

Analyze This!

The Official Newsletter of the San Gabriel Valley Psychological Association

www.SGVPA.org

AN OFFICIAL CHAPTER OF CALIFORNIA PSYCHOLOGICAL ASSOCIATION

July/August 2009

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Upcoming Luncheon Meetings



Date: July 10th (note this is the second Friday of the month) **Topic:** Adolescent Substance Abuse: Keys to Assessment

and Treatment Interventions

Speaker: Dan Leon LCSW

Date: August - No Meeting

PLEASE RSVP NO LATER THAN THE FIRST MONDAY OF THE MONTH TO SGVPA VOICE MAIL (626)583-3215. CEUs available for psychologists, LCSWs and MFTs

Monthly luncheons are held the first Friday of the month at the University Club, 175 N. Oakland Avenue, Pasadena, from 12:00 to 1:45 p.m. Lunch is \$15 for SGVPA members and \$20 for nonmembers. CEUs are \$15 for SGVPA psychologists, \$25 for non-SGVPA psychologists, \$10 for SGVPA MFTs/LCSWs (\$20 combined with lunch), and \$20 for non-SGVPA MFTs/LCSWs (\$30 combined with lunch).

PRESIDENT'S MESSAGE

Dear Colleagues,



It's summer! The apex of the year, when the sun soars high in the sky, and convention invites us to do all the fun and adventurous things that we normally defer during the rest of the year. Summer is a time when all the flowers blossom, and birds that migrated for the winter return to sing us their songs. It is a time when we can really enjoy nature, our physicality, our friends, family and life in general.

Summer, like youth, is a kind of prime time for *living out loud*. But even as we soar during the summer, we also realize that the winter will inevitably come. Inevitably, the

days will grow shorter, the leaves will fall from the trees, and we'll have to come away from the beach.

Recently, we have lost a number of celebrities from the national stage, some well before their time. Michael Jackson, Farrah Fawcett, Ed McMahon, and Billy Mays, to name a few of the deaths that have shocked, saddened, and/or puzzled us recently. These deaths have been a stark reminder of the fact that, indeed, winter will always come - and sometimes well before it is due or expected.

More personally, on June 4, 2009, we lost a beautiful and brilliant colleague, Dr. Carla Egly Schuler. She had just passed her 50th birthday, and left behind a loving husband, two great sons, and the promise of professional and personal joys and accomplishments that might have been hers, had she lived. She will be deeply missed, even as we that knew her are grateful for having had her in our lives at all.

I think that premature losses like this might help remind us all to savor the summer, while the days are bright, and the sun is high. Because the winter will inevitably come.

May you savor your summer.

Here are some of the highlights in this issue:

- Shock & Awe! California's governor continues his relentless pressure to collapse all mental health professional boards into one. We all need to get more involved to protect our respective professions. (Read more, p. 2)
- Welcome Brunch! We will celebrate a large number of new members at my home on July 19. You don't have to be a new member either! All members are invited to enjoy homemade goodies in the garden, and learn about ways to get more involved with SGVPA. Please just RSVP to Dr. Stephanie Law, Stephanie@drstephanielaw.com.
- So, You Want Your Day in Court? Mark Baer, Esq., explains why the judge who would decide your fate might not be the wise and qualified jurist you expect... And why it might be best to run the other way! (See p. 6) (continued on page 2)

The Board of Psychology Dissolved into What?

By Dr. Linda Tyrrell, GAC Chair & Dr. Suzanne Lake, SGVPA President

Perhaps because psychologists spend so much time studying and practicing psychology, it becomes second nature to us. When we realize that the rest of the world does not understand what we do, or the practices and institutions that facilitate the delivery of psychological services, it can be shocking. And shock can be immobilizing just when we need to take action as a profession.

Within the past year, we have been faced with very significant threats to Psychology on a state level and on a national level. In California...

- In June, the state Budget Conference Committee voted to eliminate Mental Health Managed Care.
- As of July 1, 2009, Medi-Cal optional benefits (including mental health benefits) will expire with no renewal in place.
- California's governor has tried *three times* to dissolve the Board of Psychology, in order to create a generic mental health licensing board that would govern doctoral level psychologists along with MFTs, social workers, and psychiatric technicians. And although the immediate threat was removed in June, *CPA sees clear evidence that the initiative to eliminate a distinct BOP will surface yet again sometime this year.*

Nationally, the profession of Psychology is under attack on several fronts.

