



NINTH EDITION

ISSUES AND ETHICS

in the Helping Professions

GERALD COREY | MARIANNE SCHNEIDER COREY | CINDY COREY | PATRICK CALLANAN



ISSUES AND ETHICS

in the Helping Professions

N I N T H E D I T I O N

ISSUES AND ETHICS

in the Helping Professions

GERALD COREY

California State University, Fullerton
Diplomate in Counseling Psychology
American Board of Professional Psychology

MARIANNE SCHNEIDER COREY

Consultant

CINDY COREY

San Diego State University
Private Practice

PATRICK CALLANAN

Private Practice



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Product Director: Jon-David Hague

Content Developer: Julie Martinez

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Product Assistant: Kyra Kane

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Kara Kindstrom

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Rights Acquisitions Specialist:
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Photo & Text Researcher: PMG

Copy Editor: Kay Mikel

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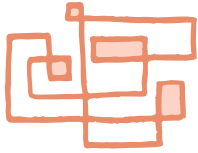
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Dedicated to
The friends, clients, students, and
colleagues who opened our eyes
to the complexities and subtleties
of ethical thinking and practice.



ABOUT THE AUTHORS



GERALD COREY is Professor Emeritus of Human Services and Counseling at California State University at Fullerton. He received his doctorate in counseling from the University of Southern California. He is a Diplomate in Counseling Psychology, American Board of Professional Psychology; a licensed psychologist; a National Certified Counselor; a Fellow of the American Psychological Association (Division 17, Counseling Psychology; and Division 49, Society for Group Psychology and Group Psychotherapy); a Fellow of the

American Counseling Association; and a Fellow of the Association for Specialists in Group Work. He also holds memberships in the American Group Psychotherapy Association; the American Mental Health Counselors Association; the Association for Spiritual, Ethical, and Religious Values in Counseling; and the Association for Counselor Education and Supervision. Jerry received the Lifetime Achievement Award from the American Mental Health Counselors Association in 2011, the Eminent Career Award from ASGW in 2001, and the Outstanding Professor of the Year Award from California State University at Fullerton in 1991. He regularly teaches both undergraduate and graduate courses in group counseling and ethics in counseling. He is the author or coauthor of 15 textbooks in counseling currently in print, along with more than 60 journal articles. His book, *Theory and Practice of Counseling and Psychotherapy*, has been translated into Arabic, Indonesian, Portuguese, Turkish, Korean, and Chinese. *Theory and Practice of Group Counseling* has been translated into Korean, Chinese, Spanish, and Russian. *Issues and Ethics in the Helping Professions* has been translated into Korean, Japanese, and Chinese.

In the past 35 years Jerry and Marianne Corey have conducted group counseling training workshops for mental health professionals at many universities in the United States as well as in Canada, Mexico, China, Hong Kong, Korea, Germany, Belgium, Scotland, England, and Ireland. In his leisure time, Jerry likes to travel, hike and bicycle in the mountains, and drive his 1931 Model A Ford. Marianne and Jerry have been married since 1964. They have two adult daughters, Heidi and Cindy, two granddaughters (Kyla and Keegan), and one grandson (Corey).

Recent publications by Jerry Corey, all with Brooks/Cole, Cengage Learning, include:

- *Group Techniques*, Fourth Edition (2015, with Marianne Schneider Corey, Patrick Callanan, and J. Michael Russell)
- *Groups: Process and Practice*, Ninth Edition (2014, with Marianne Schneider Corey and Cindy Corey)
- *I Never Knew I Had a Choice*, Tenth Edition (2014, with Marianne Schneider Corey)
- *Theory and Practice of Counseling and Psychotherapy*, Ninth Edition (and *Student Manual*) (2013)

- *Case Approach to Counseling and Psychotherapy*, Eighth Edition (2013)
- *The Art of Integrative Counseling*, Third Edition (2013)
- *Theory and Practice of Group Counseling*, Eighth Edition (and *Student Manual*) (2012)
- *Becoming a Helper*, Sixth Edition (2011, with Marianne Schneider Corey)

Jerry is coauthor (with Barbara Herlihy) of *Boundary Issues in Counseling: Multiple Roles and Responsibilities*, Third Edition (2015) and *ACA Ethical Standards Casebook*, Seventh Edition (2015); he is coauthor (with Robert Haynes, Patrice Moulton, and Michelle Muratori) of *Clinical Supervision in the Helping Professions: A Practical Guide*, Second Edition (2010); he is the author of *Creating Your Professional Path: Lessons From My Journey* (2010). All four of these books are published by the American Counseling Association.

He has also made several educational DVD programs on various aspects of counseling practice: (1) *Ethics in Action: DVD and Workbook* (2015, with Marianne Schneider Corey and Robert Haynes); (2) *Groups in Action: Evolution and Challenges DVD and Workbook* (2014, with Marianne Schneider Corey and Robert Haynes); (3) *DVD for Theory and Practice of Counseling and Psychotherapy: The Case of Stan and Lecturettes* (2013); (4) *DVD for Integrative Counseling: The Case of Ruth and Lecturettes* (2013, with Robert Haynes); and (5) *DVD for Theory and Practice of Group Counseling* (2012). All of these programs are available through Brooks/Cole, Cengage Learning.



