Time & Day: Tuesdays, 5:30-8:30 PM
Place: York Graduate Center, Room 116
Instructor: Matthew Lovell M.A., LMFT.
Office Hours: Thursdays, 1:00 – 4:00 PM, Rogers Hall Room 319
E-Mail: mlovell@lclark.edu

CATALOG DESCRIPTION
Legal and Ethical Issues in MCFT is a survey of current issues relating to ethical practice and legal responsibilities in family therapy and counseling. The course addresses issues such as confidentiality, informed consent, dual relationships, and therapist liability. CPSY 566 also 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 maybe seen as an absence that requires make-up work.
ASSIGNMENTS AND COURSE REQUIREMENTS

1. **Participation in 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 discussions 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**

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 October 22 in class

3. **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 19 in class.

4. **Final 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
Due on Dec 10 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. For more on the specifics of grading for this course, please see the Course Rubrics (Appendix I).

<table>
<thead>
<tr>
<th>Category</th>
<th>Points</th>
</tr>
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<tbody>
<tr>
<td>Attendance and participation</td>
<td>25</td>
</tr>
<tr>
<td>PDS</td>
<td>25</td>
</tr>
<tr>
<td>Researcher paper draft</td>
<td>25</td>
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<tr>
<td>Final paper</td>
<td>25</td>
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</tbody>
</table>

**FINAL GRADING**

<table>
<thead>
<tr>
<th>Grade</th>
<th>Score</th>
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</thead>
<tbody>
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<td>A</td>
<td>93-100</td>
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<tr>
<td>A-</td>
<td>90-92</td>
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<tr>
<td>B+</td>
<td>88-89</td>
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<tr>
<td>B</td>
<td>83-87</td>
</tr>
<tr>
<td>B-</td>
<td>80-82</td>
</tr>
<tr>
<td>C+</td>
<td>78-79</td>
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<tr>
<td>C</td>
<td>73-77</td>
</tr>
<tr>
<td>C-</td>
<td>70-72</td>
</tr>
</tbody>
</table>

**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 8: Promoting ethical practice: Principles, traditions, and Considerations
Topics:
Model of ethical decision-making
Human rights principles & ethical decision-making
AAMFT Code of Ethics

Reading: Text, Ch. 3

WEEK 2 – October 15: Unique Ethical Considerations for Family Therapy: Principle Distinctions

Topics:
Confidentiality
Informed consent
Release of records

Reading: Text, Ch. 4

WEEK 3 – October 22: Unique Ethical Considerations for Family Therapy: Practice Distinctions

PDS Due

Topics:
Family secrets
Use of paradox
Diagnosis

WEEK 4 – October 29: Contemporary Ethical Issues

Guest speaker: Paul Cooney, LLP

WEEK 5 – November 5: Contemporary Ethical Issues (cont.)

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

Reading: Text, Ch. 7

WEEK 6 – November 12: Ethical Accountability: A casebook and Legal obligations
Topics:
  - Child custody & Support
  - Divorce
  - Parental rights

Readings: Text, Ch. 9, 10

WEEK 7 – November 19: Legal Considerations

Draft Paper Due

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. 12

WEEK 8 – November 26: Power Dynamics and Social Inequalities: Intimate Partner Abuse and the ecology of therapy

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. 6

WEEK 9– December 3: Contemporary Professional Issues: Contextual matters and questions and responses

Topics:
  - Reporting ethical violations
  - Case review
  - Additional professional issues

Reading: Text, Ch. 7, 15

WEEK 10 – December 10: Sharing Papers, Wrap up & Course Evaluation

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 2012
INSTRUCTOR: Lovell

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

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.

   1  2  3  4

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).

   1  2  3  4

3. Understand philosophies and best practices for ethical decision-making. Learn to apply a model of ethical decision making appropriate for clinical work.

   1  2  3  4

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).

   1  2  3  4

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.

   1  2  3  4
## CLASS PARTICIPATION
### 20 POINTS

<table>
<thead>
<tr>
<th>Participation preparation/attitude/skill demonstrated:</th>
<th>Rarely=0</th>
<th>Often=1</th>
<th>Consistently=2</th>
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</thead>
<tbody>
<tr>
<td>Attention to the instructor and other students when they are making a Presentation; Listen actively throughout in-class discussions</td>
<td></td>
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<tr>
<td>Recognize and use non-verbal communication cues to assess impact on peers and participate in class</td>
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<td>Open about discussing the impact of comments on peers</td>
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<tr>
<td>Prepared for class; read assignment for the day</td>
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<tr>
<td>Contribute to in-class discussion based on analysis of topics and assigned readings</td>
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<td>Engaged in group discussions with attention/energy</td>
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<tr>
<td>Ask questions regarding class material</td>
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<td>Provide examples to support or challenge issues discussed in class</td>
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<tr>
<td>Comment/ offer observations about topics/integrate content</td>
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<tr>
<td>Be respectful to other students and instructor</td>
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**TOTAL POINTS** /20

## PROFESSIONAL DISCLOSURE STATEMENT
### 20 POINTS

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Doesn’t/minimally meets expectation 0-1 Point</th>
<th>Below Expectation 2-4 Points</th>
<th>Meets Expectation 5 points</th>
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9
<table>
<thead>
<tr>
<th>Writing and professional appearance, grammar/ format</th>
<th>Writing and format does not reflect professional competence</th>
<th>Overall format and writing is fair with some errors</th>
<th>Professional quality met with few if any errors</th>
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</thead>
<tbody>
<tr>
<td>Compliance with OBLPCT guidelines</td>
<td>Numerous guidelines not met</td>
<td>Most but not all guidelines met</td>
<td>Statement complies with all guidelines</td>
</tr>
<tr>
<td>Demonstrated understanding of AAMFT and OBLPCT Codes of Ethics</td>
<td>Numerous ethical codes not reflected</td>
<td>Most but not all codes met</td>
<td>Statement reflects understanding of all relevant codes</td>
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<tr>
<td>Thoughtful consideration of issues to include/exclude</td>
<td>Lacks discretion in focus</td>
<td>Includes required but over/underemphasizes some areas or includes unnecessary/inappropriate content</td>
<td>Statement reflects appropriate content and emphasis</td>
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**Points per requirement**

