

## **A New Possibility for Coordinated Care during Divorce**

Leslie Matthews JD, Managing Partner of Matthews & Matthews PC, a Denver Family Law practice, has worked together with Denis Lane JD, CMFT's advising counsel for health law, as well as Reo Leslie D. Min., LMFT and Evelyn Leslie MA, RPT., former members of the LPC Examiners Board and the Mental Health Grievance Board respectively, to develop a Coordinated Care Permission Form. This permission form will allow therapists and attorneys to coordinate their client's care during a divorce or other family law proceedings without breaching attorney/client or therapist/client privilege. The form also assures that the coordination of care is not a request for expert testimony.

Leslie recently gave a seminar sponsored by the CMFT to educate family therapists on the divorce process in Colorado courts. (June 2008) She will repeat the seminar in January of 2009. The purpose of the seminar is to give family therapists sufficient information about the Colorado legal system and the divorce process to better support their clients as they move through the legal proceedings. The seminar also reviews national case law on therapist/client privilege and how it applies in Colorado.

“The Coordinated Care Permission Form is the next step in our law firm's commitment to the possibility of coordinated action by attorneys and therapists” says Leslie Matthews, “We believe that coordinated care between attorney and therapist during the divorce process will support the best possible long term result from a divorce proceeding; both for the client and their family. The assistance of a skilled therapist can make the key difference in removing obstacles to good decision making in a client's case.”

The Coordinated Care Permission Form allows the attorney and the therapist to speak solely for the purposes of coordinating legal representation and therapeutic care. The attorney can let the therapist know of upcoming events in the case and what he or she sees might be emotional obstacles to a good long-term result for their mutual client. Then, if the therapist feels it is appropriate, they can incorporate this information into their therapeutic plan for the client in a way that fits with the timeline of upcoming legal proceedings.

Another possibility is that the therapist, through speaking with the attorney, might see that there is certain information that the attorney needs to know that the therapist cannot reveal given the therapist/client privilege. The therapist can then choose to explore with the client the possibility of revealing such information to their attorney to support a successful resolution to their case. Such information would remain confidential under the Attorney Client privilege.

The more the therapist understands about the case from the legal perspective the more they can support their client in ways that may impact the resolution of their case.

It is important to note that the therapist should only begin communication with an attorney once the client has signed the form and after receiving a fully executed copy for their records.

If you have any questions about the Coordinated Care Permission Form, please feel free to contact Leslie Matthews at 303-329-3802 or via email at [leslie@matthewslaw.com](mailto:leslie@matthewslaw.com).