations.

READINGS:

Weekly readings are to be completed for the day indicated. Students are expected to be prepared to discuss the ideas and concepts discussed in the readings. You are responsible for all of the assigned readings, whether or not they are discussed in class. Please note that there are more readings assigned for some topics than for others.

NON-DISCRIMINATION POLICY/SPECIAL ASSISTANCE

Lewis & Clark College adheres to a nondiscriminatory policy with respect to employment, enrollment, and program. The College does not discriminate on the basis of race, color, creed, religion, sex, national origin, age, handicap or disability, sexual orientation, or marital status and has a firm commitment to promote the letter and spirit of all equal opportunity and civil rights laws.

SPECIAL ASSISTANCE

If you need course adaptations or accommodations because of a disability and/or you have emergency medical information to share please make an appointment with the instructor as soon as possible.

CPSY Departmental Attendance Policy

Class attendance is expected and required. Any missed class time will be made up by completing extra assignments designed by the instructor. Missing more than ten percent of class time may result in failure to complete the class. This would be 4.5 hours of a 45 hour class (3 credits), 3.0 hours for a 30 hour class (2 credits) or 1.5 hours for a 15 hour class (1 credit.) In case of extreme hardship and also at the discretion of the instructor, a grade of incomplete may be given for an assignment or the entire course. In such cases, the work to be submitted in order to remove the incomplete must be documented appropriately and stated deadlines met. Students are expected to be on time to class and tardiness may be seen as an absence that requires make-up work.

ASSIGNMENTS AND COURSE REQUIREMENTS

1. **Participation to all classes.**

- Giving attention to the instructor and/or other students when they are making a presentation.
- Demonstrating ability to recognize and use subtle non-verbal communication cues to assess your impact on your peers and participate in class.
- Demonstrating ability to be open about discussing the impact of your comments on your peers.
- Coming to class prepared (having read the assignment for the day)
- Contributing to in-class discussion based on the topics of discusses and the readings assigned. Contributions may include how you feel about the material but merely articulating your feelings is not sufficient. You are expected to put those feelings in context of your thoughts and analysis of the material.
- Engaging in group discussions with attention and energy.
- Asking questions of the instructor and/or other students regarding the material examined in that class.
- Providing examples to support or challenge the issues talked about in class.
- Making comments or giving observations about topics in the course, especially those that tie in the classroom material to "real world" problems, or try to integrate the content of the course.
- Dealing with other students and/or the instructor in a respectful fashion.
- Active listening. Students will be asked questions related to the course's readings randomly in class by other students and by the instructor. Your participation in small group discussions is also required.

2. **Professional Disclosure Statement**

<http://www.oregon.gov/OBLPCT/disclose.shtml>

The PDS is a written document that an LPC, LMFT, or registered intern gives to clients to tell the client information about the licensee/intern and his/her practice. This document should state for your future clients what you want them to know about you. The guidelines set forth by the Oregon Board of Licensed Professional Counselors and Therapists are a beginning point. Read the "Guidelines for Professional Disclosure Statements" and prepare a professional document that is presentable to clients and colleagues. It is expected that you write a statement that goes beyond the minimum information required by law and reflects your own thinking through what you consider important for informed consent. In addition, submit a 1-2 page rationale for what information you have and have not included and explain how you decided what to include. Evaluation parameters include:

(1) Writing and professional appearance (grammar and format); (2) Fulfillment with OBLPCT guidelines; (3) understanding of the AAMFT and OBLPCT Codes of Ethics; and (4) evidence of thoughtful consideration of what issues to include and what to exclude.

Due on 10/18

3. Legal Statutes & Rules Concise Summary

Select and identify a state/province/country and summarize the legal standards and professional rules for each of the following (cite the standard and/or rule number for each standard):

- Licensing eligibility requirements
- Child & elder abuse & neglect reporting requirements
- Grounds for denial, suspension or revocation of license/certificate
- Continuing education requirements
- Scope of practice
- Confidentiality and Exceptions
- Informed Consent requirements
- Rules around sexual intimacy with a client

Due on 11/22 in class

5. Research Paper Draft: This exercise will serve as a *foundation for your final paper*. Write a working draft of a 10 page (plus references) paper concerning an ethical issue, legal topic, or professional practice debate related to the practice of family therapy. This is an opportunity to practice professional writing while researching an important topic/debate in the field. Your paper should include the following: An extensive review of relevant literature on your topic, including a review of the major family therapy journals as discussed in class (10 pts); an introduction that outlines the relevance of the topic to the ethical practice of family therapy (5 pts); a synthesized review of the literature (10 pts); proper use of subsections and headings (APA 5 or 6) throughout the paper (5 pts); and correct referencing throughout (APA 5 or 6), including a reference list at the end of the paper (10 pts.). This paper will be reviewed as a draft and input provided by the instructor for revisions and additions to be completed in the final paper. DUE: Nov 4 in class.