MARIANNE SCHNEIDER COREY is a licensed marriage and family therapist in California and is a National Certified Counselor. She received her master's degree in marriage, family, and child counseling from Chapman College. She is a Fellow of the Association for Specialists in Group Work and was the recipient of this organization's Eminent Career Award in 2001. She received the Lifetime Achievement Award from the American Mental Health Counselors Association in 2011. She also holds memberships in the American Counseling Association, the Association for Specialists in Group Work, the American Group Psychotherapy Association, the American Mental Health Counselors Association, the Association for Counselor Education and Supervision, and the Association for Multicultural Counseling and Development.

Marianne has been involved in leading groups for different populations, providing training and supervision workshops in group process, facilitating self-exploration groups for graduate students in counseling, and cofacilitating training groups for group counselors and weeklong residential workshops in personal growth. Marianne and Jerry Corey have given many presentations at professional conferences and have conducted training workshops, continuing education seminars, and personal growth groups in the United States, Germany, Ireland, Belgium, Mexico, Hong Kong, China, and Korea. She sees groups as the most effective format in which to work with clients and finds it the most rewarding for her personally.

Marianne has coauthored following books with Brooks/Cole, Cengage Learning:

- *Group Techniques*, Fourth Edition (2015, with Gerald Corey, Patrick Callanan, and Michael Russell) [Translated into Portuguese, Korean, Japanese, and Czech]

- *Groups: Process and Practice*, Ninth Edition (2014, with Gerald Corey and Cindy Corey) [Translated into Korean, Chinese, and Polish]
- *I Never Knew I Had a Choice*, Tenth Edition (2014, with Gerald Corey) [Translated into Chinese]
- *Becoming a Helper*, Sixth Edition (2011, with Gerald Corey) [Translated into Korean and Japanese]

Marianne has made educational video programs (with accompanying student workbooks) for Brooks/Cole, Cengage Learning: *Ethics in Action: DVD and Workbook* (2015, with Gerald Corey and Robert Haynes); and *Groups in Action: Evolution and Challenges DVD and Workbook* (2014, with Gerald Corey and Robert Haynes).

Marianne and Jerry have been married since 1964. They have two adult daughters, Heidi and Cindy, two granddaughters (Kyla and Keegan), and one grandson (Corey). Marianne grew up in Germany and has kept in close contact with her family and friends there. In her free time, she enjoys traveling, reading, visiting with friends, bike riding, and hiking.

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CINDY COREY is a licensed clinical psychologist with a private practice in San Diego, California, and is currently a full-time Visiting Professor in the Community Based Block Program at San Diego State University. She received her master's in Marriage and Family Therapy from the University of San Diego and her Doctorate (PsyD) in Multicultural Community Clinical Psychology at the California School of Professional Psychology in Alhambra, California. She is a member of the American Counseling Association, the Association for Specialists in Group Work, the American Psychological Association, and the San Diego Psychological Association (SDPA). She served as the chair of the Lesbian, Gay, Bisexual, and Transgender Committee for the SDPA and has been a member of the Multicultural Committee and Women's Committee.

Cindy has focused much of her work in the area of counselor education, specializing in multicultural training, social justice, and community outreach. She taught part-time in the Marriage and Family Therapy Program at San Diego State University and in the PsyD program at Alliant International University in Alhambra. In addition to teaching, Cindy worked as a Contracted Clinician for Survivors of Torture International and continues to work on a volunteer basis with the Lost Boys of Sudan, focusing primarily on helping the young refugees adjust to life in the United States, gain employment, and attend colleges and universities.

Cindy also works as a multicultural consultant and has created clinical intervention programs, training manuals, and diversity sensitive curriculum for a variety of schools, businesses, and organizations in the San Diego area. Her private practice focuses mainly on working with college students, couples, and graduate students in counseling programs, and she conducts personal-growth groups for counselors in training. Cindy is coauthor, with Marianne Corey and Gerald Corey of *Groups: Process and Practice* (2014); she is coauthor, with Gerald Corey and Heidi Jo Corey of *Living and Learning* (1997), an orientation-to-college book published by Cengage Learning.



PATRICK CALLANAN is a licensed marriage and family therapist in private practice in Santa Ana, California. In 1973 he graduated with a bachelor's degree in Human Services from California State University at Fullerton, and he received his master's degree in professional psychology from United States International University in 1976. He has had a private practice for more than 30 years, working with individuals, couples, families, and groups.

Patrick is a part-time faculty member in the Human Services Program at California State University at Fullerton, where he regularly teaches an internship course. He also donates his time each year to the university to assist in training and supervising group leaders and co-teaches a graduate course on ethical and professional issues in counseling. Along with Marianne Schneider Corey and Gerald Corey, he received an Award for Contributions to the Field of Professional Ethics by the Association for Spiritual, Ethical, and Religious Values in Counseling in 1986.

