

NEGOTIATING ETHICS REQUIREMENTS ON HEALING TO WELLNESS COURT TEAMS



Tribal Healing to Wellness Court

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DISCLAIMER

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Ethical Obligations of Individual Team Members

Professional Rules of Conduct

- Attorneys – Tribal and State Codes of Conduct
 - Prosecutors
 - Defense Counsel
 - Attorneys for Family Members (child welfare cases)
 - Basic principles underlying the Rules of Professional Conduct: "These principles include the lawyer's obligation zealously to protect and pursue a client's legitimate interests, within the bounds of the law, while maintaining a professional, courteous and civil attitude towards all persons involved in the legal system."
- Substance Use Providers – State Codes of Conduct, HIPPA
- Mental Health – State Codes of Conduct, HIPPA
- Judges – Tribal and/or State Code of Conduct
- Child Welfare - Tribal and/or State Codes of conduct

Ethical Obligations of Individual Team Members

- Case Manager -
- Peer Recovery Support -
- Navigators -
- Community Supervision -

As officers of the Healing to Wellness Court, what obligations do you have?

Teams' Obligation to Communicate

- Frequent and regular communication between the team members and timely reporting of participants' progress and/or struggle to progress
- Providers' obligation to share information when a client has authorized them to do so
- Attorney's obligation of candor to the court

Teams' Obligation to Cooperate

Built into the healing to wellness court model

•Key Component #1: Individual and Community Healing Focus

•Tribal Healing to Wellness Court brings together alcohol and drug treatment, community healing resources, and the tribal justice process by using a team approach to achieve the physical and spiritual healing of the individual participant, and to promote Native nation building and the well-being of the community.

Key Component #10: Team Interaction

The development and maintenance of ongoing commitments, communication, coordination, and cooperation among Tribal Healing to Wellness Court team members, service providers and payers, the community and relevant organizations, including the use of formal written procedures and agreements, are critical for Tribal Wellness Court success.

Discussion

- Where do the boundaries lie?
 - What is appropriate information sharing?
 - Oversharing?
 - Undersharing?
- When does a specific discipline's obligations to the participant bump into the obligation to cooperate?
 - Examples
 - Solutions



QUESTIONS?



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