

WESTERN SEMINARY SACRAMENTO

Legal & Ethical Issues

CNS 506M: 2 credit hours

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SYLLABUS

Dates: January 5, 19, February 2, 16, March 2, 16, April 6 **Time:** 5:55-10:00 P.M.

COURSE DESCRIPTION

Legal and Ethical Issues. This course will include an overview of professional ethics and state law as applied to counseling in private and state agencies, including addiction recovery programs. Topics to be addressed will include professionalism, licensure, and practice issues.

This course is designed to familiarize students to the codes and standards of practice contained in the AAMFT Professional Code of Ethics, the CAMFT Professional Code of Ethics, and the BBS *Laws and Regulations Relating to the Practice of Marriage, Family, and Child Counseling*. Emphasis will be on legal and ethical issues specific to the practice of marriage and family therapy in California including:

- Identification of the scope of practice
- Dual Relationships
- Privileged communications under Law
- Ethical issues in terminating treatment
- Informed Consent
- Confidentiality
- Child/Elder Abuse
- Record Keeping

This course satisfies BBSE educational requirements for licensure as a Marriage Family Therapist in the State of California.

COURSE CONTRIBUTION TO STATED DEGREE OUTCOMES

The objectives of this course are tied directly to the desired outcomes constructed specifically for the MFT degree for which this course is a requirement. Below are the formal degree outcomes which this class supports:

BE a person whose godliness is worthy of being emulated by others, and whose integrity imparts credibility to his/her ministry (SFS 501-504; CNS 506; overarching; LOVING GOD).

KNOWING HOW to identify and confront ethical dilemmas (CNS 506; LEGAL AND ETHICAL CNS 530-534).

- Have developed a model for decision making to be used when confronted with ethical dilemmas; (Legal and Ethical and Child, Spouse, and Elder Abuse)
- Be familiar with pertinent professional ethical codes; (Legal and Ethical and Child, Spouse, and Elder Abuse and Practicum)
- Have developed forms appropriate for use in professional practice; (Legal and Ethical and Practicum)
- Be familiar with ethical issues that are of particular significance to Christian counselors. (Legal and Ethical and Practicum)

KNOW HOW to build upon his/her seminary training to be a true life-long learner (CNS 530-534; overarching).

COURSE GOALS/OBJECTIVES

Goals

- To develop critical thinking skills about the current standard of practice in the field of Marriage, Family, and Child Therapy.
- To familiarize students with legal and ethical issues relevant to their future professional positions in churches, non-profit corporations and clinical settings.
- To prepare student for the Marriage, Family Therapist licensing examination.

Objectives

- Develop and demonstrate a working knowledge of laws which establish the qualifications, rights, and duties of MFT's, as shown by examinations and coursework.
- Understand the CAMFT Code of Ethics, with the ability to apply it to a wide range of problems, as demonstrated by participation in case discussions.
- Become familiar with the emerging trends in the delivery of mental health services, as well as implications of these trends both professionally and socially.

- Understand the practical issues therapists face with emphasis on documentation standards in a variety of roles and clinical settings as established through written reviews.

TEXTBOOKS

Please support your seminary by using the following link for all your Amazon purchases – a minimum of 4% comes to Western Seminary. Click [here](#) to order texts and other products.

CAMFT Ethical Standards (can be ordered on-line with CAMFT)

Board of Behavioral Sciences “Business and Professions Code of California Code” (can be ordered on-line with Board of Behavioral Sciences)

Corey, G, Schneider-Corey, M & Callahan, P. (2003). *Issues & Ethics in the Helping Professions*. (6th ed.). Pacific Grove, CA: Brooks/Cole. ASIN: B001LBIYLE

Sanders, Randolph. *Christian Counseling Ethics: A Handbook for Therapists, Pastors, and Counselors*. IVP, 1997. ISBN: 0-8308-1892-8

COURSE REQUIREMENTS

Reading

Complete all required reading before each class session so that you will be able to participate in and benefit from the class discussions. Reading should be done at a familiarity level (about 45 pages per hour) that assumes knowledge of the material assigned.

Assignments

Client Contract/ Informed Consent

The assignment is intended to be an opportunity for the student to develop his/her own “informed consent” agreement with a client in a private practice or public setting. The contract should be written from the perspective of an “intern” or a “trainee” and should include at least the following:

- ❖ A general description of the therapy process, including benefits and possible difficulties.
- ❖ Therapist qualifications including degrees, and status as trainee or intern under supervision.
- ❖ Confidentiality and limits to confidentiality due to mandated reporting.

