

# To Warn Or Not To Warn: That Is The Question

Ever since 1976 with the landmark case of Tarasoff versus Regents of the University of California, there has been a dizzying array of cases dealing with various approaches to this topic. In some states, there is a Duty to Warn, in others a Duty to Protect Third Parties. In some states, the duty is mandatory and in others discretionary. Some states are also distinguished in terms of permissive or non-permissive duties. Small wonder that with all these variations, mental health professionals are often confused in terms of their obligations. Sometimes, the case law is inconsistent with the statutes within the same state. Research done regarding the knowledge of licensed mental health professionals in 1988 showed that 93% of the sample surveyed did not fully understand the laws in their own states. Twenty years later, with continued exposure to the topic through continuing education, the number dropped to 76% who did not understand the laws in their own states. This webinar will attempt to reconcile these differences and provide the mental health professional with concrete steps to take in order to crystalize and understand the laws and the ways to manage practices so as to minimize the risk of legal action.

## Target Audience

Psychologists      Social Workers      Counselors  
Therapists      Psychiatrists      Nurses  
Course Level: Intermediate

## Learning Objectives

At the end of this seminar, participants will be able to:

1. Describe the history of the Duty to Warn and Duty to Protect laws
2. Identify the circumstances under which the Duty exists
3. Identify concrete ways to assess the credibility of threats
4. Identify concrete ways to discharge the Duty
5. Describe templates to help manage the risk

## Seminar Schedule

This seminar runs from 1-4:15 PM Eastern Time.

## Outline

Begin 1:00 PM ET

1:00-1:45 PM ET  
Review of Case Law

1:45-2:30 PM ET  
Review of Statutes

Break 2:30-2:45 PM ET

2:45-4:15 PM ET  
Practical Steps for Assessment and Intervention

End 4:15 PM ET

Our seminars are available in two formats. The first is a live, interactive webinar. You can ask questions of our presenters, either by typing them or speaking into a microphone. If the webinar time is not convenient for you, you can purchase the Home Study version. It is a recorded version of the webinar. You will have to pass a test to earn CE's for both the live webinar and the Home Study version.

### Continuing Education Credit

To earn CE's, you must attend the entire webinar. No partial credit is available. For both the webinar and the home study version, you will have to pass a post-test with 80% correct and complete a seminar evaluation to earn the certificate. You can take up to three times. Participants will earn 3 CE's for attending once they have completed these requirements.

PSYCHOLOGISTS: tzkseminars is approved by the American Psychological Association to sponsor continuing education for psychologists. tzkseminars maintains responsibility for this program and its content.

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## The Presenter

Dr. David Shapiro has been called the Father of clinical forensic psychology. His first book on forensic assessment appeared in 1983 and was the only book at that time to approach forensic assessment from the point of view of actual issues encountered in practice rather than from a theoretical basis. Since that time, he has authored five more textbooks and four dozen peer reviewed articles dealing with the interface of psychology and law. His comprehensive approach to forensic assessment has been widely distributed and used as models for various books and training programs.

Dr. Shapiro is a Diplomate in Forensic Psychology of the American Board of Professional Psychology and has been actively engaged in forensic practice for over forty years. He is currently a Professor of psychology at Nova Southeastern University and teaches courses in forensic assessment, criminal law, ethics and professional practice, supervision and consultation, projective personality assessment, and risk assessment for future violence. He regularly provides forensic and ethics training at a variety of national forums, including APA and ABPP.

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This seminar has been reviewed and approved by Keith Hannan, Ph.D., Phil Rich, LICSW, Daphne Fatter, Ph.D., and Loreen Yearick, MSN, RN. This approval expires on March 1, 2025.

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