

SUICIDE RISK

There is no pure legal duty to prevent suicide—the duty is to intervene appropriately—the law recognizes limits in the ability to stop a determined person from suicide.

- The duty to intervene is judged according to the degree of suicidal risk exhibited by a client and the counselor's ability to accurately assess and control that risk. The counselor's liability increases as the risk of suicide increases and the counselor is able to foresee and control the client's actions. Since the clinician in an inpatient facility can control the patient's behavior more than in an outpatient setting, liability is greater when suicide occurs in a hospital, day treatment, or residential care facility.

DUTY TO WARN AND PROTECT: *Serious Threat of Harm to Self or Others*

SUICIDE RISK

Law and Ethics in Suicide Intervention: Suicide is not only one of the riskiest cases for a counselor clinically and spiritually, but legally as well. Professional clinicians are increasingly at legal risk for the suicide of their clients and patients. Indeed, the clinician working in an inpatient or restrictive treatment setting has a strong duty to intervene in the life of someone judged to be a substantial risk for suicide. In contrast, a pastor in a church setting may be ethically and morally, but not legally, bound to a duty of suicide intervention.

SUICIDE ASSESSMENT: Assessment of suicidal risk involves gathering information from multiple sources across a number of key variables. **The essential two-part question of suicide assessment is: Is this person at risk for committing suicide, and if so, how serious is the risk?**

The competent counselor will assess this risk according to history, trait, mood, personality, and situational factors. Begin counseling with assessment of suicide risk. The easiest way to get information about suicide risk is to ask questions at the beginning of counseling. We incorporate questions about suicide (and homicidal and assaultive behavior) in our clinical intake forms. This gives direct access to these issues at the start of professional relations.

Structuring assessment this way and addressing these questions on initial interview puts clients more at ease as they see it as part of the routine we follow with all new clients.

Evaluate suicide risk across key variables. Risk for suicide increases according to:

- Past suicide attempts and their seriousness
- Communication of intent/denial of intent
- Assessing the violent-angry-impulsive person

Professional counselor liability for suicide cuts across two issues:

1. The setting in which the crisis arises and the nature of the alleged harm
2. Whether it involved failure to take preventive action to avoid suicide or whether the clinical behavior caused the suicide