



October 22, 2021 L&E Presentation

“Tarasoff and Dangerous Patients”

Mike Griffin, LCSW, Esq

SYLLABUS

1.5 CEs

A. Title, Date & Time

“Tarasoff and Dangerous Patients”

October 22, 2021

3:00 pm – 4:30 pm

B. Presenter Information

Mike Griffin, LCSW, Esq.

CAMFT Staff Attorney

Michael Griffin, Esq., LCSW has been a member of the CAMFT legal team since 2007. A graduate of the USC School of Social Work and Chapman University School of Law, Mr. Griffin earned his LCSW in 1982 and his California license as an Attorney in 2002. He has a broad professional background in various mental health settings (including Western Youth Services in Orange County, California, and Rady Children’s Psychiatry Dep’t in San Diego) as a clinician, administrator, supervisor, clinical case manager, school program coordinator, and outpatient clinic director, and has served as an oral examiner for LCSW candidates. In addition to his work for CAMFT, Mr. Griffin is a practicing psychotherapist with adults, adolescents and children in Laguna Niguel, California

C. General information/Description

This 1 ½ hour workshop will discuss key issues involved when working with dangerous clients, including, relevant standards of care, the “duty to protect” (based upon Tarasoff v. Regents of Univ. of California, and Civil Code §43,92), “patient communication” (based upon Ewing v. Goldstein and Ewing v. Northridge Hospital Center), the “duty to report”(based upon Welfare & Institutions Code, sections 8100(b)(1) and 8105(c)), and relevant exceptions to confidentiality.

D. Educational Goals

Participants will gain a greater understanding of key legal and ethical issues that are important to consider when working with a patient who presents a serious danger of violence to another.

E. Measurable Learning Objectives

Participants will be able to:

1. Describe and discuss the “duty to protect,” as it arises from Tarasoff v. Regents of Univ. of Calif., Ewing v. Goldstein, Ewing v. Northridge Hospital and section 43.92 of the California Civil Code
2. Describe and discuss the “duty to report,” based upon Welfare & Institutions Code, sections 8100(b)(1) and 8105(c)
3. Describe and discuss relevant exceptions to confidentiality and the importance of consultation when working with a patient who communicates a serious danger of violence to another

F. Outline:

- I. Introduction/workshop overview
- II. The Duty to Protect
 - I. Tarasoff v. Regents of Univ. of Calif., (1976) 17 Cal.3d
 - II. §43.92, Civil Code
- III. §503A, Civil Jury Instruction
- IV. §503B, Civil Jury Instruction
- V. Ewing v. Goldstein, Ph.D. (2004)120 Cal.App.4th 807
- VI. Ewing v. Northridge Hospital Center, (2004) 120 App.4th 807
- VII. The Duty to Report
 - I. §8100(b)(1) Welfare & Institutions Code
 - II. §8105(c) Welfare & Institutions Code
- VIII. §56.10 Civil Code (relevant exception to confidentiality)
- IX. §2.1, Code of Ethics (disclosures of confidential information)
- X. §3.6, Code of Ethics (limits of confidentiality)
- XI. Discussion of selected vignettes (as time allows)