



## **LEGAL & ETHICAL ISSUES**

CNS 506M: 2 credit hours  
Western Seminary – Sacramento Campus

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**Syllabus** – Spring 2014

### **COURSE SCHEDULE**

Alternate Tuesdays, 5:45 – 10 pm (Jan 14, 28; Feb 11, 25; Mar 11, 25; Apr 8)

### **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 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**

**You are encouraged to purchase these titles through the Amazon.com associate program; you may use the links provided below in the text list or [at this link](#).**

CAMFT Ethical Standards (can be downloaded on-line with CAMFT at [camft.org](http://camft.org))

CA Board of Behavioral Sciences Statutes and Regulations

(can be downloaded here: [Board of Behavioral Sciences](#) , only have to download or use the parts of the law that pertains to either MFT's or LPCC's)

Corey, G, Schneider-Corey, M & Callahan, P. (2010). [Issues & Ethics in the Helping Professions](#). (8th ed.). ISBN-13: 978-0495812418, \$42.05 new on Amazon. Newest edition not necessary.

Sanders, Randolph. [Christian counseling Ethics: A Handbook for Therapists, Pastors, and Counselors](#). IVP, 1997. ISBN: 0-8308-1892-8, \$16.00 new on Amazon.

## **ONLINE CLASSROOM**

This class has an online classroom. Your first class assignment is to access this website during the first week of the semester and take a simple quiz confirming your participation in the course. You may also be asked to use the learning center to download handouts and submit assignments.

To access the site, go to <http://www.westernseminary.edu/classrooms/>. Click on 'login' (on the right above the calendar); use your student number for your username, and the password you received from the school. For a replacement password, click on 'forgot your password' or contact Jon Raibley: [jraibley@westernseminary.edu](mailto:jraibley@westernseminary.edu). The on-line classroom will go live no later than the first Monday of the semester.

## **RESPONSIBILITIES**

### **Online Orientation (15 min.)**

Before the end of the first Friday of the semester, you need to log onto the web classroom, download the syllabus for the course, and complete the report indicating that you have read and understand the course requirements. By federal law, we now need to ensure that students participate in classes for the full length of the semester. So failure to complete the online orientation on time may result in a grade penalty and may impact your financial aid eligibility.

### **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 Legal/Ethical "Hot Topics"**

Each student shall write a paper presenting a specific position on one of the hot topic/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 current issues in the field:

- ❖ Should a therapists' personal behavior be the grounds for losing ones license, eg a DUI, not paying taxes, etc.
- ❖ State/Governmental codes should/should not apply to church based counseling services.
- ❖ Nonerotic physical contact with clients (To hug or not to hug).
- ❖ LPCC vs MFT: who has the larger scope of practice and what exactly is it?
- ❖ 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.
- ❖ HIV status: Tarasoff issue or not?

- ◇ Domestic Violence: Child Abuse or not?
- ◇ Social Work and the new MFT: Is there a difference?

*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.*

**Take Home Final Exam**

To be discussed and distributed in class.

**Final Course Evaluation (15 min.)**

Before the end of the last Friday of the semester, you will receive an email with a link to the final course evaluation. By federal law, we now need to ensure that students participate in classes for the full length of the class. So failure to complete the final course evaluation on time will result in a grade penalty and may impact your financial aid eligibility.

**GRADING:**

+	A	A-	B+	B	B-	C+	C	C-	D+	D	D-
99- 100%	95- 98%	93- 94%	91- 92%	88- 90%	86- 87%	84- 85%	81- 83%	79- 80%	77- 78%	74- 76%	70- 73%

**Grading Scale:**

- |   |   |
|---|---|
| <p><b>396 - 400 = A+</b><br/> <b>379 - 395 = A</b><br/> <b>372 - 378 = A-</b><br/> <b>365 - 371 = B+</b><br/> <b>352 - 364 = B</b><br/> <b>345 - 351 = B-</b></p> | <p><b>338 - 344 = C+</b><br/> <b>325 - 337 = C</b><br/> <b>316 - 324 = C-</b><br/> <b>315 and Below = D</b></p> |
|---|---|

**Activity**

**Points**

- |   |     |
|---|-----|
| 1. Attend class and read all assignments prior to class. (All Classes)                                      | 10  |
| 2. Class participation: be prepared to engage in group discussion on vignettes. (All Classes and Role Play) | 25  |
| 3. Client Case Record. (Class Two)  | 50  |
| 4. Client Contract. (Class Four)  | 65  |
| 5. Position paper and presentation on Dual Relationships. (Class Six)                                       | 100 |
| 6. Presentation on position paper (Class Six and Seven)   | 50  |
| 7. Final Exam (Class Seven)   | 100 |

**Total**

**400**

## **PROPOSED SCHEDULE:**

**January 14:** Introduction to Professional Ethics. Lecture and class discussion on the Laws and codes of ethics related to providing professional services.

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

**January 28:** 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

**Assignment Due: In-class client case record.**

**February 11:** Lecture and class discussion on Standards of Practice for Informed Consent and Scope of Practice.

**Reading:** Corey- chapter 4

Sanders – chapter 2

**February 25:** Lecture and class discussion on Confidentiality and Privilege.

**Reading:** Corey- chapter 5.

Sanders – chapter 3

**Assignment Due: Client Contract**

**March 11:** Implementing and terminating therapy. Discuss the ethical responsibilities and legal impact of clinical supervision.

