

# BREAKING BARRIERS

## BEST PRACTICES FOR WORKING WITH MENTAL HEALTH PROFESSIONALS

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## PROBLEMATIC BEHAVIOR TO AVOID

### Relational Approaches

- ◆ Undermining the clinician and/or therapeutic process
- ◆ Twisting clinician's words
- ◆ Asking clinician to make specific clinical impressions
- ◆ Indicating that the clinician is biased
- ◆ Attempting to leverage the clinician for legal strategy
- ◆ Bypassing ROI (this is required, even for attorneys)
- ◆ Requesting that clinicians alter course of treatment (i.e., speed up or slow down)
- ◆ Be mindful of out of state referrals, licensing laws vary by state

### Trial and ADR

- ◆ Lack of consideration for clinician availability
  - ◆ Lack of consideration for financial impact to clinician and their other clients
  - ◆ Not checking with clinician before naming them in an order
  - ◆ Attempt to embarrass, condescend, disparage the clinician
  - ◆ Issuing subpoena for all records unnecessarily, invading minor client privacy
  - ◆ Asking clinicians to make statements about another clinicians' work
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## PROBLEMATIC BEHAVIOR OUTCOMES

- ◆ Fewer clinicians to serve court-involved clients
- ◆ Clinicians refuse to work with clients represented by attorneys we know behave poorly, court-involved clinician community is small
- ◆ Court-involved clients may not be able to find qualified MHPs
- ◆ Clinician is guarded with attorney and may refuse all communication
- ◆ Clinician withdraws from case altogether

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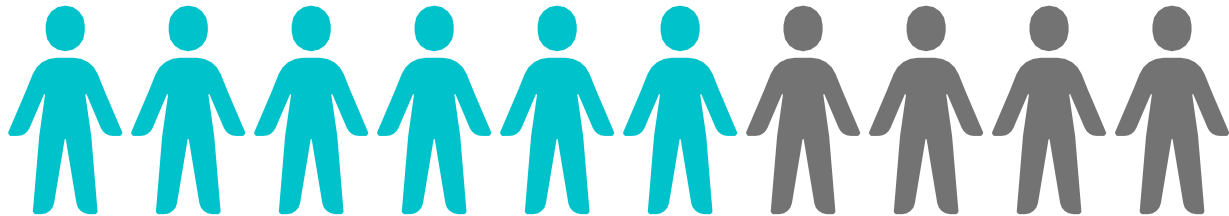
## BEST PRACTICES: ATTORNEYS, CLIENTS & CLINICIANS BENEFIT

### Relational Approaches

- ◆ Encourage open conversation with clinicians from the beginning of the case
- ◆ Establish role of clinician, attorney, and other professionals involved
- ◆ Promote reciprocity in relationship through mutual respect and positive interactions
- ◆ If there are bias concerns, encourage clients to discuss this with clinician
- ◆ Respect therapeutic process and expertise of clinician

### Trial and ADR

- ◆ Instead of subpoenas, request summaries and pertinent information only.
- ◆ Contact clinician before naming them in order
- ◆ Collect ROI before contacting clinician
- ◆ Use respectful and professional approaches



WE WANT TO COLLABORATE WITH YOU AND SERVE COURT-INVOLVED CLIENTS TOGETHER.