

LAW OFFICES  
**LEON W. BERG, P.A.**

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\_\_\_\_\_, 2017

\_\_\_\_\_, LCPC  
123 Elm St.  
Anywhere, MD 11111

Re: *Little Boy Blue*

Dear \_\_\_\_\_:

I enclose herewith for your file a copy of an "Order Appointing Counsel for Child" in the case entitled: *Momma Bear v. Pappa Bear*, Case no. 03-C-17-00001, before the Circuit Court for Baltimore County, Maryland. This is a case involving child access issues. At least one of the parties seeks access to information regarding your treatment of your patient, *Little Boy Blue*.

As you know, communications between you and the minor child are confidential. Because the patient is a minor, he is not legally competent to give permission to disclose any such communications. In addition, because there is pending litigation, neither parent has the authority to give permission to disclose any such information. Only a court appointed attorney for the child can authorize the waiver of the privilege. I am court-appointed to represent your patient for the specific purpose of determining whether or not to waive the privilege of confidentiality between you and your patient. In making this decision, I am primarily concerned with the following:

- (A) To what extent will the information available from the therapy be critical to the outcome of the litigation, and ultimately, to the patient's well being;
- (B) To what extent, if any, is the information sought available through other non-confidential sources;
- (C) To what extent, if any, did patient understand that his relationship with you was a confidential relationship; and will he feel betrayed (thereby undermining any future therapeutic relationships) if this information is disclosed.

This determination will require, in part, a review of your clinical notes, and any other records which pertain to your patient.

Letter to \_\_\_\_\_  
\_\_\_\_\_, 2017  
Page Two  
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I ask that you do the following:

1. Please forward to me (by fax or email), pursuant to the enclosed Order, those clinical notes and any other written materials pertaining to *Little Boy Blue*.
2. After I have reviewed the notes, etc., I will contact you, so that I may get your input on the above noted concerns. Please be assured that my only allegiance is to *Little Boy Blue* and to his well-being.

Thank you for your anticipated assistance.

Very truly yours,

LAW OFFICES OF LEON W. BERG, P.A.

\_\_\_\_\_  
LEON W. BERG

LWB/lb  
Enclosure