3. Position Paper: Write a ten page (plus references) manuscript concerning an ethical issue, legal topic, or professional practice debate related to the practice of family therapy. Your ideas should be well synthesized, clearly presented, and carefully referenced. This is an opportunity to practice professional writing while researching an important topic/debate in the field. Your paper should include the following sections:

Abstract stating in 50 words or less what your paper will be covering and offering the reader and overview of your position/argument.

Introduction describing why your topic is of importance to the practice of family therapy and presenting a preliminary idea of your position/view.

Literature review drawing from the MFT and related literature, reflecting a comprehensive, inclusive, integrated overview of current field knowledge of the topic you have chosen. The literature review must include a search through relevant books and journal articles on your topic as it relates to the practice of family therapy.

Original contribution based on the literature and your own thoughts. This should be a well thought out, single thesis. Your thesis must rest on knowledge of the relevant literature, follow a logical flow of ideas, and make a contribution to the understanding of the professional practice of family therapy.

Examples of topics include:

Therapy as social control v. a source of liberation
Seeing couples together: The domestic violence debates
Touch or no touch: Cultural considerations
Dual relationships: Pros, cons and the boundaries between
Keeping secrets in family and couple therapy
Ethical issues relative to treating families in divorce
Family therapy across nations: Sharing expertise and/or intellectual imperialism?

Due on Dec 6 in class

6. **APA format.**

All papers should be typed APA style with all references appropriately cited, must be edited and checked for correct grammar. Papers with more than three editing issues will be returned (i.e. incorrect grammar and syntax, incomplete sentences). They have to be turned in within two days and ½ a grade will be taken off the final grade. Delays will result in further penalties.

EVALUATION AND GRADING

Because of the skill development nature of this course it is required that students complete all assignments to pass this class.

Attendance and participation	20 pts
PDS	20
Legal Statue summary	20
Researcher paper draft	20
Position paper	20

FINAL GRADING

A = 93-100

B = 83-87

C = 73-77

A- = 90-92
B+ = 88-89

B- = 80-82
C+ = 78-79

C- = 70-72

TEXT

Wilcoxon, S., Remley, T., Gladding, S. & Huber, C. (2007). Ethical, Legal, and professional Issues in the Practice of Marriage and Family Therapy. Part II- Ch.3-7, & Part III- Ch. 8-10). (The remainder of the book was covered in CPSY 503.)

Additional readings may be assigned throughout the course and will be available on Moodle.

COURSE SCHEDULE

WEEK 1 – October 11: Ethical Decision Making in Relational Therapy:

Topics:

Model of ethical decision making
Human rights principles & ethical decision making
AAMFT Code of Ethics

Reading: Text, Ch. 3

WEEK 2– October 18: Unique Considerations for Family Therapy Practice:
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Topics:

Confidentiality
Informed consent
Release of records

Reading: Text, Ch. 4

WEEK 3 – October 25: More Unique Considerations for Family Therapy Practice

Topics:

Family secrets
Use of paradox
Diagnosis

Reading:

Denton, W. (1990). A family systems analysis of DSM III-R. *Journal of Marital and Family Therapy*, 16(2), 113-135.
Denton, W. (2007). Issues for the DSM; Relational Diagnosis. Editorial, *American Journal of Psychiatry*, 164(8), 1146-1147.

WEEK 4 – November 1: Contemporary Ethical Issues

Topics:

Dual relationships
Managed care & other health care trends
HIPPA
Power dynamics in the therapy room

Reading: Text, Ch. 6

WEEK 5 – November 8: Legal Obligations in the Practice of Family Therapy

Topics:

Child custody & Support
Divorce
Parental rights

Readings: Text, Ch. 8 & 9

WEEK 6 – November 15: Legal Obligations in the Practice of Family Therapy

Topics:

Reporting requirements – child/vulnerable adult abuse or neglect
Duty to warn – potential harm to self or other
Record keeping
Writing report

Readings: Text, Ch. 10

WEEK 7 – November 22: Power Dynamics and Social Inequalities: Intimate Partner Abuse as a Case in Point

Topics:

Assessing domestic violence
Decisions about seeing partners separately and together
Therapist's ethical considerations relative to power imbalances and relationship
Equality in families and broader society

Reading: Text, Ch. 5

WEEK 8– 29: Ethical Accountability & Contemporary Professional Issues

Topics:

Reporting ethical violations

Case review
Additional professional issues

Reading: Text, Ch. 7 & 12

WEEK 9 – December 6: Sharing Papers, Wrap up & Course Evaluation
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This week you will share what you learned from writing your papers with others in the class. **FINAL PAPER DUE IN CLASS.**

****The following evaluation of objectives must be filled out and turned in on the last day of class.**

**COURSE OBJECTIVES-MCFT CORE COMPETENCIES EVALUATION SHEET
CPSY 566: LEGAL ISSUES IN MARRIAGE AND FAMILY THERAPY**

TERM: Fall 2011
Hernandez-Wolfe

INSTRUCTOR:

Please rate each item according to how much you learned about the competency listed.
Circle: 1=objective not met 2=objective somewhat met 3=objective adequately met
4=objective more than met

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1 2 3 4

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1 2 3 4