Patrick coauthored *Group Techniques*, Fourth Edition (2015, with Gerald Corey, Marianne Corey, and Michael Russell). In his free time, Patrick enjoys reading, walking, and playing golf. Each year he returns to the land of his birth in Ireland for a vacation.



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PREFACE

Issues and Ethics in the Helping Professions is written for both graduate and undergraduate students in the helping professions. This book is suitable for courses in counseling, human services, couples and family therapy, counseling and clinical psychology, school counseling, and social work. It can be used as a core textbook in courses such as practicum, fieldwork, internship, and ethical and professional issues or as a supplementary text in courses dealing with skills or theory. Because the issues we discuss are likely to be encountered throughout one's professional career, we strive to use language and concepts that will be meaningful both to students doing their fieldwork and to professionals interested in keeping abreast of developments in ethical, professional, and legal matters pertaining to therapeutic practice.

In this book, we want to involve our readers in learning to deal with the ethical and professional issues that most affect the actual practice of counseling and related helping professions. We address such questions as: How aware are you of how your values and life experiences affect your professional work? What are the rights and responsibilities of both the client and the counselor? How can you determine your level of competence? How can you provide quality services for culturally diverse populations? What major ethical issues might you encounter in couples and family therapy? in group work? in community agencies? in the school setting? in private practice? Our goal is both to provide a body of information and to teach a process for thinking about and resolving the basic issues counselors will face throughout their career. For most of the issues we raise, we present various viewpoints to stimulate discussion and reflection. We also present our personal views and commentaries, when appropriate, and challenge you to develop your own position.

The ethics codes of various professional associations offer some guidance for practice. However, these guidelines leave many questions unanswered. We believe that as a student or a professional you will ultimately struggle with the issues of responsible practice, deciding how accepted ethical principles apply in the specific cases you encounter.

Throughout this book, we aim to involve you in an active and meaningful way. We provide many opportunities for you to respond to our discussions. Each chapter begins with Learning Objectives to guide your reading and a Self-Inventory designed to help you focus on the key topics to be discussed in the chapter. Within the chapters we frequently ask you to think about how the issues apply to you. Open-ended cases and situations are designed to stimulate thought and discussion, and we encourage you to apply the codes of ethics of the various mental health professions to the case illustrations. Reflecting on the questions following each case example will help you determine which of the therapist responses are ethically sound and which are not. We offer our commentaries after each case to guide you in the process of determining sound ethical decisions. We also cite related literature when exploring ethical, legal, and professional issues. Instructors will find an abundance of material and suggested activities, surely more than can be covered in a single course.

An *Instructor's Resource Manual* is available that contains chapter outlines, suggestions for teaching an ethics course, test bank, additional exercises and activities, a list of Power Point slides, and study guide questions. An electronic version of the *Instructor's Resource Manual* is available for all platforms.

Also available is Cengage Learning's Counseling CourseMate which helps to bring course concepts to life with interactive learning, study, and exam preparation tools that support the printed textbook. Access an integrated eBook, learning tools including glossaries, flashcards, quizzes, Ethics in Action video and exercises discussed in the text, and more in your Counseling CourseMate. Go to CengageBrain.com to register or purchase access.

The codes of ethics of the various helping professions that are discussed and referenced throughout the book are available in a booklet titled *Codes of Ethics for the Helping Professions* (9781285777672, 5th ed., 2015), which can be packaged with the text for a nominal price.

The *Ethics in Action* videos are designed to bring to life the ethical issues and dilemmas counselors often encounter and to provide ample opportunity for discussion, self-exploration, and problem solving of these issues and dilemmas. These vignettes are based on a weekend workshop coled by Marianne Schneider Corey and Gerald Corey for a group of counseling students, which included challenging questions and lively discussion, role plays to bring the issues to life, and comments from the students and the Coreys. The workbook is designed to provide a self-study guide for students who are also reading this book. This educational program is divided into three segments: ethical decision making, values and the helping relationship, and boundary issues and multiple relationships in counseling. At the end of several chapters in this book are suggested activities and guidelines for integrating the *Ethics in Action* video program with this textbook. The Ethics in Action video and workbook material is available in two formats including a DVD and Workbook or on CourseMate. Either of these options can be packaged with the textbook.

WHAT'S NEW IN THE NINTH EDITION OF ISSUES AND ETHICS

For the ninth edition, each chapter has been carefully reviewed and updated to present the current thinking, research, and trends in practice. The following chapter-by-chapter list of highlights outlines some material that has been added, updated, expanded, and revised for the ninth edition.

