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# CO 610 Ethical and Legal Issues in Counseling

George R. Ross

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ASBURY THEOLOGICAL SEMINARY  
ETHICAL AND LEGAL ISSUES IN COUNSELING  
(ExL-CO-610)  
COURSE SYLLABUS SPRING TERM 2008

Instructor:

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Welcome:

It is indeed a privilege to welcome you to ETHICAL AND LEGAL ISSUES IN COUNSELING. During the next several weeks we will be examining how counseling ethics and federal and state laws impact your conduct as a counselor. While you interact with the course material, other students enrolled, and with me, your professor, I encourage you to keep in mind four questions:

----- Why do I need to complete a course that focuses on the ethical and legal issues in counseling?

----- In order to become a competent counselor, what specifics do I need to know about ethical and legal issues in counseling?

----- What does it mean to think ethically about the counseling process?

----- What outcomes can I expect from completing this course on ethical and legal issues in counseling?

Completing this three (3) credit hour course will help you to identify and examine ethical and legal issues encountered in the counseling process and to explore ways to effectively deal with them. You will develop a sensitivity to the ethical and legal aspects of counseling process, better appreciate the ethical constraints under which a counselor works, and develop skills to critically examine how counselors should conduct themselves.

Specifically, you will be able to: (1) list the elements of a professional code of counseling ethics, (2) explain a sound rationale for conceptualizing the problem of ethics in counseling, (3) depict a framework for addressing ethical and legal issues in counseling, (4) define ethics from a variety of

philosophical viewpoints, (5) identify pertinent federal and state laws that apply to the practice of counseling, and (6) apply various ethical and legal standards to the counseling process.

I look forward to interacting with each of you over the semester and stand ready to challenge you to become a more competent counselor.

Office Hours:

To be announced

ExL Contact Information:

For general questions and administrative assistance regarding the ExL program, contact Dale Hale:  
[mailto:ExL\_Office@asburyseminary.edu]ExL\_Office@asburyseminary.edu  
Phone: (859) 858-2393

For technical support, library research support, library loans, and ExL media contact Information Commons:

[mailto:Info\_Commons@asburyseminary.edu]Info\_Commons@asburyseminary.edu  
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1. General Questions:

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2. Materials Requests:

§ To search the library catalog for available materials, click here: [  
<http://asburyseminary.edu/information/>]http://asburyseminary.edu/information/  
§ ExL Students may request books, photocopies or emailed attachments of journal articles/portions of reference books from Asbury Seminary's Library. Please allow 3-10 business days for all requests to be filled. Contact the Information Commons for costs and instructions on how to make requests.

§ ExL students are encouraged to make use of local library resources. Students who live within a 50 mile radius of either the Florida or the Kentucky campus should come to campus to obtain their materials.

3. Research Questions:

§ ExL students are encouraged to contact the Information Commons for research assistance including help choosing a paper topic, determining the best sources to use for a paper, finding book reviews, or research questions about using the online databases or any other library materials.

4. Online Databases:

§ To access the online library resources including the library catalog and full-text journal databases, go to <http://asburyseminary.edu/information/> and enter your 10-digit student ID#

number in the login box. Your student ID# is provided on the biographical information section of the student registration webpage. Add a 2 and enough 0's to the front to make a 10-digit number (20000XXXXX where XXXXX = your student id).

### Copyright Information

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### ExL Media Copyright Information

No further reproduction and distribution of [media for this course] is permitted by transmission or any other means.

### The Virtual Classroom:

The Virtual Classroom is built upon the open-source Moodle platform. By logging into <http://virtual.asburyseminary.edu> you will have access to this course and be able to collaborate with participant-colleagues and me throughout the course. The following are functions with which you should familiarize yourself:

1. The Course Information Center, in the center of your screen, contains many features to be used throughout the semester, including:
  - a) Course News and Announcements, where I will post items important for the entire class;
  - b) Syllabus, where a copy of the syllabus is provided;
  - c) To Professor, which is a way for you to post a message directly to me and we can discuss an issue privately;
  - d) Course Questions, which is a public forum where you can publicly post any questions you have regarding the course so others may see your message and respond. Anytime you have a question or comment about the course, the schedule, the assignments, or anything else that may be of interest to other participants and me you should post it to the Course Questions Forum;
  - e) Prayer Forum, which is a public forum where you can post prayer concerns and praises for all to see. This is a way for us to build community;

