# LEGAL ASPECTS OF FIELD INSTRUCTION

**Liability Issues –**

**Student-client situations that have the potential basis for criminal or civic action include the following:**

- Failure to inform the client of student status
- Providing treatment without proper consent
- Keeping inadequate or inaccurate records
- Administering inappropriate treatment
- Failing to consult with or refer to a specialist
- Failing to seek proper supervision
- Failing to take action to prevent a client's suicide
- Failure to warn third parties of potential harm
- Breaching confidentiality
- Professional misconduct, such as engaging in sexual relations with clients, abandoning clients, or failing to be available when needed

**Informed Consent –**

**Review what constitutes informed consent:**

- Full disclosure
- Ascertaining that the client truly comprehends what is being asked and what will occur if permission is given or not given
- Time limits if any, attached to consent
- Disclosure of information to other persons that might be involved

**Privileged Communication and Confidentiality –**

- Clients hold the privilege; only clients can waive that privilege
- A social worker can be subpoenaed to testify in court and compelled to give evidence by the court. Clients have a right to know this
- Important to define the limits of confidentiality with each client served