Chapter 1 Introduction to Professional Ethics

- Citation of updated ethics codes whenever available
- Inclusion of themes common to most codes of ethics
- New critique of rule-based approach to ethics
- New discussion of what to do when laws and ethics collide
- Increased emphasis on positive ethics

Chapter 2 The Counselor as a Person and as a Professional

- More studies on personal therapy for trainees and for practitioners
- Newer studies on countertransference, with emphasis on guidelines for effectively managing countertransference reactions

- Revised discussion of delaying termination and fostering client dependence
- New material on sources of stress in the helping professions
- New discussion of self-compassion
- Updated material on self-care strategies for professionals
- Updated discussions of burnout, practitioner impairment, and maintaining vitality

Chapter 3 Values and the Helping Relationship

- Increased attention to the responsibility of counselor education programs in being clear with students about managing personal values
- Increased attention to the necessity for graduate students in counseling to learn how to work within the framework of the client's value system
- Implications of recent court cases in dismissing students unwilling to keep their personal values separate from counseling clients with a different set of values
- More discussion of using referral as an option of last resort
- New material on the role of spirituality and religion in counseling
- New description of ASERVIC's spirituality competencies
- Revised and updated discussion of ethical issues involved in end-of-life matters

Chapter 4 Multicultural Perspectives and Diversity Issues

- Updated coverage of cultural pluralism and cultural competence
- New material on integrating culturally responsive practices with traditional models of helping
- New section on the culture of disability
- New discussion of ethical and cultural issues in working with people with disabilities
- Revised discussion of cultural encapsulation, cultural biases, and cultural assumptions
- Revised section on ethical issues regarding sexual orientation
- Increased coverage of ethical issues and competencies required in counseling lesbian, gay, bisexual, and transgender clients
- New section on role of counselor educators and therapists in challenging "isms"
- Addition of concept of color blindness as a form of a microaggression
- New discussion of unintentional racism and racial microaggressions
- Introduction to how a social justice orientation relates to a multicultural perspective
- Increased attention given to acquiring and maintaining cultural competence
- New discussion of experiential approaches to teaching multicultural counseling and social justice counseling
- New treatment of taking social justice projects outside of the classroom

Chapter 5 Client Rights and Counselor Responsibilities

- Updated and expanded section on content of informed consent process
- New ideas on informed consent and a social justice perspective
- More attention to cultural factors related to the informed consent process
- Revised discussions of informed consent and confidentiality as it pertains to managed care
- Examples of both progress notes and process notes
- New section on guidelines for records with violent or aggressive clients
- New guidelines for keeping records with couples, families, and groups
- Updated discussion of the ethical issues in online counseling
- New material on alternative technologies to Internet counseling
- New material on providing remote services
- Revision of the topic of seeing minors without parental consent
- New material on the role of informal peer monitoring and dealing with suspected unethical behaviors of colleagues
- Expanded discussion of common complaints against counselors and reasons for malpractice suits
- More discussion on reasons for termination of clients
- Increased attention on client abandonment
- Revised discussion of risk management practices and implications for clinical effectiveness
- Increased focus on balancing risk management with investment in quality care of clients

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PREFACE

Chapter 6 Confidentiality: Ethical and Legal Issues

- Revised material on legal aspects of privileged communication
- Updated treatment of privileged communication as it applies to group counseling and family counseling
- More emphasis on counselors having an ongoing dialogue with their clients about how, when, and with whom information will be shared
- Revised section on privacy issues with telecommunication devices
- New material of the use of telephone-delivered psychotherapy
- Revised discussion of confidentiality and privacy in a school setting
- Revision and expansion of section on duty to warn and to protect for school counselors
- New material on prevention of school violence
- Expansion of discussion on predicting and preventing acts of violence
- Updated guidelines for dealing with dangerous clients
- Increased attention on legal aspects of elder abuse

- Revision of risk management strategies in dealing with duty to protect situations
- Revised steps to take in suicide prevention

Chapter 7 Managing Boundaries and Multiple Relationships

- Increased discussion of the critique on the slippery slope phenomenon
- Revised material on factors to consider before entering into multiple relationships
- Expanded treatment of how some boundary crossings can result in enhanced client care
- More attention to ways to establish appropriate boundaries
- New section on a cultural perspective on boundaries
- Additional examples of disciplinary actions regarding sexual misconduct
- Updated literature on ways to minimize risks for those working in rural areas and in small communities
- Updated literature on bartering and gift giving in therapy
- Expanded coverage of the use of nonsexual touch in therapy

Chapter 8 Professional Competence and Training

- Updated discussion on dismissing students for nonacademic reasons
- Increased emphasis on how competence is a significant topic for counseling students
- New discussion of competence from an individual and community perspective
- Expanded discussion on the role of interpersonal behavior in working with supervisees and the need to have difficult conversations with students manifesting professional competency problems
- Revised section on continuing professional education and more on the concept of life-long learning

Chapter 9 Ethical Issues in Supervision

- Updated coverage of informed consent in clinical supervision
- Revised material on legal aspects of supervision
- New integration of *ACES Best Practices in Clinical Supervision*
- Discussion of power dynamics in the supervisory relationship
- More emphasis on responsibilities of supervisees
- New material on assessment of culturally competent supervision
- Expanded section on addressing gender issues in supervision
- Updated section on feminist supervision theory with male supervisees
- New section on the ethical implications of online supervision
- Revision of ways to effectively deal with multiple relationships in supervision

Chapter 10 Issues in Theory and Practice

- Updated section on assessment and diagnosis
- Updated discussion of DSM-5 manual
- Revised section on ethical and legal issues in diagnosis
- New material on trend toward evidence-based practices

