



# Reinicke Counseling Associates

Mission Valley • Rancho Bernardo • Carlsbad

Phone (619) 298-8722 • Fax (619) 298-5235

## LITIGATION LIMITATION

Psychotherapists at *Reinicke Counseling Associates* do not do court work (such as, but not limited to testifying in divorce and custody disputes, injuries, lawsuits, etc...)

If you need these services we will give you referrals to forensic psychologists who specialize in these cases.

Our desire is to protect your psychotherapy from the intrusiveness of legal proceedings.

1) Confidentiality – Your therapist cannot release any information about you without your written permission (exceptions to this such as child or elder abuse, danger to self or others are explained in our intake form).

2) Confidentiality in Couple's Therapy – Your therapist cannot release records unless both clients give written permission.

To be in psychotherapy at *Reinicke Counseling Associates* you must agree that neither you nor your attorney, nor anyone else acting on your behalf will call on your therapist to testify in court or at any other proceeding, nor will a disclosure of psychotherapy records be requested for legal proceedings.

This is in your best interest because:

1) If you place your mental status at issue in litigation initiated by you, the defendant (other side) has the right to obtain your psychotherapy records and/or testimony by your psychotherapist. Your adversary would have the right to know everything you've talked about in psychotherapy.

2) Forensic psychology (custody evaluations, workers comp, lawsuits, etc.) is not an area of expertise for *Reinicke Counseling Associates* therapists. If you are involved in legal proceedings, subpoenaing a therapist without forensic expertise to testify could hurt your case more than help. Forensic psychologists do assessments (not psychotherapy) and are trained as expert witnesses.

3) The goals of legal proceedings (winning a case) do not mesh well with the goals of ongoing psychotherapy (exploring conflicted emotions and behavior in a safe, protected place). Psychotherapists are not allowed to have dual roles with a client which interfere with the client's therapy. [APA Ethical Principles & Code of Conduct: Standard 10.02(b); Standard 3.05; Standard 3.04]. Any involvement in legal proceedings would necessitate termination of therapy.

I understand and agree to this litigation limitation.

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Client Signature

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Date