

COURT STIPULATION POLICY

Thrive Mental Health Services
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Please be advised that should the mental health therapists of THRIVE MENTAL HEALTH SERVICES be requested to write a letter on any court related matter, that they will not be stipulating in writing or in person as to an opinion. Mental health therapists may only provide observations, feedback, attest as to facts in evidence. At no time will any mental health therapists of THRIVE MENTAL HEALTH SERVICES make a recommendation in regards to custody or any other court related matter. The only exception to the above policy would be if the Court directed the therapist to do otherwise (such as provide an "expert opinion").

If a Court Order is served and is requesting that a mental health therapist of THRIVE MENTAL HEALTH SERVICES be present in person and or there is a request for records, the Client's Consent* will be requested before turning over Confidential Information. When obtaining this consent, the client will be told exactly what has been requested by Court and there is no guarantee that the information will be kept confidential, even if records have been deemed to be "Under Seal of the Court". This includes a client's mental health history; current status and inclusive records and may not be in the best interests of the client. The therapist may make statements/provide answers which the client (or the client's legal representative) may not agree with/ approve of/ endorse. The mental health therapist-client relationship does not render the mental health therapist as an advocate. The mental health therapist will withhold any opportunity to engage in a dual relationship with the client.

Court Policy & Fees

Please be advised that should a mental health therapist or intern from THRIVE MENTAL HEALTH SERVICES be ordered by court to write a letter to the court, the time shall be billed at least* \$70 (OR at the Contracted Rate per session thru the client's EAP/ insurance company). Any reduction/waiver in these fees shall be per the therapist's discretion, as consistent with Thrive Mental Health Services policies and procedures. Please note, that if in-person testimony is required, it is more cost-effective and less time-consuming to only have the therapist testify as a "fact witness" (testifying regarding the facts in evidence). Whereas asking the therapist act as an "expert witness" which can take MUCH LONGER, require MUCH MORE PREPARTION, and thus your costs could increase.

Please be advised that should a mental health therapist from THRIVE MENTAL HEALTH SERVICES be court ordered to appear in court, the fee stipulation is as follows:

- \$70 per hour of travel to/from the court
- \$70 per hour spent in court
- Amount for time spent on preparation to not exceed \$70 per hour

All mental health therapists of THRIVE MENTAL HEALTH SERVICES will NOT be ON-CALL at anytime. Should a case be trialed, the mental health therapist will be paid in full for each day (ie., \$70 per hour for 8 hours)* as well as an additional \$140 per day* as it hinders the mental health therapist's ability to be available to their other clients.

All court fees must be received by cashier's check/Credit Card/ Debit Card 2 days prior* to the court date.

Should the court calendar the hearing for another date, the mental health therapist or intern must be re-issued a Court Order with the new court hearing date.

Should the mental health therapists be on vacation/personal time, the Party initiating the Court Order must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena.

I certify that I have read, understood and fully accept the terms within this policy. I also certify that I have had the opportunity to ask questions about the use and disclosure of my protected health information and sign to indicate my understanding of this policy.

Signature of Client: _____ Date: _____

Printed Name: _____

Signature of Personal Representative _____ Date: _____

Printed Name: _____ Relationship to Client: Parent _____ **Legal guardian _____ **Other (specify): _____

**provide documentation supporting your legal authority to act on behalf of the client.