- The American Civil Liberties Union and the New York Times have lambasted psychologists for their stance on the
 role military psychologists played in torture of terrorists under the Bush Administration. Even though APA has
 officially clarified the current stance as one decrying any psychologist collusion in torture, the public indignation
 persists, and damages our professional profile.
- Starting this June, the Federal Trade Commission put special requirements on businesses that extend credit to customers or clients. This law affects mental health providers! It requires us to perform background checks on any clients to whom we extend credit. Notwithstanding the benign intent of this law, which is to prevent identity and credit fraud, it clearly interferes with our ability to create a trusting relationship with clients. Psychologists are expected to comply with this law if we allow clients to delay payment in any manner.
- Healthcare reform, on both the state and national agendas, will greatly impact all of us as mental healthcare providers.
 Whether the outcome is a national health care system, a set of single payer plans, or even a lack of reform and the continuing reduction of reimbursement rates for mental health service, our livelihoods will be greatly affected.

Please take these various political challenges to the quality, availability, integrity, and viability of our respective mental health professions seriously. CPA is our key advocate at the state level. So join CPA--and donate generously to the political action efforts. Consider special donations to SGVPA's Governmental Affairs Committee, or even join the GAC in its efforts to promote legislation favoring our profession. Become a vocal advocate of our profession, and let your voice be heard. Let's turn our shock into action!

President's Message (continued from page 1)

- Networking Happy Hour! Gather at Roy's Hawaiian Fusion next month for a different twist on the Networking Lunch. (See p. 7)
- Forget What You Learned! Dr. Alan Karbelnig ruminates on the potential interferences of learning in our clinical work. (See p. 5)
- Letters to the Editor! I would like to introduce a new feature in this newsletter by inviting you to "talk back" with regard to anything that you read in *Analyze This!* Feel free to voice your agreement, disagreement, or queries in an email to me at DrSuzanneLake@aim.com. Your letter will be published in the next issue.

Suzanne Lake, PsyD President

Attention! All *New* SGVPA Members!

*If you joined us since June of 2008 this means YOU!

SGVPA cordially invites you

to a

Welcoming Brunch For our New Members





Sunday, July 19, 2009 12 Noon-2pm

At the lovely home of our President, Dr. Suzanne Lake!

875 S. Madison Ave. Pasadena, CA 91106

Please Come!
Let us welcome you formally into the SGVPA fold!

Meet the Leaders of SGVPA and other new and old SGVPA members!

Find out more about how to get involved, and ...

Enjoy a delicious brunch (with champagne) on us!

Please RSVP before July 10 to Dr. Stephanie Law Stephanie@drstephanielaw.com Phone: (626)355-5559



Champagne Celebration of Success!

By Colleen Warnesky, PsyD, ECPC Chair, & Deborah Peters, PhD, Co-Chair



Colleen Warnesky, PsyD

Q and A Format

Send Us Your Queries!



Deborah Peters, PhD



The two of us would like to propose a question and answer format for our future newsletter articles. We would love to hear from you all about any questions you might pose for discussion. You can e-mail either of us at drdebpeters@gmail.com or drwarnesky@yahooo.com. This will help create a more interactive, collegial atmosphere, and it will make it easier to address your needs directly.





Celebration of Success —with Champagne! Congratulations to Our Newly Licensed Professionals!

On June 19, we were very happy to raise a glass of champagne in congratulations to six of our SGVPA colleagues for recently passing their licensing exams!

Maggie Aietia, Psy.D., Gayle Callaghan, MFT, Carrie Dilley, Ph.D., Joseph Dilley, Ph.D., Valla Walker, Psy.D., Colleen Warnesky, Psy.D.



They enjoyed the well-deserved acclaim of their friends in a lovely celebration graciously hosted by Deborah Peters.



Come Visit Us on Facebook!

Lots of events are in the works for our ECP's—we'll keep you posted here, on the SGVPAListserv, and on Facebook!

Obsessive RuminationsForget What You Learned!

By Alan Karbelnig, PhD



Bolstered by Soren Kirkegaard's lament that "ours is a paltry age because it lacks passion," Dr. Alan Karbelnig writes this regular column to provoke thoughtful reaction from his SGVPA colleagues. He has been a member of SGVPA since 1988, and served as its president in the early 1990s. He has chaired the SGVPA Ethics Committee for 14 years. Alan is a Training and Supervising Psychoanalyst at the New Center for Psychoanalysis and the Newport Psychoanalytic Institute. He practices psychoanalytic psychotherapy and forensic psychology in South Pasadena.

Unlike their more seasoned colleagues, beginning psychotherapists enjoy a terrific advantage in practicing their craft. They may feel fearful

or even lost in the process at times, but beneath their insecurities lurks a profound potential. They start the treatment process the same as all psychotherapists, facing a dizzying array of choices for helping their patients. But they tend to view their patients with a wonderful freshness. Rather peering through the lenses of what they've learned from their own psychotherapy, from prior work experience, or from case studies they've read, they tend to do just this: Carefully listen. Listen!