**TOTAL POINTS /20**

**LEGAL STATUTES & RULES CONCISE SUMMARY 20 POINTS**

<table>
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<tr>
<th>Rule and law for each area below</th>
<th>Incorrect legal standard or professional rule for state/country/province selected= 0 Points</th>
<th>Rule and law identified but summary incomplete=1 point</th>
<th>Rule and law identified and summary complete=2-2.5 points</th>
</tr>
</thead>
<tbody>
<tr>
<td>Licensing eligibility requirements</td>
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<tr>
<td>Child &amp; elder abuse &amp; neglect reporting requirements</td>
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<tr>
<td>Grounds for denial, suspension or revocation of license/certificate</td>
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<td>Continuing education requirements</td>
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<td>Scope of practice</td>
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<tr>
<td>Confidentiality and Exceptions</td>
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<tr>
<td>Informed Consent requirements</td>
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<tr>
<td>Rules around sexual intimacy with a client</td>
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<tr>
<td><strong>TOTAL POINTS</strong></td>
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<td></td>
<td><strong>/20</strong></td>
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**POSITION PAPER DRAFT 20 POINTS**

<table>
<thead>
<tr>
<th>Requirement</th>
<th>Expectation not met for draft</th>
<th>Below expectation for draft</th>
<th>Expectations for draft met</th>
<th>Item Points</th>
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<tbody>
<tr>
<td>Extensive review of relevant literature on topic, including major family therapy journals = 5 points</td>
<td>Review does not include updated relevant literature from family therapy field = 0 points</td>
<td>Review includes some relevant literature from field, but outdated and/or incomplete = 1-3 points</td>
<td>Review includes most relevant literature at level expected of a draft = 4-5 points</td>
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<tr>
<td>Introduction outlines topic relevance to ethical practice of family therapy = 4 points</td>
<td>Introduction fails to link topic to ethical practice = 0 points</td>
<td>Introduction links topic to ethics, but lacks meaningful and/or complete link = -1-2 points</td>
<td>Introduction links topic to ethical practice in meaningful and coherent way = 3-4 points</td>
<td></td>
</tr>
<tr>
<td>Synthesized review of literature = 5 points</td>
<td>Literature not synthesized/offered in sequenced or disconnected format=0 points</td>
<td>Literature partially synthesized by topic grouping, but not integrated to support points= 1-3 points</td>
<td>Literature adequately synthesized to support major points at level expected for draft = 4-5 points</td>
<td></td>
</tr>
<tr>
<td>Correct referencing throughout (APA 5 or 6), including a reference list =</td>
<td>Referencing does not meet APA requirements in text and/or reference list = 0 points</td>
<td>Referencing meets most APA requirements in text and reference list,</td>
<td>Referencing meets APA requirements at level expected for draft = 3-4 points</td>
<td></td>
</tr>
<tr>
<td>Requirement</td>
<td>Expectation not met</td>
<td>Below expectation</td>
<td>Expectation Met</td>
<td>Item Points</td>
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<tr>
<td>Extensive review and synthesis of relevant literature on topic, including major family therapy journals = 6 points</td>
<td>Review does not include updated relevant literature from family therapy field and/or not well synthesized = 0-1 points</td>
<td>Review includes some relevant literature from field, but outdated and/or incomplete = 2-4 points</td>
<td>Review includes most/all relevant literature = 5-6 points</td>
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</tr>
<tr>
<td>Abstract &amp; introduction reflect overview, relevance and position= 4 points</td>
<td>Introduction fails to link topic to ethical practice and/or reflect position; abstract does not meet word limit and/or not meaningfully comprehensive= 0 points</td>
<td>Introduction links topic to ethics, but lacks meaningful and/or complete link or fails to identify position; abstract may meet word limit and content expectation, but not well written = 1-2 points</td>
<td>Introduction links topic to ethical practice in meaningful and coherent way, position adequately reflected; abstract comprehensive and meaningful within word limit = 3-4 points</td>
<td></td>
</tr>
<tr>
<td>Correct referencing throughout (APA)</td>
<td>Referencing does not meet APA requirements in</td>
<td>Referencing meets most APA requirements in</td>
<td>Referencing meets APA requirements;</td>
<td></td>
</tr>
<tr>
<td>5 or 6), including a reference list; Proper use of subsections and headings = 5 points</td>
<td>text and/or reference list and/or subsections not used = 0 Points</td>
<td>text and reference list, but errors exist and/or subsections used infrequently or improperly = 1-3 Points</td>
<td>Subsections used appropriately in ways that meaningfully group ideas and organize ideas for reader = 4-5 points</td>
<td></td>
</tr>
<tr>
<td>Position/original contribution = 5 points</td>
<td>Position/original contribution not clearly articulated and/or supported via literature and logical flow of ideas = 0 Points</td>
<td>Position/original contribution partially articulated and/or partially supported via literature and logical flow of ideas = 1-3 points</td>
<td>Position/original contribution clearly articulated and supported via literature and logical flow of ideas = 4-5 points</td>
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</tr>
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</table>

**TOTAL POINTS** |  /20