



LEWIS & CLARK COLLEGE

GRADUATE SCHOOL OF EDUCATION AND COUNSELING CPSY 566-02: LEGAL AND ETHICAL ISSUES IN MCFT FALL 2013

Time & Day: Thursdays, 5:30-8:50 PM

Place: Rogers Hall, Room 220

Instructor: Matthew Lovell M.A., LMFT.

Office Hours: Thursdays, 1:00 – 4:00 PM, Rogers Hall Room 319

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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 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 October 24 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 21 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

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 12 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, please see the course rubrics, below (Appendix I).

Attendance and participation	25 pts
PDS	25
Researcher paper draft	25
Final paper	25

FINAL GRADING

A = 93-100	B = 83-87	C = 73-77
A- = 90-92	B- = 80-82	C- = 70-72
B+ = 88-89	C+ = 78-79	

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 10: 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 17: Unique Ethical Considerations for Family Therapy: Principle Distinctions

Topics:

Confidentiality
Informed consent
Release of records

Reading: Text, Ch. 4

WEEK 3 – October 24: Unique Ethical Considerations for Family Therapy: Practice Distinctions

PDS due

Topics:

Family secrets
Use of paradox
Diagnosis

WEEK 4 – October 31: Contemporary Ethical Issues

Guest speaker: Paul Cooney, LLP

Topics:

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

Reading: Text, Ch. 7

WEEK 5 – November 7: Ethical Accountability: A casebook and Legal obligations

Topics:

Child custody & Support
Divorce

Parental rights

Readings: Text, Ch. 9,10

WEEK 6 – November 14: Legal Considerations

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 7 – November 21: Power Dynamics and Social Inequalities: Intimate Partner Abuse and the ecology of therapy

Draft Paper Due

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

November 28: No Class

WEEK 8– 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 9 – 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
Lovell

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

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

Appendix I: CPSY 566: Ethical and Legal Issues in Family Therapy Course Rubrics

CLASS PARTICIPATION

20 POINTS

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

PROFESSIONAL DISCLOSURE STATEMENT

20 POINTS

<i>Requirement</i>	<i>Doesn't/minimally meets expectation 0-1 Point</i>	<i>Below Expectation 2-4 Points</i>	<i>Meets Expectation 5 points</i>

Writing and professional appearance, grammar/ format	Writing and format does not reflect professional competence	Overall format and writing is fair with some errors	Professional quality met with few if any errors
Compliance with OBLPCT guidelines	Numerous guidelines not met	Most but not all guidelines met	Statement complies with all guidelines
Demonstrated understanding of AAMFT and OBLPCT Codes of Ethics	Numerous ethical codes not reflected	Most but not all codes met	Statement reflects understanding of all relevant codes
Thoughtful consideration of issues to include/exclude	Lacks discretion in focus	Includes required but over/underemphasizes some areas or includes unnecessary/inappropriate content	Statement reflects appropriate content and emphasis
Points per requirement			
TOTAL POINTS /20			

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

Rule and law for each area below	Incorrect legal standard or professional rule for state/country/province selected= 0 Points	Rule and law identified but summary incomplete=1 point	Rule and law identified and summary complete=2-2.5 points
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			
TOTAL POINTS			/20

**POSITION PAPER DRAFT
20 POINTS**

<i>Requirement</i>	<i>Expectation not met for draft</i>	<i>Below expectation for draft</i>	<i>Expectations for draft met</i>	<i>Item Points</i>
Extensive review of relevant literature on topic, including major family therapy journals = 5 points	Review does not include updated relevant literature from family therapy field = 0 points	Review includes some relevant literature from field, but outdated and/or incomplete = 1-3 points	Review includes most relevant literature at level expected of a draft = 4-5 points	
introduction outlines topic relevance to ethical practice of family therapy = 4 points	Introduction fails to link topic to ethical practice = 0 points	Introduction links topic to ethics, but lacks meaningful and/or complete link = -1-2 points	Introduction links topic to ethical practice in meaningful and coherent way = 3-4 points	
Synthesized review of literature = 5 points	Literature not synthesized/offered in sequenced or disconnected format=0 points	Literature partially synthesized by topic grouping, but not integrated to support points= 1-3 points	Literature adequately synthesized to support major points at level expected for draft = 4-5 points	
Correct referencing throughout (APA 5 or 6), including a reference list =	Referencing does not meet APA requirements in text and/or reference list = 0 points	Referencing meets most APA requirements in text and reference list,	Referencing meets APA requirements at level expected for draft = 3-4 points	

4 points		but errors exist = 1-2 Points		
Proper use of subsections and headings = 2 points	Subsections not used = 0 points	Subsections used infrequently or improperly = 1 point	Subsections used appropriately in ways that meaningfully group ideas and organize ideas for reader at expected level for draft = 2 points	
TOTAL POINTS				/20

**POSITION PAPER FINAL
20 POINTS**

<i>Requirement</i>	<i>Expectation not met</i>	<i>Below expectation</i>	<i>Expectation Met</i>	<i>Item Points</i>
Extensive review and synthesis of relevant literature on topic, including major family therapy journals = 6 points	Review does not include updated relevant literature from family therapy field and/or not well synthesized = 0-1 points	Review includes some relevant literature from field, but outdated and/or incomplete = 2-4 points	Review includes most/all relevant literature = 5-6 points	
Abstract & introduction reflect overview, relevance and position= 4 points	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	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	Introduction links topic to ethical practice in meaningful and coherent way, position adequately reflected; abstract comprehensive and meaningful within word limit = 3-4 points	
Correct referencing throughout (APA)	Referencing does not meet APA requirements in	Referencing meets most APA requirements in	Referencing meets APA requirements;	

5 or 6), including a reference list; Proper use of subsections and headings = 5 points	text and/or reference list and/or subsections not used = 0 Points	text and reference list, but errors exist and/or subsections used infrequently or improperly = 1-3 Points	Subsections used appropriately in ways that meaningfully group ideas and organize ideas for reader = 4-5 points	
Position/original contribution = 5 points	Position/original contribution not clearly articulated and/or supported via literature and logical flow of ideas = 0 Points	Position/original contribution partially articulated and/or partially supported via literature and logical flow of ideas = 1-3 points	Position/original contribution clearly articulated and supported via literature and logical flow of ideas = 4-5 points	
TOTAL POINTS				/20