

***SCHOOL OF EDUCATION***



***Location Address Mailing Address*** *University Hall North 1200 East Colton Avenue On Brockton Avenue P.O. Box 3080*

*Between University Street &Grove Street Redlands, CA 92373*

***Phone Fax***

*(909) 335-4010 (909) 335-5204*

***COURSE SYLLABUS***

**Course:** CMHC 613

**Course Title:** Counseling Law & Ethics

**Term:** Fall 2014

**Days/Times: Class Location:**

**Faculty: Office Phone: Fax:**

**E-mail:**

**Office Hours: Office:**

**Course Description**

This course is an in-depth exploration and examination of legal, ethical and professional issues

facing today’s counseling profession. Students will review the legal and ethical issues they will encounter in practice and identify their role and responsibility in addressing and managing these issues.

**Reasonable Accommodations:**

The University of Redlands seeks to comply fully with the Americans with Disabilities Act (ADA). Students requesting accommodations based on a disability must be on file with Martin Bright in the School of Education, office of the Dean at 909-748-8815.

**Course Objectives: Knowledge, Skills and Practices**

**This course aligns the standards/learning objectives of the competency based framework for the Council for Accreditation of Counseling and Related Educational Programs (CACREP). Upon completion of this course, students will demonstrate the following competencies:**

**Course Objectives: Knowledge, Skills and Practices**

**I. Goals and Objectives:**

A. Personal Professional Growth:

Upon effective completion of course requirements, students will:

1. Develop an awareness of the influence and importance of legal and ethical issues in the counseling profession.

2. Know and apply the Ethical Standards of the American Counseling Association, as well as become familiar with appropriate emphasis - specific standards.

3. Integrate legal and ethical aspects of preparation into specific emphasis area.

4. Demonstrate ethical behavior as a student and as a professional. B. Professional Knowledge and Skills:

1. Know the appropriate sources to seek when faced with legal or ethical dilemmas in schools, colleges and clinical settings.

2. Demonstrate ability to consult with appropriate sources when confronted with legal and ethical issues.

3. Develop a Plan of Action or Disclosure Statement appropriate to present or future work setting.

4. Know the basic themes of professional ethical standards.

5. Know the laws of the State of California as they apply to mental health professionals.

II. **Course Content:**

A. Legal Credentialing

B. Limitations on an Liability for Practice

C. Civil & Criminal Trial Matters

D. Values & the Helping Relationship

E. Client Rights & Responsibilities

F. Confidentiality and Counseling

G. Boundaries & Multiple Relations

H. Multicultural Perspectives & Cultural Diversity

I. Ethical Issues in Group Work

J. Standards of Practice & Ethical Dilemmas

K. Spirituality as a foundation of adult development

L. Ethical issues in CACREP specialties

**Required Readings**

Corey, J., Corey, M. & Callahan, P., (2010) Issues and Ethics in the Helping Professions, Pacific Grove, CA: Brooks/Cole

**Grading System/Scale**

**Evaluation of your work will be based on the following criteria:**

**A/4.0:** All assignments are complete, on time, thorough, well edited, and exceed stated course requirements. All written work shows superior graduate level quality in expression, attention to detail, evidence of originality, organization and reflection. Learning is demonstrated by careful preparation for class, and thoughtful contributions as an individual and group member.

**A-/3.7:** All assignments are complete, on time, thorough, well edited, and exceed stated course requirements. All written work shows superior graduate level quality in expression, evidence of originality, organization and reflection. Learning is demonstrated by preparation for class, and thoughtful contributions as an individual and group member.

**B+/3.3:** All assignments are complete, edited, and at least meet all stated course requirements. All written work shows graduate level quality in expression, organization and reflection. Learning is demonstrated by preparation for class, and thoughtful contributions as an individual and group member.

**B/3.0:** All assignments are complete, edited, and at least meet all stated course requirements. All written work shows graduate level quality in organization and reflection. Learning is demonstrated by preparation for class, and contributions as an individual and group member.

 **It is important to realize that grades below 3.0 indicate a problem. The cumulative grade point average must remain at 3.0 or higher, so grades lower than this can affect your degree and/or credential receipt.**

**B-/2.7:** All assignments are complete, edited, and meet most stated course requirements. Written work is slightly below graduate level quality. Preparation for class, and contributions as a n individual and group member are slightly below an acceptable level.

 Student should arrange conferences with the professor and advisor to discuss it.

**C+/2.3:** All assignments are complete and some meet most stated course requirements. Written work is below expected graduate level quality. Preparations for class and contributions as an individual and group member are slightly below an acceptable level.

 Student should arrange conference with the professor; and a conference with the advisor is **required.**

**C/2.0:** Assignments are complete but do not meet stated course requirements. Written work is well below expected graduate level quality.