Now, of course, as they look into their own minds, "treat" more individuals, and study, these beginning psychotherapists develop points of view. They acquire biases. Their journey often begins by deciding how deeply, if at all, they will probe into themselves – an expedition dominated by resistances impossible to totally overcome. Next they choose between the various types of psychotherapy. If they venture down the psychoanalytic path, they learn many different theories. These models are promoted as universal truths. In actuality they represent only the theorists' personalities and the particulars of the patients they encountered. And as these psychotherapists accept certain models, some degree of corruption, of prejudice, or even of blindness begins.

If psychotherapists become enamored with Freud, then they view their patients through the lenses of drive, sexuality and aggression. If they find Klein appealing, they see envy, hatred, and aggression. If they like Fairbairn, they perform "exorcisms," striving to release the drama in the crypt lying beneath the drama in the chancel. If Winnicott moves them, they create holding environments and act as transitional objects. If they like Kohut or Stolorow, they are gentle and maternal. If they like Bollas, or even our beloved local Althea Horner, then they hunt for "core relationship problems." If they like Lacan, they carefully listen to language, to slips of the tongue, desperately seeking the "subject" in words and sentences alone. If they like Schore, Siegel, Fonagy, or Main, then

they consider their patients as human robots prone to such mechanistic difficulties as affect dys-regulation or insecure attachment.

And what if they seek guidance in modern philosophy? Well, then, if they like Schopenhauer, they view death as the point of life, and deem all desire save aesthetics or theology as meaningless, repetitive struggles of appetite, satisfaction, and further appetite. If they like Nietzsche, they look for power. If Heidegger appeals to them, they hunt for authenticity. If they like Sartre, they find inescapable misery in every unavoidable, noun-like conception of verb-like self-images. If they like Camus, they wonder precisely why their patients are choosing *not* to kill themselves. If they like Derrida or Foucault, they see, well, nothing at all.

Ironically, all of these theories or philosophies, and of course all of psychotherapists' own illusions about themselves and others, only distort these helpers' capacity for fully receiving the persons who present for help. Yet what these patients initially need more than anything else is simply this: For their psychotherapists to really hear their stories, their versions of the world, their hopes, dreams, regrets, and more, with as little filtering or interpretation as possible.

Experienced psychodynamic psychotherapists therefore have something to envy in those who are just beginning in the field. Laden with so many clinical, theoretical, and philosophical points of view, they can tend to perceive their patients, as the old phrase has it, "through the glass darkly." Neophytes, still new to these various perspectives on human subjectivity, can have an easier time seeing and hearing their patients undimmed and undistorted.

Whether in their first or thirtieth year of providing psychotherapy, practitioners of this art must of course practice, read, and study. But then, at the start of each and every session, they should forget all that they have learned. And they should forget themselves. Of course this is impossible; but they should strive to do so anyway. Only then, and maybe only then, can they really listen – slowly, carefully, deliberately, intensely – to what their patients are telling them. And only after truly listening can psychotherapists begin to offer real help.

Psychology and Family Law

By Mark Baer, Esq.



In my prior articles, I have touched upon the inherent risks involved in having a dispute resolved in court. I realize that many readers of my column have been waiting for me to write about the use of mediation in family law. However, I have felt that, in order to properly convey my views on mediation, I must first express my beliefs about the problems inherent to the judicial process in general, and the problematic nature of judge selection in particular.

Quality of Judges

In 1993, the Judicial Counsel of California commissioned a survey of California lawyers and judges to determine how to attract and keep highly qualified judges. Overall, the survey found that the selection/election process is among the three greatest disincentives to

becoming a judge, along with salary and loss of privacy. The survey found a negative mystique surrounding the selection process, including a belief that who one knows, rather than ability, is the basis for judicial selection. Another concern is the perception that the current process does not actively seek the most qualified lawyers but instead accepts whoever comes through the political process. Finally, the cost of running for a seat is prohibitive to many prospective candidates.

• Appointment of Judges

Authority for California's current judicial selection process is found in the Constitution, specifically the Government Code and the Elections Code. When a vacancy occurs in the Supreme Court or the Courts of Appeal, the governor nominates a candidate for the next election or appoints a candidate to fill an interim vacancy. The only selection criterion imposed by law is that each judge must have been a member of the State Bar for ten years prior to appointment/ election. In my last article I pointed out that the difference between the length of time since an attorney was admitted to the State Bar, as compared with the length of time he or she has *actually been practicing law* could be significant. Please keep in mind that an attorney could theoretically have been a member of the bar for ten years and never have actually practiced law.