**Reading:** Handouts. Corey chapter 6

Sanders – chapter 4

**March 25:** Family Law and other legal codes that impact the practice of MFT.

Hot Topic Presentations and Papers due

**Reading:** Corey – chapter 7

Sanders – chapters 5 & 6

**Assignment Due: Hot Topic Presentations and Papers**

**April 8: Turn in Final Examination. Presentations Continued**

Lecture and class discussion on MFT licensing requirements.

## **COURSE POLICIES**

**Attendance and Late Assignments:** Students are expected to attend all class meetings. Students who miss class are responsible for missed work. Absences and tardiness may impact a student's grade. Students who anticipate an absence should discuss it in advance with the instructor. Students who miss more than 20% of the seat time for the class will not pass the course, without a request for and the completion of additional assignments. Assignments submitted after the due date and time will result in a reduction of the student's letter grade for that assignment.

**Copyright Violation and Plagiarism:** Research in secondary sources for the written project is permitted and welcomed. However, any appropriation of either ideas or wording taken from

other sources, whether print or electronic, must be properly footnoted. Failure to do so constitutes plagiarism which can result in substantial grade reduction or failure. Any unauthorized copying or use of copyrighted materials, including downloaded files of various kinds, can result in criminal charges and fines. For a more complete explanation of these issues or WS's copyright policy, see [the "Copyright Issues and Cheating" section of the Student Handbook](#).

**Incompletes/Extensions:** The final deadline for submitting all course work is the last day of the semester as noted in the Academic Calendar and in the class schedule. In the case of serious illness, family emergency, or similar extenuating circumstances, the student may request an extension. A 1-3 week extension is typical in all except the most extreme cases, and some penalty for late work may apply. Under no circumstances will the student be given more than 5 weeks to complete all required coursework except by petition and approval of the Administrative Committee. (Extensions longer than 5 weeks are rare and should only be requested under extreme circumstances.)

If students face a personal emergency that requires requesting an extension going beyond the end of the semester, it may affect their ability to receive financial aid in the next semester, and they may face the possibility that their next semester's course registrations will be cancelled. Please contact the Financial Aid Office for assistance.

**Audit/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.

**Statement on Wi-Fi Services:** Our community at Western Seminary is defined by our membership in the body of Christ. As we share common resources, we wish to do so with respect and consideration for others. Our IT department has created a strong and secure wireless internet network at each of our campus locations to enhance the student learning environment. Some of the considerations in developing our Wi-Fi networks have included providing excellent security (better than you'll find at the local coffee shop) and doing so within a budget that does not significantly impact tuition costs. Keeping costs low means that we don't have an endless supply of bandwidth. We ask that you use the Wi-Fi network for academic purposes and avoid downloading large files or streaming video. Please be mindful that your internet use (both in class and on campus) can distract others or prevent them from accessing resources they need for their studies. We appreciate your participation in promoting thoughtful, considerate internet use on campus.

**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, Ashley Mitchell, at 503-517-1819/1-877-517-1800, ext. 1819. Her office is at the Portland campus. Students at the northern California campuses may contact Director of Student Services – San Jose or Director of Student Services – Sacramento, or they may contact Ms Mitchell directly. Appropriate forms will be provided and must be submitted to the Disability Coordinator's office.

## **LIBRARY RESOURCES – SACRAMENTO**

Since one purpose of a post-graduate education is to further develop research skills for lifelong learning, all class assignments with a research element require library research annotated as such in the bibliography. Typically, a minimum of two resources must be from a physical library or from Western Seminary Library's digital resources.

For complete library information including hours of operation, the library catalog, assessing internet sources, APA and MLA writing and style guides, ebooks, databases, and a list of local area libraries, please visit the library's webpage at <http://www.westernseminary.edu/Library/SAC/>.

### **Ebooks & Research Databases**

Western subscribes to research databases to provide our students access to quality information without the confusion and accuracy problems of many web resources. These databases provide correctly formatted citations in both MLA and APA format.

For access, go to the library's homepage and click the link "**Digital Resources**".

- **EBSCOhost** provides access to the ATLA Religion Database with ATLASerials, PsycArticles (full text of 80 journals) and an ebook collection of over 100,000 academic titles, including useful theology and counseling books which can be downloaded to your computer or personal device.  
\*\*[User ID: westsem Password: S3m!nary]
- **Gale-Cengage** provides a variety of databases of journal articles, research reports, and quality reference works. Note the Psychology Collection and the Gale Virtual Reference Library database which includes the full-text of the 15-volume Encyclopedia of Religion. Contact me with questions!  
\*\*[Password: westsemgale]
- **Counseling and Therapy in Video** is a database of actual therapy sessions, mostly of interest to our MFT students, but available to all.  
\*\*[User name: WCounseling Password: Com4ter]

For research assistance or help in locating books or articles, contact  
Donna Greenhut, M.S.L.S. / (916) 488-3720, ext. 7 / [dgreenhut@westernseminary.edu](mailto:dgreenhut@westernseminary.edu)