 A meeting with the professor should be arranged; and a meeting with the advisor is

**required.** The professor will notify the advisor of the grade.

**D/1.7 and F 1.3 – 0.0:** Assignments not met – no credit for class. **Grades below 2.0 are not acceptable for credit toward a degree or credential.** A conference with the advisor is **required** and a plan to correct the problems that led to the grade will be developed. Further unacceptable grades could lead to the students being dropped from the program. The professor will notify the advisor of the grade.

**Course Policies & Expectations**

**Evaluation, Assessment, and Grading**

A letter grade and narrative feedback will be provided on all assignments. As well as your

successful completion of assignments, you are asked to demonstrate the following professional responsibilities:

 Being a self-disciplined “active” listener rather than a “side-bar” conversationalist.

 Being prepared with written work, oral presentations and willingness to participate in activities.

 Attending class and meeting with me if you must miss any class or need to leave early.

 Respecting other people.

 Understanding that in everything you do or say, you are modeling values, attitudes, and behaviors that impact the lives of others.

 Being “on purpose” (i.e. the person comes to class with an attitude of wanting to contribute

to the learning of everyone and is responsible for creating dynamic and worthwhile class

meetings).

**Academic Honesty**

All students are expected to demonstrate integrity and honesty in completion of class assignments. Students must give credit to appropriate sources utilized in their work. Plagiarism can result in dismissal from the University.

Academic honesty stands at the center of intellectual pursuits in the academic community. Faculty and student scholarship in all forms, individual and collaborative, expresses our understanding and esteem for intellectual honesty. Nurturing and sustaining a climate of honesty are the responsibilities of every member of the community. The academic policy statement includes standards of academic honesty, obligations and responsibilities of the members of the academic community for cultivating a climate of academic honesty, violations of academic honesty, and procedures for addressing academic dishonesty.

**(For complete text of student responsibility please see the University of Redlands Catalog under Academic Standards)**

**Assignments, Presentations, and Facilitation**

All assignments should be approached with professionalism as a foundation. Material is to be

typed; no hand-written assignments will be accepted. Oral presentations will be graded on the basis of content as well as delivery. If you need help with effective presentation skills please feel free to seek my assistance. Learning to communicate well is an important quality to develop as a counselor.

**Late Work**

Any work that is turned in late will automatically earn one half a letter grade less, unless prior

approval has been granted (i.e. a 4.0 would become an 3.7, etc.) All late work must be pre- approved. If an incomplete grade for the course is requested (for an extenuating circumstance) a written plan defining requirements and specifying new deadlines will need to be developed and signed by the student and the instructor.

**Candidate Assessment**

|  |  |  |
| --- | --- | --- |
| 1. | Active class participation and regular attendance | 20 points |
| 2. | Three professional journal critiques (limited to one page, single-spaced or two pages double-spaced) related to legal, ethical, value, spiritual or moral issues in counseling. | 20 points |
| 3. | Group presentation of case study or group experience to class involving legal, ethical, value, spiritual or moral issue in counseling (can be either real or hypothetical) | 30 points |
| 4. | Final Exam | 30 points |

**COURSE SCHEDULE**

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Class**  **#** | **Date** | **Assignment** | **Topics** |
|  | 1 |  | CCC-Ch. 1, Inventory 20-29 | **Course Overview:** Cornerstones of a Civilized Society; Holistic Adult Development Model; The Counseling Profession;(Anderson)Law & Ethics Introduction; Group Assignments |
|  | 2 |  | CCC-Ch. 2,3; Inventories,p33;p67  ACACODE: Sect. A | **Spirituality, Values and Attitudes:** Counselor as a person and professional; Glossaries (1,2,5); Avoiding Malpractice (11) |
|  | 3 |  | CCC-Ch.4  Inventory, p110 | **Confidentiality and Privileged Communication** School Situations, Smith tape, Anatomy of the Law (Fischer, Sorensen); **Ethical Dilemma**- Confidentiality |
|  |  |  |  |  |
|  | 4 |  | CCC-Ch 6; Code Sect. B Inventory, p194 | **Counseling Children as Clients:**(4) Student Privacy; Parents & Confidentiality; ASCA Standards (handbook); Testing & Grouping; Behavior & Discipline; Child Abuse & Neglect (Fischer, Sorenson)  Guest: Dr. Jack Casey |
|  | 5 |  | 1st Journal Critique  Due | **Ethical Issues in Schools, Colleges & Families/Communities, Internship Issues** |
|  | 6 |  | CODE  Review Sect. A | **Legal & Ethical Issues in Substance Abuse**  **Counseling**- (Cottone & Tarvyda) NADAC Standards (handbook)  Guest: Nancy Roget, Coordinator, CASAT |