Before the Governor appoints or nominates a judge, the name is submitted to the State Bar for evaluation of the individual's qualifications. The Judicial Nominees Evaluation Commission, comprised of attorneys and public members, reports its evaluation to the Governor in confidence. After reviewing the report, the Governor officially appoints or nominates the candidate.

After confirmation, the judge is sworn into office to serve until the next gubernatorial election, when the judge runs unopposed in a nonpartisan retention election where voters decide whether to retain him or her for the balance of the judicial term. Superior Court Judges serve six year terms and Supreme Court and Court of Appeal Justices serve twelve-year terms.

The California Constitution provides for retention elections for Supreme Court and Court of Appeal judges. However, it also provides for direct election of Superior Court judges.

• Election of Judges

In the general election held in June of 2006, Dzintra Janavs, a Los Angeles Superior Court judge, was defeated by Lynn Olsen. It should be noted that Dzintra Janavs had been a 20-year veteran of the bench, and the Los Angeles County Bar Association's evaluating panel gave Janavs its highest possible rating, "exceptionally well qualified." Lynn Olsen, on the other hand, was admitted to practice law 15 years prior to the election, but had only practiced law for the first 3 years after being admitted. In addition, Lynn Olsen was rated "not qualified" by the Los Angeles County Bar Association's evaluating panel--after she declined to meet with the committee. Fortunately, less than 72 hours after the loss, Dzintra Janavs was reappointed by Gov. Arnold Schwarzenegger to a vacant seat on the bench.

The general public does not check to see the ratings given by the applicable County Bar Association's evaluating panel and therefore tends to vote based on a name or for an incumbent. In the case of Judge Janavs, the populace ignored

(continued on next page)

the fact that she was an incumbent and voted against her because they *did not like her name*. Moreover, just because someone is an incumbent does not mean he or she is qualified. For example, what if Lynn Olsen were to run for reelection? She would be an incumbent at that time. Does that make her qualified?

This brings me to my next topic, which was unification of the Municipal and Superior Courts. On January 22, 2000, the judges of the Los Angeles Superior and Municipal Courts voted to unify all of the Los Angeles County trial courts into one court, the Superior Court of California, County of Los Angeles. This unification was allowed by the provisions of Proposition 220, the state constitutional amendment passed by California voters in June of 1998. In effect, this meant *that Municipal Court Judges now became Superior Court Judges*. Please keep in mind that the only selection criterion imposed by law for Municipal Court judges had previously been that they must have been members of the State Bar for five years. Remember, too, that all other judges must have been members of the state bar for ten years. With unification, these Municipal Court judges have now become Superior Court judges. Furthermore, when they run for election, they now run as incumbents, and hence garner an advantage.

The judicial officer in many courtrooms is a court commissioner. In order to be eligible as a court commissioner one must have been admitted to practice before the Supreme Court of California for at least ten years. Court commissioners are not elected. Rather, they are appointed by a committee of ten judges that reviews the application of each applicant. The committee designates which applicants it finds to be qualified and ranks them in the order of preference.

Whether the judicial officer is a judge or a commissioner, he or she is not assigned to a particular courtroom based upon the type of law he or she had practiced, if any, prior to becoming a judicial officer. Since approximately 1983, most lawyers elected or appointed as judges and commissioners have come from a criminal law background. Therefore, they may have little, if any, experience or knowledge related to the type of law practiced in the courtroom to which they are assigned. Therefore, is it wise to insist on having your "day in court" instead of attempting to resolve the matter through mediation or some other form of alternative dispute resolution?

Mark Baer, Esq. can be reached at (626) 389-8929 or by email at mbaer@rrjlaw.com



A Dutch Treat Networking ... HAPPY HOUR!

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in mid-July.

Bring plenty of business cards!

For more details, contact

Dr. Elisse Blinder

At dreblinder@charter.net



ETHICS BRIEF: Fees and Boundaries in Psychotherapy

By Ethics Committee Alan Karbelnig, PhD, Chair Linda Bortell, PsyD, Isabel Green, PhD, Don Hoagland, PhD, Toni Cavanagh Johnson, PhD, Stephanie Law, PsyD, Phillip Pannell, PhD, Colleen Warnesky, PsyD

This is part of a series of bi-monthly articles written by the SGVPA Ethics Committee. The articles reflect research from a variety of sources, including Ethical Principles of Psychologists and Code of Conduct from the American Psychological Association and other sources. These articles are intended to provide education, not actual legal advice.

