

Children's Rights to Confidentiality as Psychotherapy Clients

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The New Hampshire Supreme Court's *Berg* ruling¹ allows that (absent court order) children and their psychotherapists may choose not to reveal the records of psychotherapy to parents, guardians and their counsel in some circumstances. By signing below, you are acknowledging that:

1. The purpose of this proposed/ongoing psychotherapy is to achieve certain social, emotional and/or behavior goals. It is not for the purpose of informing litigation of any kind.
2. Parents or guardians have a limited right to access the records of this psychotherapy. Indeed, parents' and guardians' active participation in this process in and knowledge of this process may be critical to its success.
3. However, by signing below you acknowledge that the child/client's well-being, rights as defined by state and federal law and, in some instances, his or her explicit wishes may supersede the parents' or guardians' rights and wishes.
4. As your child's therapist, I assert the right to limit access to the records of this psychotherapy so as to serve your child(ren)'s best interests. This may require, in some extreme instances and absent court order, that I refuse to allow parents and guardians access to the substance of this psychotherapy, and,
5. In such extreme instances, I may need to consult with legal counsel so as to serve the child/client's best interests and, in so doing, may need to divulge certain specifics which would otherwise be considered confidential.

Name minor child/client:		Date of birth:	
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Parent/guardian acknowledgement:

I understand these rights and limitations and agree to these terms:

I am a legal guardian or custodian of the minor child named above:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No
Please print your name:		
Please sign your name:		
Today's date:		
Witness signature:		

Minor child/client acknowledgement:

I understand these rights and limitations and agree to these terms:

Please print your name:	
Please sign your name:	
Today's date:	
Your date of birth:	
Witness signature:	

¹ 07.13.2005; New Hampshire Supreme Court 152 NH 658, 886 A2d 980