

Greensboro Dance & Drama Therapy
Angela Wiley
MA, LPC, LPCS, LCAS, CCS, NCC, MAC, RDT/BCT, BC-DMT, CTS
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Court Appearance Policy 106

Professional Responsibilities in Court Testimony: Clients are discouraged from requesting their therapist, Angela Wiley and other Greensboro Dance & Drama Therapy associates, be subpoenaed or to request records for the purpose of litigation. Even though the client is responsible for the testimony fee, it does not mean that testimony will be solely in the client's favor. In a court action therapists can only testify to the facts of the case and to their professional opinion. If a client requires a therapist testimony or involvement in legal or court proceedings, client consent will be required. The therapist will be unable to disclose any information pertaining to other family members or parties in counseling without each person's specific consent or court order by the judge. The therapist can only ethically give testimony to things about which she has direct knowledge. Permitted testimony includes behavior and conditions witnessed or which have been told such as progress in therapy, sessions attended/canceled, items discussed in therapy sessions, behaviors witnessed in therapy and behaviors of clients interacting with each other during the therapy setting. Testimony can not be given on; things that occur at home and are not discussed in sessions, opinions relating to child custody, where a child should live and where a child should attend school.

Client Responsibilities: *Should therapist services be required (even if by a third party) relating to your case, you will be responsible to pay for professional time plus any fees incurred.* In this case your consent will be obtained and you will have the opportunity to contact the third party unless the third party is a Judge (a court order is issued where you will be responsible for these fees with or without your consent). We will attempt to obtain consent of this policy and agreement to pay from third parties; however, if the third party is not a client and if consent is refused, it will be the clients responsibly to pay the fee and then collect reimbursement from any responsible third party. Payment will be due as outlined in the policy's fees below.

Scheduling and Timeliness of Response to Subpoenas: If Greensboro Dance & Drama Therapy/Angela Wiley is to receive a subpoena, then the attorney's office is required to call our office and set up a time for the subpoena to be served during office hours. Alternately, subpoenas can be served at our mailing address (5603 B West Friendly Ave #103, Greensboro, NC 27410 which is open during normal business hours). A minimum of 72 hours notice of any court appearance is necessary so that schedule changes for clients can be made within a reasonable time frame. Please note if a subpoena or notice to meet attorney(s) is received without a minimum of 72 hours' notice, there will be an additional \$250 express charge.

As a general policy, the therapist cannot be made available to the court "on-call," as being called to come to court at the last minute is too disruptive to the practice. It is also not fair to other clients that would be scheduled that day, taking off time from work and/or taking their children out of school. Angela will ask to be placed on "telephone standby" with a minimum of a 2 hour notice. If this can not be arranged, then the client will be charged for an entire day of court whether or not the therapist is actually providing testimony. Fees will be charged regardless of whether the therapist is requested to give either fact or expert witness testimony.

Conflict of Interest: Angela Wiley is a Forensic Evaluator through the North Carolina's Child/Family Evaluation Program (CFEP), It is considered a conflict of interest to be both a Forensic Evaluator and a therapist to the same person or family. She cannot appear in court as a Forensic evaluator for any future, current or former family in witch she has provided therapy.

FEES: Fees will be billed to the person issuing the subpoena. In the case of multiple households the person issuing the subpoena may request that the households share the cost. However, it will be the person issuing the subpoena's full responsibility for all fees .

The fee structure for court appearances is as follows: (billable in 15-minute increments).

1. Preparation Time (including records submission): \$250/hour.
2. Phone calls to legal professionals: \$250/hr.
3. Depositions: \$250/hour.
4. Time spent on Court premises (with or without testifying): \$250/hour.
5. Travel to and from court: \$250/hour or portion there of and any travel/parking expenses.
6. All attorney fees and costs that are incurred by the therapist as a result of the legal action.
7. Filing document with the court: \$100.
8. The minimum charge for a court appearance: \$800.

These charges are not reimbursable from insurance providers. All fees are the sole responsibility of the client. Client(s) will be responsible for negotiating any splitting of fees in the case of multiple households.

A retainer of \$1,500 is due at least 72 business hours before the scheduled court appearance. The remainder of the costs will be billed after the court appearance and will be due upon receipt. If the therapist is subpoenaed and appeared in court and the case is reset, a new retainer fee is due for the new court date (this includes if the case is continued to a second day). Only one retainer will be due if the therapist is subpoenaed, placed on standby and did not appear in court. Bills are presented to clients on a weekly basis. Payment is expected upon receipt. Any refund from the retainer owed to the client will be remitted by mail to the client's address of record no more than 7 days after completion of the court appearance.

Clients will be given a copy of this policy at intake and only asked to sign and consent to this policy if there is high likelihood the case will involve court proceedings or in the event that a court proceeding has been scheduled regarding therapy services. If the client is under DSS guardianship, the DSS case worker will be responsible for agreeing to this policy and for notifying attorneys and/or GAL(s) and others legally involved with the case. The specific person/agency issuing the subpoena will be responsible for all fees.

By signing, I consent to Court Appearance Policy 106. I certify I have received a copy of this policy and have read, understood, & agreed to all information. I also agree that any questions regarding this policy have been answered to my satisfaction and I agree to pay for any and all court related fees as outlined above. Revised 4/24/2017.

Signature _____ Date _____
Print Name _____

Signature _____ Date _____
Print Name _____

Therapist's Signature: _____ Date: _____
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