

## **PSYCHOLOGY and THE LAW**

**Psychology 464 - 4 Units**  
**Instructor: Dr. J. LaCour**  
**Telephone: (323) 343-2256**  
**Office: KH A3045**

**Spring Quarter 1999**  
**Thursday, 6:10 - 10:00 P.M.**  
**Room: KH B-3009**  
**Office Hrs: Tu, 12:30 - 1:30 p.m.**  
**Th, 12:30 - 1:30 p.m.**  
**Th, 3:15 - 5:15 p.m.**

This course covers areas of ethics, laws and counselor responsibilities in areas of confidentiality, child abuse reporting, duty to protect; Family Law, Mental Health Laws, and patients' rights; APA codes; MFCC codes, and practices, etc.

**Objectives:** Participants will learn about laws and ethical principles relating to: clinical practice, legal responsibilities, values, relation to the larger community, malpractice issues, research, ethical dilemmas, competence, licensing, informed consent, confidentiality, privilege, etc.

### **Course Requirements:**

1. Students will be asked to participate;
2. Read and become familiar with assigned reading;
3. Prepare for and complete eight quizzes per course schedule;
4. Prepare for and complete mid-term and final exams;
5. Class attendance;
6. Other assignments to be discussed.

Students will be required to conduct research and write a paper on a topic relevant to course themes. Topics must be approved by instructor. A paper format will be provided.

### **Required Texts:**

Corey, G., et al (1998) Issues and Ethics in the Helping Professions. 5th edition. Brooks/Cole, California.

"Psychology and the Law" Supplement of Journal Articles - This is a collection of journal articles chosen to supplement the Corey text. Some articles are reprinted from Ethical Conflicts in Psychology, edited by Donald N. Bersoff and published by the American Psychological Association.

**Note:** This bound booklet is only available at the Student Book Mart located at 1725 N. Eastern Avenue, Los Angeles.

Recommended text (Optional): Condaris, MG and Erikson, J.T. (Eds.) California Laws for Psychotherapists (1999). Legal Books Distributors.

## COURSE SEQUENCE

**Week 1 (4/01)** - Introduction to the course, texts, requirements, assigned readings, five quizzes, exams, grading and paper. Discussion of major issues facing therapists, concerns, values, legal issues, etc. Courtroom and the couch; what you need to know about lawyers; personal ethics, self-assessment; complete values and attitudes inventory, (Chapters 1 and 2 in Corey).

Reading:

Corey: Chapter 1 - Introduction to Professional Ethics  
Chapter 2 - The Counselor as a Person and as a Professional  
Ethical Principles of Psychologists and Code of Conduct - American Psychological Assn.  
Appendix of Corey, p. 464  
Article #1 - Ethical Dilemmas Encountered by Members of the APA: A National Survey  
Article #2 - The Typical California MFCC, Riemersma

**Week 2 (4/08)** - Law and the legal system for helping professionals; values and the helping relationships; multicultural counseling. Quiz #1 on reading materials for Week 1.

Reading:

Corey: Chapter 3 - Values and the Helping Relationship  
Corey: Chapter 10 - Perspectives and Diversity Issues  
Hand-out - When Laws and Values Conflict: A Dilemma for Psychologists, Pope & Bajt  
Hand-out - Ethics: The Unavoidable Conflict, Leslie  
Article #3 - Cultural Malpractice: The Growing Obsolescence of Psychology With the Changing U.S. Population, C.C.I. Hall

**Week 3 (4/15)** - Professional practice issues and ethics pertaining to confidentiality and clients' rights; clients' rights, privilege, informed consent, etc. Quiz #2 on reading and lecture information for Week 2.

Reading:

Corey: Chapter 4 - Client Rights and Counselor Responsibilities, plus Film: "Texas Hearing"  
Article #4 - Until Death Do Us Part: An Exploration into Confidentiality Following the Death of a Client, Burke  
Article #5 - AIDS and Confidentiality: Legal Concept and Its Application in Psychotherapy, Kermani & Weiss  
Hand-out - Rights of Clients, Responsibilities of Therapist, Hare-Mustin, Marecek, et al.  
Hand-out - Privacy, Confidentiality, and Privilege in Psychotherapeutic Relationships, Smith-Bell & Winslade

**Week 4 (4/22)** - Professional practice and malpractice negligence related specifically to duty to "warn and protect" (Tarasoff), third parties, and legal liabilities. Quiz #3 on reading and lecture materials from Week 3.

Reading:

Corey: Chapter 5 - Confidentiality: Ethical and Legal Issues  
Article #6 - Tarasoff (I) v. Regents of the University of California - California Reporter, 1974  
Article #7 - Tarasoff (II) v. Regents of the University of California - California Reporter, 197  
Article #8 - Recent Rulings Shed Light on Tarasoff Warnings, Leslie

**Week 4 - Reading continued:**

Article #9 - Limiting Therapist Exposure to *Tarasoff* Liability: Risk Containment, Monahan

Article #10 - Violent Storms and Violent People: How Meteorology Can Inform Risk Communication in Mental Health, Monahan & Steadman

Article #11 - But I Thought My Malpractice Insurance Would Protect Me!, Leslie

**Week 5 (4/29) - Professional practice, malpractice and ethical dilemmas pertaining to issues of dual relationships, therapist-patient sexual involvement. All students must have paper topics approved by the end of this class session. Quiz #4 on reading and lecture materials from Week 4.**

**Reading:**

Corey: Chapter 6 - Issues in Theory, Practice and Research

Corey: Chapter 7 - Managing Boundaries and Multiple Relationships

Article #12 - Responding to Allegations of Unethical Conduct, Chauvin & Remely

Article #13 - Dual Relationships in Psychotherapy, Pope

Article #14 - Avoiding Exploitative Dual Relationships: A Decision-Making Model, Gottlieb

Article #15 - Criminalization of Psychotherapist-Patient Sex, Strasburger, et al.

