



Ethical Dilemmas with Mixed Agenda Couples

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GOALS

To discuss ethics in general but to also talk specifically about how working with mixed agenda couples in couple therapy and discernment counseling can present ethical challenges.

First Do No Harm

- ▶ What does this mean to you?
- ▶ Probably reasonable to expect when a couple or family is united in their hoped-for outcomes of treatment.
- ▶ What if the couple or family is not united in their desired outcomes for treatment?
 - ▶ Who's agenda takes precedence?
 - ▶ How to set realistic parameters around treatment and outcomes.
 - ▶ How to be inclusive – going beyond "I can help you work on your relationship or through the transitions associated with divorce...you just need to tell me what you want."

Clinical Vignette

The following is a case example of a typical couple that might present to discernment counseling. While not all couples on the brink of divorce are the same, this couple represents one common presentation.

CODES OF ETHICS

- ▶ Codes of Ethics are agreed upon guidelines for how to conduct ourselves professionally. Practicing within a code of ethics protects the client and the therapist, and by extension, the public and the profession.
- ▶ All mental health codes of ethics begin with the assumption that the client is a single person engaged in one on one therapy. In MFT we have adopted the principles and tenets of the codes of ethics from other mental health disciplines and have tried to adapt them to relationship oriented clinical approaches. So, even though we know that our clients are really a group of inter-related people, we still have these codes of ethics that, at the core, assume we can treat individuals, couples or families as an individual entity.

TWO CORE STANDARDS

- ▶ Beneficence – Doing good for my clients
- ▶ Non-maleficence – Not doing harm to my clients
 - ▶ If you are the client which would you like?
 - ▶ If you are the therapist which would you like?
 - ▶ Which one of these are we held to?
 - ▶ To whom is it sufficient to direct my efforts? To the people in the room, or to all those who might be relationally connected to them?

TWO CORE STANDARDS - Inclusivity

- ▶ We always need to be asking ourselves...
 - ▶ If I am working with a couple, how is my work ethically sensitive to the needs and desires of other members of the system (e.g., the children, extended family and kin networks)?
 - ▶ If I am working with an individual but I'm a systemically oriented therapist, how is my work sensitive of other family connections/relationships within my client's family system?

Case Example and Exercise

- ▶ Read the page-length case study. – in small groups discuss:
- ▶ Examples of working from the two core standards of care
 - ▶ What does my work look like if I'm working from a standard of beneficence?
 - ▶ What does my work look like if I'm working from a standard of non-maleficence?

Summary

- ▶ Perhaps we are doing the best we can. We've agreed upon a code of ethics that can guide us but it will probably always fall somewhat short in helping us negotiate all the dilemmas we can find ourselves in as we strive to practice from a systems perspective.

Ethics and Discernment Counseling

- ▶ In this treatment modality we specifically encounter two individuals that are in a relationship and that are connected to others (kids, extended kin networks), but they have a mixed agenda for the outcome of treatment.
- ▶ How do we include this couple in our treatment paradigm?
 - ▶ What is an ethical MFT to do?
 - ▶ For whose benefit do we work?
 - ▶ To whom are we trying to (at least) do no harm?

Ethical Dilemmas with Mixed Agenda Couples

- ▶ What do you imagine are some of the biggest ethical dilemmas associated with working with mixed agenda couples (either in couple therapy or discernment counseling)?

Ethical Dilemmas in Discernment Counseling

Negotiating confidentiality	Respecting client autonomy
Continuation of treatment	Practicing within the limits of my competence
Diagnosing people with whom you do not work	Interactions with family court system
Compassion fatigue	Family violence considerations

Confidentiality

- ▶ In DC you are asked to be the holder of two different agendas. You are saying to one person, “I support you in your desires to work on the relationship and will guide and counsel you to that end.” And to the other you are saying, “I understand your interest in leaving the marriage, I want to help you make the best decision possible.”
- ▶ You are going to receive confidential information from each person
- ▶ Secret keeping
- ▶ Legal obligations to maintain confidentiality
- ▶ Offering impressions vs. disclosing specifics

Autonomy

- ▶ Respecting client autonomy is a cornerstone of this work. We never want anyone in DC to feel as though they have no choice. We never want someone to say they felt as though they had no choice but to attend DC.
- ▶ Also extends to the need to understand that client decisions are their responsibility.
- ▶ We do not make recommendations on whether or not a couple should be married or divorced.
- ▶ You will be asked directly.

Continuation of Treatment

- ▶ Can be encountered when one is providing couple therapy and no progress seems to be made (spinning our wheels).
- ▶ This can be a sign of a mixed agenda couple
- ▶ Ethical treatment may include offering to shift from traditional services to discernment counseling.

Practicing Competently

- ▶ As with all new modalities a therapist might learn, it is important to represent yourself and your skill set appropriately.
- ▶ But, we also learn by doing...it's a bit of a balancing act.
- ▶ Receiving the proper supervision before taking on a new model.
- ▶ This doesn't mean don't incorporate aspects of this training to your clinical repertoire but maybe roll it out slowly and deliberately before you put yourself out to the public as being an expert in this model.

Diagnostic Impressions

- ▶ This may be more related to how your clients present than anything you actually participate in.
- ▶ Most common internet diagnoses for spouses...
 - ▶ Men – Narcissistic Personality Disorder
 - ▶ Women – Borderline Personality Disorder
 - ▶ Understand that these are related to the divorce narrative
- ▶ Ask yourself, Does diagnosing my client with a personality disorder help them in this situation? How does it expand or reduce my ability to be effective with them?

Interactions with Family Court

- ▶ This is something we cannot avoid if we are subpoenaed by a judge.
 - ▶ Even judges will listen to your rationale for not wanting to disclose information that was given to you in good faith with the hope that it might help a situation (or marriage), not harm it.
- ▶ This is something we can avoid if we are subpoenaed by a lawyer or asked by a client.
- ▶ Principles of agreement to proceed with discernment counseling
 - ▶ *"...the parties agree that they will not seek to use in any court proceeding any statements made by the other party or the facilitator." They also agree that they will not call as witnesses or seek to obtain for court purposes any of the discernment counseling documents."*

Compassion Fatigue

- ▶ *“When an MFT experiences fatigue, empathy becomes more complicated and difficult to balance. The therapist may relate strongly to one member and not to another.” (Negash & Sahin, 2011)*
 - ▶ Depersonalization
 - ▶ When a therapist develops a disparaging attitude toward a client or views them as less than human. Reduces the standard of care.
 - ▶ *“...may lead family therapist to provide advice that is not necessarily appropriate or beneficial.”*
 - ▶ Loss of Respect
 - ▶ *“...fatigue may manifest itself in a loss of empathy, respect, and positive feelings for clients.”*
 - ▶ This can lead to therapist and client goals being in conflict.

Family Violence Considerations

- ▶ See documentation in training packet for MN Couples on the Brink Screening tool.
- ▶ Neil Jacobson quote: “If we refused to provide couple therapy to all couples where some type of violence has taken place, we would be doing little to no couple therapy.”
- ▶ Do our best to protect our clients understanding we cannot foresee every possible way clients can be harmed by their participation in therapy.

More Small Group Discussion

- ▶ Vignette 1 – The Individual Client Hand Off
- ▶ Vignette 2 – The Question
- ▶ For both vignettes. You are the therapist. Consider the following:
 - ▶ what are you thinking?
 - ▶ what do you need to know further?
 - ▶ how do you proceed?
 - ▶ What ethical principles are involved here?

Comments & Questions