Chapter 11 Ethical Issues in Couples and Family Therapy

- Expansion of the systems theory perspective
- Impact of the revised AAMFT code
- More attention to how a therapist's family-of-origin experiences can influence a therapist's work with families
- Updated discussion of confidentiality with multiple clients
- New section on intimate partner violence
- Revised discussion on how therapists' values influence interventions with couples and families
- Expanded discussion on dealing with secrets in couples and family therapy
- New material on competencies needed to counsel couples and families

Chapter 12 Ethical Issues in Group Work

- Revised discussion on ethical issues in diversity training of group leaders
- New material on guidelines for acquiring multicultural and social justice competence as a group worker
- Expanded treatment of social justice group work
- Revised material on screening prospective group members
- Expansion of confidentiality in group work
- New section on social media in group work
- New section on evaluating what works in a group
- New material on practice-based evidence in group counseling

Chapter 13 Community and Social Justice Perspectives

- Revised section on types of clients and community interventions
- New section on why a community perspective is a concern for counselors
- More attention given to the social justice perspective
- New section on the courage to work for change
- Updated discussion of advocacy competencies
- New section on social justice advocacy in rural communities
- New case examples clarify advocacy role
- New discussion of recommendations for being advocates within a system
- New section on the authors' attempts to work within a university system

ACKNOWLEDGMENTS

We would like to express our appreciation for the suggestions given to us by reviewers, associates, students, and readers. The reviewers of this **ninth edition** have been instrumental in making significant changes from the earlier editions. We especially recognize the following people who reviewed the revised manuscript and offered ideas that were incorporated into this edition:

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Lona Whitmarsh, Fairleigh Dickinson University

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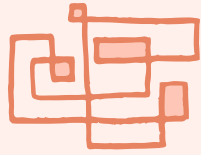
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Gerald Corey
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Cindy Corey
Patrick Callanan

ISSUES AND ETHICS

in the Helping Professions

CHAPTER 1



Introduction to Professional Ethics

LEARNING OBJECTIVES

- LO1** Identify common themes of ethics codes
- LO2** Understand the limitations of codes of ethics
- LO3** Describe three objectives fulfilled by codes of ethics
- LO4** Explain the difference between law and ethics
- LO5** Differentiate between aspirational ethics and mandatory ethics
- LO6** Compare principle ethics and virtue ethics
- LO7** Apply the six moral principles to ethical dilemmas
- LO8** Recognize the steps in working through an ethical dilemma
- LO9** Assess your attitudes and beliefs pertaining to a range of ethical and professional issues addressed in this book

THE FOCUS OF THIS BOOK

Working both independently and together over the years, the four of us have encountered a variety of professional and ethical issues that seem to have no clear-cut solutions. Conversations with students and colleagues reveal similar struggles. Exchanging ideas has helped us deal with these issues, and we extend this conversation to you throughout this book. We are convinced that students in the helping professions must anticipate and be prepared for these kinds of problems before their first fieldwork experience, and certainly before they begin practicing.

We do not dispense prescriptions or provide simple solutions to the complex situations you may encounter. Our main purpose is to facilitate critical thinking on your part and to establish a basis for you to develop a personal perspective on ethical practice within the broad limits of professional codes and divergent theoretical positions. We raise what we consider to be central issues, present a range of views on these issues, discuss our position, and provide you with opportunities to refine your



thinking and actively develop your own position. Many of these issues may resurface and take on different meanings at various stages in your professional life.

As you read this book, it will be apparent that we have certain biases and viewpoints about ethical behavior. We try to identify and clarify these stances as our perspective rather than as a universal standard. We state our position not to sway you to adopt our views but to help you develop your own position. Identifying our own personal misconduct is far more challenging than pointing out the misconduct of our colleagues, yet each of us must continually reflect on what we are doing personally and professionally. In the end, we are responsible for our own ethical practice.

Codes of ethics provide general standards, but these are not sufficiently explicit to deal with every situation. It is often difficult to interpret ethics codes, and opinions differ over how to apply them in specific cases. In all cases, the welfare of the client demands that you become familiar with the guiding principles of the ethics codes and accepted standards of practice of your profession. You will encounter many situations that demand the exercise of sound judgment to further the best interests of your clients, and we recommend that you begin to consider these issues now.

The various mental health professions have developed codes of ethics that are binding on their members. Often students and practitioners confuse ethical and legal standards, or mistakenly assume that ethics are regulated by law. Ethics and the law are not synonymous (a topic we discuss in more detail in Chapters 5 and 6). As a professional, you are expected to know the ethics code of your specialty and to be aware of the consequences of practicing in ways that are not sanctioned by your professional organization. Responsible practice requires that you use informed, sound, and responsible judgment. It is essential to demonstrate a willingness to consult with colleagues, to keep up to date through reading and continuing education, and to continually monitor your behavior.

Be prepared to reexamine many of the issues that are raised in this book throughout your professional life. Although you may feel you have resolved some of these ethical and professional issues at the initial stage of your development as a counselor, these topics can take on new dimensions as you gain experience. Many students believe they should resolve all possible issues before they begin to practice, but this is an impossible task. The definition and refinement of such concerns is an evolutionary process that requires an open mind and continual reexamination.

