

## Tennessee Art Therapy and Counseling, LLC

▪ phone: 423-203-8600 ▪ fax: 888-248-7189 ▪ elizabeth@tennesseearththerapy.com ▪

### Legal Policy and Fee Schedule

Court appearance is by subpoena only. The subpoena must be accompanied by either a consent form from the client/client's guardian or a court order.

Clients are discouraged from having the therapist subpoenaed. Though the client, client's guardian or the client's attorney is responsible for the court fees, it does not mean that the therapist's testimony will be solely in the client's favor. Once you are a client, the therapist is only able to be a fact witness in any legal case. A therapist is not able to serve both a clinical role and a forensic role. The therapist will only be able to testify to the facts of the case. Tennessee Art Therapy and Counseling does not offer expert witness testimony. If you need an expert witness to give an expert opinion, please ask the court to appoint an unbiased, objective, forensic evaluator, or the attorney can retain a forensic expert to evaluate legal issues and make recommendations to the court in the best interests of the parties involved.

Please also consider that if the therapist must appear in court, it could be damaging to the therapeutic relationship between the client and the therapist.

As a fact witness, I do require compensation for my time, as is usual and customary when professionals are requested to testify in court.

Due to a subpoena to appear in court, I am required to cancel my clients for a substantial block of time. I am requesting to be paid in advance for all preparation time, all time required out of my office, including travel time, as I will not be available to see clients during those times.

I thank you in advance for understanding that I simply cannot afford to provide this professional service pro bono.

Should you and your attorney still desire my presence in court, my fee structure for court is as follows:

- All preparatory time (e.g., reviewing the file, court preparation with attorney, communication related to scheduling and preparation) is charged at \$300/ hour
- Court time, for all time required out of the office (i.e., including drive time) and/or scheduled out that I otherwise would not be able to see clients is charged at \$300 hour.
- I cannot be available "on-call," as being called to come to court at the last minute is too disruptive to my practice. It is not fair to my clients that otherwise would be scheduled that day.
- I have a 4-hour minimum that will be required to be paid 3 business days in advance.
- If the court date is canceled without 2 business days' notice, I must still be paid the 4-hour minimum.
- All costs incurred by the therapist due to the timing of the court date must be paid (canceled vacations, childcare, etc).
- If services are needed with 48 hours' notice, there is an additional \$275 charge.
- If the case is reset within 72 hours, there is an additional \$275 charge.
- Additional fees may be determined on a case by case basis (cost of court documents, shipping, written summaries, etc).

Once a subpoena is received, the therapist will contact your attorney about the above fee schedule. By signing this form, you give your consent for the therapist to use verbal and written communication to contact your attorney and their office staff about the information above.

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I have read, understand, and agree to the above policies:

\_\_\_\_\_  
Client Name

\_\_\_\_\_  
Client/Guardian Signature

\_\_\_\_\_  
Date