- ❖ Confidentiality limits due to supervision
- ❖ Fees and cancellation policy.
- ❖ Terminating treatment. Include statement that client has the right to terminate treatment at any time, as well as the therapists' reasons for termination, e.g. outside scope of practice, etc.
- ❖ Signature lines for therapist and client.
- ❖ Emergency Contact or alternatives if therapist cannot be reached

The contract should be carefully worded and be a total of no more than three (3) pages single spaced.

Position Paper and Presentation of Dual Relationships

Each student shall write a paper presenting a specific position on one of the dual relationship topics/issues listed below. The paper should be between 8-10 pages typewritten with supporting research for the position selected by the student. (80 points).

The students will also be required to present their papers in a 15 minute oral defense of the position they have selected. (40 points) If more than one student requests a specific topic they will be requested to research alternative positions. Both the paper and the presentations will be due in class six. The project should provide in-depth analysis of the topic selected and follow APA style guidelines.

Each student will select one of the following topics relating to **dual relationships**:

- ❖ The current codes can only apply to urban professions and limited applicability to rural communities. There should be a different standard for rural professionals.
- ❖ State/Governmental codes should/should not apply to church based counseling services.
- ❖ Nonerotic physical contact with clients (To hug or not to hug).
- ❖ Boundaries in relationships for church based counseling.
- ❖ Confidentiality limits for church based counseling.
- ❖ Barter in church based counseling.
- ❖ Gift giving to or from clients in non-Anglo cultures.

- ❖ Adoption of the CAMFT vs. the AACC code of ethics for the Christian counselor practicing in California.
- ❖ There should (or should not) be a difference in the ethical codes for a “professional life coach” and Marriage Family Therapist.

*Of the resources mentioned in the bibliography for your project/paper, two must be from a physical library. Note the **physical location** of each book as an addendum to each bibliographical entry.*

Final Exam

To be discussed and distributed in class.

STANDARDS FOR WRITTEN WORK (APA)

Papers must be written to near-thesis standard. That is, minimum format standards must be met, as defined below. English grammar, idiom, and spelling must be up to graduate level. Always include a strong introduction paragraph (declare what you intend to show the reader) and conclusion paragraph. Qualities valued include clarity, succinctness, and precision.

This course employs the APA (American Psychological Association) publication manual style guide. You can find the APA 5th edition in the library reference section. You can also find a simple, straightforward presentation of the format at these online sites:

- <http://owl.english.purdue.edu/owl/>
- <http://www.cws.illinois.edu/workshop/writers/citation/>

A good website with footnote/bibliography entries is:

<http://writing.wisc.edu/Handbook/Documentation.html>

For assignments that require the use of non-course texts and include a bibliography, of the resources mentioned in the bibliography for your project/paper, two must be from a physical library. Note the physical location of each book as an addendum to each bibliographical entry.

All work must reflect master’s level use of the English language. Plagiarism will result in failure of assignment.

GRADING:

Grading Scale:

396 - 400 = A+

379 - 395 = A

372 - 378 = A-

365 - 371 = B+

352 - 364 = B

345 - 351 = B-

338 - 344 = C+

325 - 337 = C

316 - 324 = C-

315 and Below = D

| Activity | Points |
|---|------------|
| 1. Attend class and read all assignments prior to class. (All Classes) | 12 |
| 2. Class participation: be prepared to engage in group discussion on vignettes. (All Classes and Role Play) | 24 |
| 3. Client Case Record. (Class Two) | 64 |
| 4. Client Contract. (Class Four) | 60 |
| 5. Position paper and presentation on Dual Relationships. (Class Six) | 120 |
| 6. Final Exam (Class Seven) | 120 |
| Total | 400 |

CLASS POLICIES

Cover Page: To safeguard confidentiality, provide a title page as a cover for all assignments. Include your student mailbox number in the upper right corner of the cover page.

Attendance and Late Assignments: Students are expected to attend all class meetings. Students who miss class are responsible for missed work. Unexcused absences and tardiness will impact a student's grade. Students who anticipate an absence should discuss it in advance with the instructor. Students who miss two or more classes will not pass the course. Assignments submitted after the due date and time constitutes a drop in the student's letter grade for that assignment.