SOME SUGGESTIONS FOR USING THIS BOOK

In this book we provide a flexible framework and a direction for working through ethical dilemmas. Our ideas have been refined through our experiences teaching ethics and engaging in discussions with our students. We feel passionate about the study of ethics for a number of reasons: (1) we must utilize critical thinking skills, (2) we strengthen our own judgment and decision-making processes, (3) we can advocate for

social justice issues, and (4) we are able to challenge culturally encapsulated standards in our profession.

It is important to introduce students to the many dimensions of thinking about ethical practice. Our response to questions surrounding ethical issues and dilemmas often is “it depends.” Although a lack of clear-cut answers can be viewed as anxiety-producing, we prefer to see it as liberating. The vast gray area within ethical decision making provides ample opportunity for creativity and empowerment as we grow as professionals.

We frequently imagine ourselves in conversations with you, our readers. We state our own thinking and offer a commentary on how we arrived at the positions we hold. We encourage you to integrate your own thoughts and experiences with the positions and ethical dilemmas we raise for consideration. In this way you will absorb information, deepen your understanding, and develop an ethical way of thinking. It is important to clarify your goals and to think about ways of becoming actively involved. Focus on the following areas to get the most from this book:

- *Preparation.* Prepare yourself to become active in your class by spending time reading and thinking about the questions we pose. Completing the exercises and responding to the questions and open-ended cases will help you focus on where you stand on controversial issues.
- *Expectations.* Students often have unrealistic expectations of themselves. If you have limited experience in counseling clients, you can think about situations in which friends sought your help and how you dealt with them. You can also reflect on the times when you were experiencing conflicts and needed someone to help you gain clarity. This is a way to relate the material to events in your own life.
- *The self-assessment survey.* The multiple-choice survey at the end of this chapter is designed to help you discover your attitudes concerning most of the issues we deal with in the book. Take this inventory before you read the book to discover where you stand on these issues at this time. Take the inventory again after you complete the book to compare your responses to see what changes, if any, have occurred in your thinking.
- *Chapter self-inventories.* Each chapter begins with an inventory designed to encourage reflection on the issues to be explored in the chapter. Consider discussing your responses with your fellow students.
- *Learning objectives.* Found at the beginning of each chapter, the learning objectives guide you to focus on the main points presented in the chapter and serve as a checklist to help you assess the degree to which you have mastered these key topics.
- *Examples, cases, commentaries, and questions.* Many examples in this book are drawn from actual counseling practice in various settings with different types of clients. (Elements of these cases have been changed to protect confidentiality.) Consider how you might have worked with a given client or what you might have done in a particular counseling situation. We provide our commentary on each of the cases to guide you in clarifying the specific issues involved and in helping you think about the course of action you might take in each case. We also provide illustrations of possible therapist responses to the various ethical dilemmas in the cases, not all of which are ethical or appropriate.

- *End-of-chapter suggested activities.* These suggested activities are provided to help you integrate and apply what you have learned.
- *Code of ethics of various professional organizations.* A summary of relevant ethics codes of various professional groups is provided as boxed excerpts pertaining to the topics discussed in the chapter. We encourage you to visit the websites of these professional organizations and download their codes of ethics.
- *Engage in critical thinking.* Involve yourself in thinking about the issues we raise. Focus on the questions, cases, commentaries, and activities that have the most meaning for you at this time, and remain open to new issues as they assume importance for you. Develop your thoughts and positions on the ethical dilemmas presented. As you become actively involved in your ethics course, you will find additional ways to look at the process of ethical decision making.

PROFESSIONAL CODES OF ETHICS

Various professional organizations (counseling, social work, psychiatry, psychology, marriage and family therapy, human services) have established codes of ethics that provide broad guidelines for their members. The codes of these national professional organizations have similarities and also differences. In addition, national certification boards, other professional associations, specialty areas within the counseling profession, and state regulatory boards all have their own ethics or professional practice documents. Specialty guidelines are available for some of the professions. For example, here are a few of the specialty guidelines of the American Psychological Association (APA):

- Guidelines for psychological practice with older adults (APA, 2004)
- Evidence-based practice in psychology (APA Presidential Task Force, 2006)
- Record keeping guidelines (APA, 2007)

The National Association of Social Workers (NASW) also has developed some practice guidelines, two of which are especially helpful in the area of end-of-life care:

- Client self-determination in end-of-life decisions (NASW, 2003)
- NASW standards for social work practice in palliative and end-of-life care (NASW, 2004)

Publications by the various professional organizations contain many resources to help you understand the issues underlying the ethical decisions you will be making in your professional life.

