

Step Five–Legal Privilege

Step 5: Admitted to God, to ourselves, and to another human being the exact nature of our wrongs.

We confide in someone else, because only another person can see us as we really are. We learn from others and they learn from us. It is through these interactions that we see what needs to be strengthened, healed or changed in our own lives.

The person we take into our confidence can be a member of the Twelve-Step community, but it doesn't have to be. The "Big Book" authors provide us with other options.

Starting with the fourth paragraph on page 73, the authors state:

“We must be entirely honest with somebody if we expect to live long or happily in this world. . . .Those of us belonging to a religious denomination which requires confession must, and of course, will want to go to the properly appointed authority whose duty it is to receive it. . . .

“If we cannot or would rather not do this, we search our acquaintance for a close-mouthed, understanding friend. Perhaps our doctor or psychologist will be the person.”

Confidentiality is of the utmost importance during a Fifth Step. The "Big Book" authors list some of the people who are legally bound to keep a confidence. They are religious, medical, and mental health professionals. Attorneys also have this "privilege." This "privilege" protects communications between certain individuals and insures that these communications will not be divulged to a third party.

This "privilege" is not absolute—there are exceptions. In certain situations, "mandatory reporting" supersedes "legal privilege."

This legal protection does not include members of the Twelve-Step com-

munity. This is why we must be very careful about what is shared during a Fifth Step.

One way to avoid problems in this area is to inform the sponsee that he or she is not to share with you anything that is of a criminal nature. Make sure the sponsee knows who is and who is not legally bound to keep a secret.

Perhaps your sponsee would rather discuss a portion of the checklist with someone who has this “legal privilege.” If this is the case, have him or her make a commitment to you as to when, where, and with whom the sponsee will talk about these inventory items.

In the second paragraph on page 74, the “Big Book” authors explain the circumstances under which this Step may be temporarily postponed:

“Notwithstanding the great necessity for discussing ourselves with someone, it may be one is so situated that there is no suitable person available. If that is so, this step may be postponed, only, however, if we hold ourselves in complete readiness to go through with it at the first opportunity. We say this because we are very anxious that we talk to the right person. It is important that he be able to keep a confidence; that he fully understand and approve what we are driving at; that he will not try to change our plan. But we must not use this as a mere excuse to postpone.”

So immediately after you and your sponsee have put together a Fourth Step inventory, you share it so the two of you can come up with an Eighth Step amends list. If the sponsee needs to share parts of the inventory with someone who has “legal privilege,” have the sponsee commit to doing so by a specific date.