Incompletes: Faculty members determine their own procedures and due dates for the completion of course assignments. The final deadline for submitting all course work is

the last day of the semester as noted in the Academic Calendar and in the Sacramento class schedule. In the case of serious illness, family emergency, or similar extenuating circumstances, the instructor may, **if it is initiated by the student**, grant an extension. A 1-3 week extension is typical in all except the most extreme cases, and in all cases the standard decrease of a full letter grade for late work applies. Extensions desired by the student beyond 3 weeks, with prof support, must be approved by the Sacramento Academic Coordinator, with 5 weeks after the end of the course being the longest possible extension for work being due to the prof; for this semester that date is **Saturday, 5/29/10**. (This allows a 6th week for the grading of work and a grade change request to be filed). A temporary notation of “I” (incomplete) is assigned until a final grade can be determined. Under no circumstances may the six-week period be extended except by petition and approval of the Administrative Committee in Portland.

The Availability of Disability Services at Western Seminary: Western Seminary is committed to responding to the needs of students with disabilities as outlined in both the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990. Western students are assisted individually as their needs dictate. It is the responsibility of students with disabilities to identify themselves and the nature of the disability. Any student who has a disability should contact the seminary’s Disability (Section 504) Coordinator, Ken Epp, at 503-517-1815/1-877-517-1800, ext. 1815. His office is at the Portland campus. Students at the northern California campuses may contact Carrie Priest (Student Services Coordinator – San José) or PJ Oswald (Director of Student Development – Sacramento), or they may contact Dr. Epp directly. Appropriate forms will be provided and must be submitted to the Disability Coordinator’s office.

Enrichment Students: Enrichment students are encouraged, but not obligated, to participate in assignments and class discussions. Professors are not obligated to grade participation for these students, but may opt to do so depending on class size.

LIBRARY AND INTERNET RESEARCH- SACRAMENTO

All class assignments with a research element require library research annotated as such in the bibliography. A minimum of two resources must be from a physical library. Note the physical location of each resource as an addendum to each bibliographical entry.

For complete library information including: hours of operation, interlibrary loan, local library resources, etc., please:

- Visit www.westernseminary.edu/sacramento
- Click the link “Library Services” in the right navigation pane.

Reserve Collection

The library carries all required readings for this course.

Print Resources

Use the Western-Arcade Library catalog to find books and other materials. To search the library collection:

- Visit <http://www.westernseminary.edu/Library/SAC> .
- Click the link “Search the Library Collection Online”.

Periodical & Research Databases

As you complete your assignments for this course, don’t forget about the resources in the Western research databases. Remember to evaluate and cite your information too. To access the Western research databases:

- Visit <http://www.westernseminary.edu/Library/SAC> .
- Click the link “Research Databases” from the bottom menu.
- Click the link “Ebsco Host Research Databases”.
- Log in. [**User ID:** westsem / **Password:** seminary]
- Click the link “EBSCOhost Web”.
- Click the database(s) you wish to use. Start with *PsycARTICLES*.

To cite your information, consider the following APA composers:

<http://www.noodletools.com> and <http://www.citationmachine.net>

Course Packs (if applicable)

To access the course pack(s) for this course:

1. Go to the library homepage: <http://www.westernseminary.edu/Library/SAC>
2. Click the link ‘Course Packs’.

Reference and Research Contact Information

David Holifield, M.A., M.L.S. / (916) 488-3720, ext. 7 /
dholifield@westernseminary.edu

PROPOSED SCHEDULE:

January 5 Introduction to Professional Ethics. Lecture and class discussion on the current Laws and codes of ethics related to providing professional services.

Reading: Corey- ch. 1-2. CAMFT Ethical Standards

January 19 Lecture and class discussion on Dual Relationships and Documentation.

Reading: Rules and Regulations; Corey- chapter 3

CAMFT Ethical Standards, BBS Business/Professional Codes.

Sanders – ch. 1

In-class client case record.

February 2 Lecture and class discussion on Standards of Practice for Informed Consent and Scope of Practice.

Reading: , Corey- chapter 4

Sanders – chapter 2

February 16 Lecture and class discussion on Confidentiality and Privilege.

Reading: Corey- chapter 5.

Sanders – chapter 3

March 2 Implementing and terminating therapy. Discuss the ethical responsibilities and legal impact of clinical supervision.

Reading: Handouts. Corey chapter 6

Sanders – chapter 4

March 16 Family Law and other legal codes that impact the practice of MFT.

Dual Relationships Presentation and Papers due

Reading: Corey – chapter 7

Sanders – chapters 5 & 6

April 6 Final Examination.

Lecture and class discussion on MFT licensing requirements.