Common Themes of Codes of Ethics

LOT Each major mental health professional organization has its own code of ethics, and we strongly recommend that you obtain a copy of the ethics code of the profession you are planning to enter and familiarize yourself with its basic standards for ethical practice. Pleading ignorance of the specifics of the ethics code of one's profession is not an acceptable excuse for engaging in unethical behavior. The ethics codes offered by most professional organizations are broad and general; they do not provide specific answers to the ethical dilemmas you will encounter. Although there are specific differences among the ethics codes of the

various professional organizations, Koocher and Keith-Spiegel (2008) note a number of similar themes:

- Being interested in the welfare of clients
- Practicing within the scope of one's competence
- Avoiding harm and exploitation
- Protecting client's confidentiality and privacy
- Acting ethically and responsibly
- Avoiding discrimination in providing services to clients
- Upholding the integrity of the profession by striving for aspirational practice

Limitations of Codes of Ethics

LO2

Your own ethical awareness and problem-solving skills will determine how you translate the various ethics codes into professional behavior. Codes represent the best judgment of one's peers about common ethical problems (Welfel, 2013). However, codes of ethics are not cookbooks for responsible professional behavior; they do not provide recipes for healthy ethical decision making. Indeed, ethics codes offer unmistakably clear guidance for only a few problems. APA's (2010) ethics code is quite clear that it neither provides all the answers nor specifically addresses every dilemma that may confront a practitioner. The ethical principles in the APA code are not enforceable rules, but they should be considered by psychologists in arriving at an ethical course of action. Pope and Vasquez (2011) remind us that ethics codes, standards, and laws are the beginning, not the end of ethical considerations. They inform us but do not replace our effort in critically thinking through ethical issues. In short, ethics codes are necessary, but not sufficient, for exercising ethical responsibility. Ethics codes have a number of limitations (see Herlihy & Corey, 2015a; Pope & Vasquez, 2011; Welfel, 2013). Problems you might encounter as you strive to be ethically responsible include the following:

- Some issues cannot be handled solely by relying on ethics codes.
- Some codes lack clarity and precision, which makes assessment of an ethical dilemma unclear.
- Simply learning the ethics codes and practice guidelines will not necessarily make for ethical practice.
- Conflicts sometimes emerge within ethics codes as well as among various organizations' codes.
- Practitioners who belong to multiple professional associations, are licensed by their state, and hold national certifications may be responsible to practice within the framework of numerous codes of ethics, yet these codes may not be uniform.
- Ethics codes tend to be reactive rather than proactive.
- A practitioner's personal values may conflict with a specific standard within an ethics code.
- Codes may conflict with institutional policies and practices.
- Ethics codes need to be understood within a cultural framework; therefore, they must be adapted to specific cultures.

- Codes may not align with state laws or regulations regarding reporting requirements.
- Because of the diverse viewpoints within any professional organization, not all members will agree with all elements of an organization's ethics code.

In the *Code of Ethics* of the National Association of Social Workers (2008), the limits of the code are succinctly described:

A code of ethics cannot guarantee ethical behavior. Moreover, a code of ethics cannot resolve all ethical issues or disputes or capture the richness and complexity involved in striving to make responsible choices within a moral community. Rather, a code of ethics sets forth values, ethical principles, and ethical standards to which professionals aspire and by which their actions can be judged. (Purpose of NASW Code of Ethics.)

The code of ethics for the Canadian Counselling and Psychotherapy Association (2007) makes it clear that professionals are challenged to make sound decisions based on their own values:

Although a Code of Ethics is essential to the maintenance of ethical integrity and accountability, it cannot be a substitute for the active process of ethical decision-making. Members increasingly confront challenging ethical demands and dilemmas in a complex and dynamic society to which a simple and direct application of this code may not be possible. Also, reasonable differences of opinion can and do exist among members with respect to how ethical principles and values should be rank-ordered when they are in conflict. Therefore, members must develop the ability and the courage to exercise a high level of ethical judgment. (Preamble.)

Using Ethics Codes as Guides

LO3 Formal ethical principles can never be substituted for an active, deliberative, and creative approach to meeting ethical responsibilities (Pope & Vasquez, 2011). Ethics codes cannot be applied in a rote manner because each client's situation is unique and may call for a different solution. When practitioners weigh multiple and often competing demands and goals, they must rely on their professional judgment (Barnett, Behnke, Rosenthal, & Koocher, 2007). A rule-based approach to ethics is very limited in providing meaningful assistance to clinicians who are concerned with practicing ethically.

Becoming a professional is somewhat like learning to adjust to a different culture, and both students and professionals experience an ethical acculturation process. Handelsman, Gottlieb, and Knapp (2005) recommend that ethics courses provide opportunities for students to explore their acculturation and begin to develop an ethical identity. They add that “ethics is the study of right and wrong but is often taught as the study of wrong. Many ethics courses are devoted to laws, disciplinary codes, and risk management strategies and do not focus on best practices” (p. 59). From our perspective, practitioners are faced with assuming the responsibility of making ethical decisions and ultimately taking responsibility for the outcomes. This process takes time, and it should include consultation.

