



# WHITE OAK *Counseling and Recovery*

*Professionally Licensed Counseling from a Christian World and Life Perspective*

## Court Action and Legal Fees Policy

Clients are strongly discouraged from having their therapist subpoenaed or having him/her provide records for the purpose of litigation. Even though you are responsible for the testimony fee, it does not mean that the therapist's testimony will be solely in your favor. He/she can only testify to the facts of the case and, if qualified to do so by the court, their professional opinion. Asking a therapist to provide confidential records or testify can damage the trust built in a counseling relationship with a client especially if he/she is still seeing that client in therapy. If one of our therapists is subpoenaed to testify or provide records in a case where the client is a child, the therapeutic relationship may be negatively impacted, thus jeopardizing the continuation of services.

If the therapist is to receive a subpoena, then the attorney or office staff will need to call his/her office and set up a time for the subpoena to be served during office hours. He/she will request a minimum of 72 business hours notice of any Court appearance so that schedule changes for his/her clients can be made within a reasonable timeframe. Please note: If a subpoena or notice to meet attorney(s) is received without a minimum of 72 business hours notice, there will be an additional \$250 express charge.

When it comes to court action, the following fees are in effect:

1. Preparation Time (including submission of records): \$170/hour (billable in 15 minute increments)
2. Phone calls: \$170/hour (billable in 15 minute increments)
3. Depositions: \$170/hour
4. Time required in Giving Testimony: \$170/hour
5. Time Away from office due to Depositions or Testimony: \$170/hour
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

All costs will be billed after the court appearance and **will be due upon receipt**. If the therapist is subpoenaed and the case is reset with less than 72 business hours notice prior to the beginning of the day of the scheduled subpoena, trial, and/or testimony is not given, then the client will be charged \$300 (in addition to the original cost for having to appear in court).

All fees listed above are doubled if the therapist has priorly been scheduled to be out of town at the time of the court appearance.