**Week 6 (5/06) - Professional practice and malpractice relative to issues of competence and training; licensing and limits; supervision; policing the profession. Quiz #5 on reading and lecture materials from Week 5.**

**Reading:**

Corey: Chapter 8 - Professional Competence and Training

Corey: Chapter 9 - Issues in Supervision and Consultation

Article #16 - The Ethical Issue of Competence in Working with the Suicidal Patient, Bongar

Article #17 - Assisted Suicide and the Right to Die: Legal Status and Constitutional Issues

Article #18 - The Case Against Suicide Prevention, Szasz

Handout - Red Flag on the Slippery Slope, L. R. Mitchell

**Week 7 (5/13) - Professional issues and ethical concerns pertaining to marital and family therapy including informed consent and confidentiality; Family Law issues. Quiz #6 on reading and lecture material for Weeks 6.**

**Reading:**

Corey: Chapter 12 - Ethical Issues in Marital and Family Therapy

Article #19 - Ethical Decision Making in Family Therapy, Zygmund & Boorhem.

Article #20 - Psychological and Legal Perspectives on Surrogate Motherhood, Schwartz

Article #21 - Morality in Group and Family Therapies: Multiperson Therapies and the 1992 Ethics Codes, Lakin

Article #22 - Judicial Decision-Making in Contested Custody Cases: The Influence of Child Abuse, Spouse Abuse, and Parental Substance Abuse, Sorenson

**Week 8 (5/20)** - Professional practice issues and ethics regarding special populations including minor children, HIV-infected clients, women, group work, etc. Quiz #7 on reading and lecture materials from Week 7.

Reading:

Corey: Chapter 13 - Ethical Issues in Group Work

Article #23 - Informed Consent in Children and Adolescents: Age, Maturation, and Psychological Status, Dorn, Susman & Fletcher

Article #24 - Disability Harassment: A New Term for a Long-Standing Problem, Holzbauer & Berven

Article #25 - Maltreatment of Elderly Persons, Goldstein

Article #25 - The Myth of Mental Illness, Szasz

Handout - To Be Announced

**Week 9 (5/27)** - Practical and ethical dilemmas relative to Managed health care and the mental health professional; Mental Health Law; "Patients' Rights", treatment of mentally ill. Quiz #8 on reading and materials from Week 8. All research papers due by 5/27, 6:10 p.m. No exceptions.

Reading:

Corey: Chapter 11 - The Counselor in the Community

Article #27 - The Right to Refuse Medication: Navigating the Ambiguity, Barrett, et al.

Article #28 - The Right to Refuse Medication: Freedom and Responsibility, Johnson

Article #29 - Legal Liability and Managed Care, Appelbaum

Article #30 - Managed Outpatient Mental Health Plans: Clinical, Ethical and Practical Guidelines, Haas & Cummings

Article #31 - Confidentiality and Managed Care: Ethical and Legal Concerns, Davidson & Davidson

**Week 10 (5/03)** - Open - To be announced. There will be no Final Exam.

Note: Reading assignments and topic sequence subject to change.

**Paper format**

A maximum of fifty (50) points will be awarded. All papers will be required to meet the specifications which will include a minimum of five (5) general source references and three (3) legal references from legal sources. The body of the paper (not including cover, references, or appendices) must be approximately 10 double-spaced and typed pages, regular size type and margins no more than 1.25 inches. References and any appendices must be prepared according to the current APA Publication Manual guidelines. All papers will be due by May 27, 1999 at 6:10 p.m. - No exceptions.

- 1.) Parameters of the subject: Define your topic within the scope of this exercise, i.e. be sure you have identified a topic which is narrow enough to be able to discuss the issue with detail and depth. Topics which are not well-defined will either be too broad for complete representation in the context of a research paper, or will be addressed only superficially which is not the purpose of this exercise. (Continued on next page.)

- 2.) Address the topic's significance relative to the responsibilities and role of therapist.
- 3.) Identify and discuss those laws, regulations, and codes which relate to this topic. Identify the source of the information utilized in obtaining the information, i.e. professional journals, California Welfare and Institutions Codes, California Reporter, etc.
- 4.) Discuss the state of affairs of the topic you have chosen. What is presently occurring regarding this topic as indicated in the literature.
- 5.) Discuss the anticipated trends in your topic area. These could be your ideas and opinions, those mentioned by professionals in the area, or a combination of both.
- 6.) References: Identify three significant legal codes or decisions relating to your topic. These should be cited in the context of your paper and listed in the reference section. Use a minimum of ten supportive journal references, cite them in the body of your paper and include them in your list at the end. Use the current APA style to construct your reference list.

**Psychology 464 - Grading Guidelines:**

Grades will be determined based on total points accumulated during the quarter. Points will be awarded as follows (acceptability of absences will be determined by instructor):

Class Attendance - 5 points per class	<u>Total</u>
Quizzes - 20 points per quiz	50
Research Paper - further instructions for maximum points	160
	<u>90</u>
<b>Total Points:</b>	<b><u>300</u></b>

Grades will be awarded according to point totals as follows:

A = 270 and up	C = 210 to 239
B = 240 to 269	D = 180 to 209

Any disputes regarding points will have to be supported by the student. All final decisions regarding grade disputes will be made by the instructor. Course incompletes will be given reluctantly and only with substantial justification to the instructor.