Fees and financial arrangements are important parameters of psychotherapy. Inadequate disclosure or inaccurate assumptions about payment policies can lead to significant disruptions in the patient-therapist relationship. Payment for services is as much a part of therapy as therapy itself.

Therapists should try to come to an agreement as soon as possible with their clients on the fee structure. The APA Code of Ethics, in 6.04 Fees and Financial Arrangements, states, "(a) As early as is feasible in a professional or scientific relationship, psychologists and recipients of psychological services reach an agreement specifying compensation and billing arrangements."

While many therapists agree on a certain fixed rate, others agree on a fee that fluctuates with clients' income or other considerations. Regardless of what the arrangement is, therapists should document the agreement and, when necessary, its rationale. Again, the APA Code of Ethics (10.01) states on the subject of Informed Consent to Therapy, "When obtaining informed consent to therapy ... psychologists inform clients/patients as early as is feasible in the therapeutic relationship about the nature and anticipated course of therapy, fees, involvement of third parties, and limits of confidentiality and provide sufficient opportunity for the client/patient to ask questions and receive answers."

The sliding scale is a common form of fee arrangement, allowing clients to pay what they can afford in a flexible, individually tailored way. As with any fee arrangement, therapists should try to clearly articulate and agree upon the arrangement, preferably in writing. Concerns with the sliding scale are that clients may have an investment in presenting a scaled down financial picture in order to obtain a lower rate or that therapists could exploit patients who are wealthy.

It is important to mention debt collection in the therapist's statement of office policies. Therapists need to be careful of the accumulation of debt by clients. Large debts tend to be clinically tricky and burdensome. If a therapist allows a client to accumulate debt, she should try to document the reasons for doing so. Moreover, the therapist should approach debt collection cautiously and think twice before using a collection agency. Before informing the client that she is about to submit the debt to collection, the therapist should send letters inviting the client to develop an affordable payment plan. As the APA Code of Ethics (6.04, Fees and Financial Arrangements), states: "If the recipient of services does not pay for services as agreed, and if psychologists intend to use collection agencies or legal measures to collect the fees, psychologists first inform the person that such measures will be taken and provide that person an opportunity to make prompt payment."

Although it is only required that psychologists discuss their collection actions with clients prior to invoking them, they might consider talking early in treatment about their policies regarding the use of collection agencies or legal measures. Psychologists should check state law regarding both collections and confidentiality. Although collection procedures automatically involve a loss of some confidentiality, the process should reveal only the minimum amount of information essential for pursuing collection.

The therapist's initial statement of office policies should include the following information:

- Fee structure for each psychological service
- Requirement that fees and copayments are due when the service is rendered, unless other provisions are made
- Policy of sending out monthly itemized statements
- Review of managed health care issues and obligations
- Telephone and email availability and fees for these services
- Policies regarding canceling of appointments and the time frame required to avoid being charged
- Handling of missed appointments
- Fees for providing written reports and consultations to third parties
- Policy about late or missed payments

Avoiding potential misunderstandings and uncertainties about the business aspects of psychotherapy requires adequate disclosure about fees and payment policies. Therapists should explore their own personal thoughts, feelings, and issues about money. Many clinical and ethical complications stem from therapists' ambivalence about financial matters and from a lack of training and education in handling fee arrangements.

MONTHLY PROGRAM SCHEDULE 2009



Date: August NO MEETING

Date: September 4th

Topic: Keep on Talkin': Therapeutic Action in the Talking Cure

Speaker: John Wayne, PhD

Date: October 2nd

Topic: Identifying and Treating the Bi-Polar Spectrum Patient

Speaker: Mariel Tourani, MD

Date: November 6th

Topic: Title to be announced **Speaker:** Peter Radestock, PhD

We remember
Dr. Carla Egly Schuler
With gratitude
For all that she contributed
And for what she meant
To so many of us.



Carla Egly Schuler, PhD 1959 - 2009

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Mary Hannon, 1122 Avon Pl., South Pasadena, CA 91030, phone (626) 354-0786.

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Melissa Johnson, Ph.D. PSY13102

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Instructor: Enrico Gnaulati PhD (PSY 15738) is the author of two books: *Emotion-Regulating Therapy*

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a private practice in Pasadena, CA specializing in child and adolescent assessment and

psychotherapy.

Dates: Fridays 11:00 a.m. - 1:00 p.m. 10/9/09; 10/16/09; 10/23/09; 10/30/09; 11/6/09

Location: 200 E. Del Mar Blvd., Ste. 206, Pasadena, CA 91105

Cost: \$295.00 (Fees include workshop materials and refreshments)

Registration: Phone 626-584-9968 or enrico@gnaulati.net

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