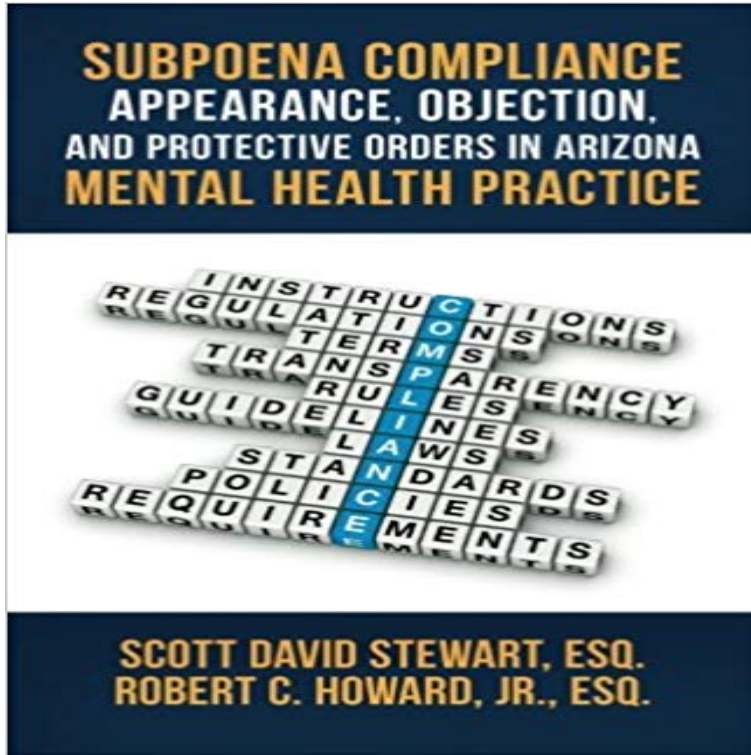


# Subpoena Compliance, Appearance, Objection & Protective Orders in Arizona Mental Health Practice



This is an Arizona guide for the mental health professional served with a subpoena in a patient's or client's divorce, child custody, legal separation, annulment, or other family law case. Arizona psychologists, psychiatrists, and mental health counselors are often subpoenaed to testify or provide documents, tests, and records regarding a current or past patient who is now party to a divorce or family law case. The scope of the book covers why family lawyers subpoena mental health professionals and much more. The legal strategy behind the subpoena in family law cases (including discussions on Arizona spousal maintenance, child custody, parenting time, legal decision-making custody, child support, and division of property). How the psychologist, psychiatrist, or psychiatric counselor handles conflicts of law between the APA Ethics Code and Arizona law. How subpoenas differ from court orders. The two types of subpoenas used by Arizona attorneys in family court. Special concerns raised by subpoenas for raw test data. Subpoena notice requirements under Arizona law and how to obtain an extension of time for cause. Arizona's statutory mental health privileges. How the mental health professional protects privileged and confidential communications and what constitutes a patient's waiver of the privilege. And challenging subpoenas in court (Arizona case examples are included). As family lawyers with Stewart Law Group in Phoenix, Arizona, authors Scott David Stewart and Robert C. Howard, Jr., take a close look at why subpoenas are served on psychologists, psychiatrists, counselors, and other mental health professionals in family law cases to obtain information about a patient. They provide pertinent APA standards, controlling Arizona law, and courses of action available to that professional once the subpoena has been

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