|  |  |  |  |
| --- | --- | --- | --- |
|  |  |  |  |
| 7 |  | CCC-Ch. 5  Inventory, p154  Code: Sect. D | **Law and Management of a Counseling Agency or Practice:** (3)  Duty to warn and protect; Tarasoff case; Ethical dilemma; Counselor Personal Responsibility (Sevenson) Challenges of Technology |
| 8 |  | CCC-Ch. 7; Inventory,p224 | **Legal Issues in Licensure:** NBCC;CACREP;CCMHC & other Credentialing Third Party Payments; Preparing for Court Appearances(1)  Counselor as Expert Witness(5) Danger to Self & Others |
| 9 |  | CCC-Ch.10  Inventory, p317  CODE-Sect. E  **2nd Journal**  **Critique Due** | **Ethical & Value Issues in Multicultural**  **Counseling:**  Gender, Ethnicity, Religion, Sexual Orientation, Diversity Training for counselors;  **Ethical Dilemma;**Client Welfare |
| 10 |  | CCC-Ch.8  Inventory,p265  CODE:F&G | **Sexual Harassment Issues in Counseling:** Conscious vs. Unconscious Victims/Perpetrators; Grievance Process; Interviewing Format;  **Ethical dilemma:**Research or Evaluation |
| 11 |  | CCC-Ch.11  **3rd Journal**  **Critique** | **Group Project Presentations** |
| 12 |  |  | **\*\*\*FINAL EXAM\*\*\*** |

**Bibliography**

Agresti, A.A. (1992). Counselor training and ethical issues with older clients.

*Counselor Education and Supervision,* 32, 43-50.

American Association for Counseling & Development (1991). *Confronting*

*Malpractice in Counseling and Psychotherapy*

American Association for Counseling & Development (1991-1994). *AACD Legal*

*Series.* Alexandria, VA:ACA Press.

American College Personnel Association (1990). State of ethical principles and standards. *College Student Development,* 31(1), 11-16.

American College Personnel Association, Standing Committee on Ethics (1993).

Policies and procedures for processing complaints of ethical violation. *Journal*

*of College Student Development,* 34, 93-97.

American School Counselor Association (1992). The revised 1992 ethical standards for school counselors. *The School Counselor,* 40(2), 89-92.

Anderson, B. (1996). Counselor & the Law (4th edition) Alexandria, VA:ACA Press.

Association for Specialists in Group Work. (1998). Association for specialists in group work best practice guidelines. *Journal for Specialists in Group Work,* 273-274.

Bond, T. (1993). *Standards and ethics for counseling in action.* Thousand Oaks. CA: Sage Publication.

Brown, D. & Crace, K. (1996). Values in life role choices and outcomes: A

conceptual model. *The Career Development Quarterly,* 211-221.

Burke, M. & Miranti, J. (1992). *Ethical and spiritual values in counseling.* Alexandria

VA:ACA Press.

Burke, M. & Miranti, J. (1995). *Counseling: The spiritual dimension.* Alexandria, VA: ACA Press.

Burn, D. (1992). Ethical implications in cross-cultural counseling and training. *Journal of Counseling & Development,* 70, 578-583.

Christiansen, H. (1973). *Ethics in counseling problem situations.* Tucson, AZ: University Press.

Claiborne, C., Berberoglu, L., Nerison, R. & Somberg, D.(1994). The client's perspective: Ethical judgments and perceptions of therapist practices. *Professional Psychology: Research & Practice,* 268-274.

Cohen, E. (1990). Confidentiality, counseling, and clients who have AIDS: Ethical foundations of a model rule. *Journal of Counseling & Development,* 282-286.

Coles, R. (1997). On Raising Moral Children. *Time,* 48-52.

Corey, G. & Corey, S. (1993). *Issues in ethics in the helping profession.* Pacific

Grove, CA:Brooks/Cole.

Cottone, R. & Tarvydes, V. (1998). *Ethical and Professional Issues in Counseling*.

Columbus, OH:Merrill

Davenport, S.D. (1992). Ethical and legal problems with client-centered supervision.

*Counselor Education and Supervision,* 31, 227-231.

Davis, L.J. & Mickelson, J.D. (1994). School counselors: Are you aware of ethical and legal aspects of counseling? *The School Counselor,* 42(1), 5-13.

Dye, H. & Borders, D. (1970). Counseling supervisors: Standards for preparation and practice. *Journal of Counseling & Development,* 27-29.

Fischer, L. & Sorenson, G. (1991). School of Law for Counselors, Psychologists and

Social Workers. New York: Longman.

Haliparn, D. & Haliparn, M. (1994). Treating the Catholic patient: Unique dynamics and implications for psychotherapy. *Journal of Contemporary Psychotherapy,*

271-279.