Herlihy and Corey (2015a) suggest that codes of ethics fulfill three objectives. The first objective is to *educate professionals* about sound ethical conduct. Reading and reflecting on the standards can help practitioners expand their awareness and clarify

their values in dealing with the challenges of their work. Second, ethical standards provide a *mechanism for professional accountability*. Practitioners are obliged not only to monitor their own behavior but also to encourage ethical conduct in their colleagues. One of the best ways for practitioners to guard the welfare of their clients or students and to protect themselves from malpractice suits is to practice within the spirit of the ethics codes. Third, codes of ethics serve as *catalysts for improving practice*. When practitioners interpret and apply the codes in their own practices, the questions raised help to clarify their positions on dilemmas that do not have simple or absolute answers. You can imagine the chaos if people were to practice without guidelines so that the resolution of ethical dilemmas rested solely with the individual clinician.

We must never forget that the primary purpose of a code of ethics is to safeguard the welfare of clients. Ethics codes are also designed to safeguard the public and to guide professionals in their work so that they can provide the best service possible. The *community standard* (what professionals *actually* do) is generally less rigorous than the ethical standard (what professionals *should* do). It is important to be knowledgeable of what others in your local area and subspecialties are doing in their practices.

Ethics Codes and the Law

LO4

Ethical issues in the mental health professions are regulated by both laws and professional codes. The Committee on Professional Practice and Standards (2003) of the American Psychological Association differentiates between ethics and law as follows: **Ethics** pertains to the standards that govern the conduct of its professional members; **law** is the body of rules that govern the affairs of people within a community, state, or country. Laws define the minimum standards society will tolerate, which are enforced by government. An example of a minimum standard is the legal obligation mental health professionals have to report suspected child abuse. The law can also encourage us to work toward changing societal attitudes, for example, to prevent child abuse rather than merely to report it.

All of the codes of ethics state that practitioners are obligated to act in accordance with relevant federal and state statutes and government regulations. In a court case, the law generally overrules ethics. As ethical mental health practitioners, however, we can advocate for social justice both *with* and *on behalf* of our clients and the communities we serve. It is essential that practitioners be able to identify legal problems as they arise in their work because many of the situations they encounter that involve ethical and professional judgment will also have legal implications.

Remley and Herlihy (2014) note that counselors sometimes have difficulty determining when there is a legal problem, or what to do with a legal issue once it has been identified. To clarify whether a legal issue is involved, it is important to assess the situation to determine if any of the following apply: (a) legal proceedings have been initiated, (b) lawyers are involved, or (c) the practitioner is in danger of having a complaint filed against him or her for misconduct. When confronted with a legal issue, consult a lawyer to determine which course of action to take. Remley and Herlihy do not advise consulting with counselor colleagues about how to deal with legal problems because counselors rarely have expertise in

legal matters. Many professional associations have attorneys who are familiar with both legal and clinical issues, and members of these associations can be called upon for consultations.

Laws and ethics codes tend to emerge from what has occurred rather than from anticipating what may occur. Limiting your scope of practice to obeying statutes and following ethical standards is inadequate. We hope your behavior will not be determined by *fear-based ethics*. It is important to foster an attitude of *concern-based ethics* early in your training program, striving for the highest level of ethical care for your clients, a theme that is repeated many times throughout this book.

Ethical standards serve as a form of protection for the client, but they also help clinicians ensure their own self-care. For example, counselors sometimes struggle with setting limits around being helpful to others. Having clear guidelines in place can help you establish healthy boundaries for yourself, both personally and professionally.

At times you may encounter conflicts between the law and ethical principles, or competing ethical standards may appear to require incompatible courses of action (Barnett & Johnson, 2010). In these cases the values of the counselor come into play. Conflict between ethics codes and the law may arise in areas such as advertising, confidentiality, and clients' rights of access to their own files. If obeying one's professional code of ethics would result in disobeying the law, it is essential to seek legal advice. A licensed mental health professional might also contact his or her state licensing board for consultation.

When laws and ethics collide, Knapp, Gottlieb, Berman, and Handelsman (2007) state that practitioners need first to verify what the law requires and determine the nature of their ethical obligations. Practitioners may not understand their legal requirements and may assume a conflict exists between the law and ethics when there is no such conflict. If there is a real conflict between the law and ethics, and if the conflict cannot be avoided, "psychologists should either obey the law in a manner that minimizes harm to their ethical values or adhere to their ethical values in a manner that minimizes the violation of the law" (p. 55). Apparent conflicts between the law and ethics can often be avoided if clinicians anticipate problems in advance and take proactive measures.

One example of a potential conflict between legal and ethical standards involves counseling minors. This is especially true as it pertains to counseling children or adolescents in school settings. Counselors may be committed to following ethical standards in maintaining the confidentiality of the sessions with a minor, yet at times parents/legal guardians may have a legal right to information that is disclosed in these sessions. Practitioners may struggle between doing what they believe to be ethically appropriate for their client and their legal responsibilities to parents/legal guardians. When working with minors, it is essential to be familiar with state laws and the policies of the school.

Mental health providers in the military are likely to experience ethical dilemmas when obligations to clients and obligations to the military organization conflict. Providers in military settings are occasionally forced to choose between client-centered therapeutic interests and organization-centered administrative interests (Johnson, Grasso, & Maslowski, 2010). These competing obligations can generate perplexing