

# Ethics, Deception, and Resistance in Court Mandated Counseling

Michael Ditsky, PhD, MEd

## Level

Introductory

## Room

## Track

Clinical

## CE

CPA/BBS/CJER

## Bio

**Michael Ditsky, PhD, MEd** is a licensed psychologist with over 40 years of clinical and forensic experience. He has conducted competency to stand trial evaluations and has worked with both adult and juvenile offenders. He has provided court ordered counseling with a wide variety of populations that include substance abuse, domestic violence, child custody, and adults and juveniles in Drug Court programs.

## Narrative

This presentation addresses critical issues in court mandated counseling. Significant elements of ethical considerations with this population will be detailed. These elements include client care versus the obligation of the provider to report to third parties the client's progress in treatment while preserving the client's autonomy. The issue of coercion needs to be resolved. A key question is what the client expects and how the client addresses the fact of being mandated need to be resolved for treatment to be successful. A literature review indicates that despite perceived coercion by the client, treatment may result in reduced recidivism and altered client behavior. The role of practitioners is impacted by their values and biases regarding this population. Deception and resistance appear to be especially prevalent with this population. Deception may be seen as a form of resistance to therapy. Examples of deceptions and resistances will be provided. Recommendations as to how the provider navigates these attitudes and behaviors will be tackled. An overview of treatment methods will be the focus of this presentation. Elements of Motivational Interviewing have been found to be useful among counseling methods. Case examples will be provided: child custody, adult and juvenile non-violent substance abuse, and stalking are among these examples. An opportunity for participants to reflect on and pose questions will conclude the presentation.

## Learning Objectives

1. Understand and utilize the unique ethical issues related to counseling court mandated, involuntary clients, especially limits of confidentiality and the ethical principle of client autonomy
2. Recognize deception and resistance in counseling mandated clients and how to effectively navigate them with clients
3. Apply and utilize effective counseling procedures with these types of clients