



NORTH TEXAS FAMILIES IN TRANSITION PROFESSIONAL WORKGROUP

Raising the Bar for Forensic Practice in North Texas

When you or your children are going through difficult periods, such as the transition to a two-home structure, seeking quality care and support is clearly a wise choice. Navigating the waters of difficult family transitions can be complex and burdensome, and counseling can often help families stay on course. Mental health professionals can serve as therapists for you, your child, or your family. They can also assist with services such as mediation, cooperative parenting, and parenting coordination.

Working with families raising children between two homes is an area of specialized training. We have seen many families damaged by the interference of otherwise skilled practitioners who are not trained in this area of specialty and are not aware of the complexities of forensic (court connected) work. Unfortunately, we have dealt with cases where mental health professionals “wore too many hats” while working with the family, made comments about a parent they never met, and/or made recommendations beyond the scope of their knowledge or ability.

It is important for you to know:

- Licensed mental health professionals are required to provide services within the scope of minimum standards, but hopefully strive toward best practices. The Association of Family and Conciliation Courts (AFCC) has developed guidelines for mental health professionals who work with co-parenting families. These guidelines are available at www.afccnet.org/Resource-Center/Practice-Guidelines-and-Standards
- In all circumstances, it is by definition the responsibility of the mental-health professional, not the client, to set and maintain appropriate professional boundaries.
- You put yourself at risk when you work with a professional who is not governed by a licensing board, as there is no entity overseeing that person’s professional practice or conduct.
- In order to empower clients to make their own healthy decisions, professional codes of ethics generally discourage the self-disclosure of the mental-health professional’s personal views. Be cautious of professionals who reveal in-depth information about their divorce, their history, or their personal circumstances. Generally, this may be assessed by visiting their website or in their advertisement.
- You have the right to file a complaint with the appropriate licensing board if you or your family members have received services from a licensed mental-health professional that do not meet the standards of care for the profession.
- You have the right to ask for proof of training before or during services.
- All licensed mental health professionals have ethical guidelines they are expected to follow and state regulations they are required to follow. For example:

Psychologists: www.apa.org
<https://www.tsbep.texas.gov/>

Marriage and family therapists: www.aamft.org
<http://www.dshs.texas.gov/mft/default.shtm>

Social workers: www.socialworkers.org
<http://www.dshs.texas.gov/socialwork/>

Professional counselors: www.counseling.org
<https://www.dshs.texas.gov/counselor/>



Be sure the mental-health professional working with you and/or your child:

- Has read and follows the AFCC guidelines listed above regarding the role they are assuming with your family. You and your family deserve best practices, not just minimum standards.
- Has experience with court-connected cases.
- Has training in co-parenting issues and concerns such as cooperative parenting, alienation, estrangement, and family systems.
- Attempts to involve both parents in the child's treatment and shares information with both parents, unless restricted from doing so by court order.
- Prior to beginning treatment with a child, obtains a copy of any Court Orders regarding rights and duties of the parents for the child (if such Order exist).¹

To the best of your ability, make sure the mental-health professional does not:

- Make definitive statements or recommendations about someone he or she has not met, such as your co-parent. For example, there is a difference between saying, "Your co-parent is obviously narcissistic, so what you need to do is..." versus "If what you're saying is accurate, that sounds to me like a narcissistic trait, and one way to respond to that might be..." The focus should be on helping you cope with issues, rather than labeling others based on secondhand information.
- Ignore their responsibility to contact Child Protective Services if they suspect abuse or neglect of a child they are treating. It is not the job of the therapist to investigate the abuse or neglect allegations; nor should the therapist attempt to place the responsibility on you if they have such concerns. (If you have concerns regarding abuse or neglect, you should not expect a therapist to serve as your intermediary; you must report that yourself.)
- Serve the family in more than one role, such as starting as your marriage therapist and then becoming your child's therapist, or serving as a custody evaluator and then acting as a therapist for one or more family members.
- Make parenting-time schedule or custody recommendations, unless that person has been appointed as a Guardian Ad Litem or a Child Custody Evaluator. By definition, therapists lack the information necessary to make such recommendations, and are actually prohibited by the Family Code (104.008) from doing so.
- Attempt to exclude a parent from treatment of a child, unless that parent is restricted by a court order.

If these concerns have occurred in the past or are currently occurring with a therapist, we encourage you to consult with the professional about their understanding of their professional responsibilities. If problems persist, or there has been a clear ethical violation you can contact their licensing board.

¹ This has been a best practice for years, but became a requirement in Texas [LMFT rule 801.44(c); LPC rule 681.41(t)(6); Social Work rule 781.203(9)] due to the appalling rate at which mental health professionals failed to meet this goal on a voluntary basis.