

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR KING COUNTY

Whoever,)	
)	
Plaintiff,)	
)	
v.)	No. cause number here
)	
)	DECLARATION OF
)	your name, your degree
Whoever,)	
)	
Defendant.)	
)	

Your name declares the following:

1. I am licensed to practice as a psychologist in the State of Washington;
2. My practice involves evaluating and treating children with mental health problems at ;
3. RCW 71.05.630(2) establishes a clear duty on the part of mental health professionals to not release confidential records unless a court order compels disclosure because of certain narrow exceptions;
4. Ms. LAWYER apparently is seeking disclosure of clinical records by applying the Health Care Information Act (Chapter 70.02 RCW);
5. RCW 70.02.900(2) specifically states that the act does not modify the terms or conditions of disclosure when Chapter 71.05 RCW applies;
6. To permit the statements made to a psychologist to be disclosed without careful consideration by a Judge would be detrimental to the purposes of mental health services;
7. If mental health professionals were obligated to disclose the confidences of those seeking mental health services in all types of civil litigation without judicial review, such an obligation would violate the basic value of confidentiality that promotes psychotherapeutic evaluation and treatment;
8. The concept of privileged communications is based on the theory that the release of confidential information will restrict the open and necessary communication between the professional and the client. Without a court order directing the release of records, the value of full disclosure between mental health professionals and their clients outweighs the potential benefit to justice that might occur if testimony or the release of confidential information was required;
9. Empirical research has demonstrated that if clients of mental health services were assured of confidentiality, they were more willing to respond to personal inquires and were more honest in their responses;
10. As a society we want our mental health professionals to protect the confidences of our clients unless a few very specific limitations should arise. Destroying the privileged communication protection for mental health professional and client communications would prevent effective therapeutic intervention from occurring in many cases;
11. Ms. LAWYER has not sought a court order, nor has she proven that the records she seeks should be disclosed because of the narrow exceptions created under the law.

I declare under penalty of the laws of the State of Washington that the foregoing is true and correct.

DATED at Seattle, Washington, whenever, 200?

Your name, degree