Harrar, W., VandeCreek, L., & Knapps, S. (1990). Ethical and legal aspects of clinical supervision. *Professional Psychology: Research and Practice,* 37-41.

Hayes, R. (1991). Group work & the teaching of ethics. *Journal for Specialists in*

*Group Work,* 16(1), 24-31.

Herlihy, B. & Corey, G. (1992). *Dual relationships in counseling.* American

Association of Counseling and Development.

Herlihy, B. & Sheeley, V. (1994). Counselor liability and the duty to warn: Selected cases, statutory trends, and implications for practice. *Counselor Education*

*and Supervision,* 208-214.

Hofford, M. (1989). *Families in court.* Reno, NV:National Council of Juvenile & Family

Court Judges Press.

Huey, W. & Remley, T. (1990). *Ethical and legal issues in school counseling.* San

Francisco:Jossey-Bass.

Hummel, D., Talbot, L. & Alexander, M. (1985). *Law and ethics in counseling.* New

York:Van Nostrand & Reinhold.

James, S. & DeVaney, S. (1995). Preparing to testify: The school counselor as court witness. *The School Counselor,* 43(2), 96-102.

Johns, K. & Dillehy, R. (1998). Law and Mental Health Professionals: Nevada.

Washington, DC:APA Publications

Kermani, E. & Drob, S. (1994). Tarasoff decision: A decade later dilemma still faces psychotherapists. *American Journal of Psychotherapy,* 271-285.

Koocher, P.G. (1990). *Children, ethics, and the law: Professional issues and cases.*

Lincoln, NA:University of Nebraska Press.

Kurpius, D., Gibson, G., Lewis, J. & Corbet, M. (1991). Ethical issues in sup ervising counseling practitioners. *Counselor Education and Supervision,* 31, 48-57.

Malley, P., Gallagher, R. & Brown, M.S. (1992). Ethical problems in university and college centers. *College Student Development,* 33(3), 238-244.

Maples, M. (1996) Cornerstone of a civilized society: Law, morality, faith, and spirituality. *Juvenile and Family Court Journal,* 41-59.

Maples, M. (1996) *Law, morality, faith, and spirituality: Cornerstones of a civilized society.* Reno, NV:NCJFCJ Press.

McGuire, J., Nieri, D., Abbott, D., Sheirdan, K., & Fisher, R. (1995) Do Tarasoff principles apply in AIDS-related psychotherapy? Ethical decision-making, and the role of the therapist homophobia and perceived client dangerousness. *Professional Psychology: Research and Practice,* 608-610.

Meara, N., Schmidt, L. & Day, J. (1996). Principles and virtues: A foundation for ethical decisions, policies, and character. *The Counseling Psychologist,* 5-70.

Myers, J. (1995). Professional counseling: Spotlight on specialties. *Journal of*

*Counseling and Development,* 74(2), **entire issue**.

Neukrug, E., Healy, M. & Herlihy, B. (1992). Ethical practices of licensed professional counselors: An updated survey of state licensing boards. *Counselor*

*Education and Supervision,* 131-141.

Parker, R. & Szymanski, J. (1996). Ethic and publication. *Rehabilitation Counseling*

*Bulletin,* 162, 163.

Pearson, B. & Piazza, N. (1997). Classifications of dual relationships with the helping professions. *Counselor Education and Supervision,* 37, 89-99.

Schulte, M.J. & Cochrane, R.D. (1995). *Ethics in school counseling.* New York: Teachers Press.

Shaughnessy, M. (1995). Ethical & legal challenges of technology. *Momentum.*

Oct./Nov. 16-18.

Snider, P. (1987). Client Records: Inexpensive liability protection for mental health counselors*Journal of Mental Health Counseling,* 134-141.

Snider, P. (19894). The duty to warn: A potential issue of litigation for the counseling supervisor. *Counselor Education and Supervision,* 66-72.

Stavnard, R & Hagler, R. (1995). Legal and ethical implications of HIV and duty to

warn: Does Tarasoff apply? *Journal of Counseling and Development.* 73, 397-400. Swenson, L. (1997). Psychology and the Law. Pacific Grove, CA:Brooks/Cole.

Vacc, A.N. & Loesch, C.L. (1994). *A professional orientation to counseling* (2nd ed.).

Muncies, IN: Accelerated Development, Inc.

Van Hoose, W. & Kottler, J. (1978). *Ethical and legal issues in counseling and psychotherapy.* San Francisco:Jossey-Bass.

Wilcoxon, S.A. (1992). The revised AACD ethical standards: New clarity and new uncertainty. *The School Counselor,* 40(1), 4-9.

Wright, R. (1995). The evolution of despair. *Time,* 50-58.