- f) Open Forum, which is a public forum where you can post anything that is not course-related for all to see. Examples include someone getting married, an upcoming birthday, discussions on topics not course-related, etc. This is a way for us to build community.
2. Modules, which are located below the Course Information Center, will contain forums where group discussions will take place, documents or other files to download or view online, and assignment links where you will post your assignments to me. Modules will be clearly labeled so you can follow along during the semester.
3. Resources, a section located on the left side, provides links to items you will want to use often in the semester.

#### Course Description:

This three (3) credit hour course is designed to help students in the M.A. Counseling Program and the M.Div. program to identify and examine ethical and legal issues encountered in the counseling process and to explore ways to effectively deal with them. Students completing the course will develop a sensitivity to the ethical and legal aspects of counseling process, better appreciate the ethical constraints under which a counselor works, and develop skills to critically examine how they conduct themselves as counselors.

#### Course Objectives:

Upon completion of this course, students will be able to: (1) list the elements of a professional code of counseling ethics, (2) explain a sound rationale for conceptualizing the problem of ethics in counseling, (3) depict a framework for addressing ethical and legal issues in counseling, (4) define ethics from a variety of philosophical viewpoints, (5) identify pertinent federal and state laws that apply to the practice of counseling, and (6) apply various ethical and legal standards to the counseling process.

#### Course Requirements:

Students registered for this course are expected to interact online with their assigned group members, other class members, and the course instructor. In addition, it is assumed that each student will complete all the required readings for the course, homework assignments, and a final examination.

#### Expectations:

##### Student:

This is a challenging course and we have a lot of material to cover in a short period of time. Your active online participation is required for you to maximally benefit from this course. Passive learning will not be acceptable in this course. Carefully composed responses to questions asked

and thoughtful responses to online discussions [are](#) expected. Responses should be in a complete grammatically correct sentence format. Appropriate online etiquette should be maintained at all times. Finally, your honest and timely feedback regarding the content and presentation of this course is essential. I invite you to join me and your classmates in making this course an enjoyable and rewarding experience.

#### Plagiarism and Issues of Academic Integrity:

Plagiarism is the act of presenting the ideas or work of another person as your own. It does not matter if you use the work of another that is printed in a journal or book, or simply resubmit the work of another student. If it is not properly referenced and displayed as a quote or idea of another, it is plagiarism. Academic dishonesty refers to all other questionable actions that may occur related to tests and other class activities. Plagiarism and academic dishonesty will not be tolerated and Seminary policies will be followed. This means course failure and the possibility of additional Seminary disciplinary action.

Asbury Theological Seminary is committed to intellectual, spiritual, and moral growth with the pursuit of truth and knowledge as an indispensable goal of the academic community. Asbury Seminary's view that knowledge leading to wisdom is a necessary means to faithful and effective mission and ministry, including the spreading of scriptural holiness, which greatly increases the importance of integrity of heart, mind and life.

Faculty and students share equally in the responsibility of maintaining the standard of academic integrity as a part of their commitment to truth. Thus, any action that does not maintain academic honesty and scholarly integrity is a violation of community trust and expectation and compromises the character needed for ministry.

In addition to maintaining integrity in their own academic pursuits, faculty have the responsibility and obligation to establish and clarify academic requirements for the work prepared by their students. Conduct that is considered dishonest includes: reusing previously and/or concurrently submitted material in another class without faculty permission, cheating by copying from another's work, allowing another to copy from one's own work, reading an examination prior to the date it is given without the instructor's permission, and similar types of conduct. Unlawful duplication of copyrighted material such as music, library materials, computer software, as well as plagiarism, are other examples of academic dishonesty. Plagiarism is the presenting of another's ideas or writings as one's own; this would include both written and oral presentations. (Seminary guidelines related to acceptable duplication practice of copyrighted materials can be found at the library's circulation desk.)

In cases of suspected student plagiarism, the instructor should take steps necessary, including meeting with the student, to determine whether plagiarism has in fact been committed. In cases of student plagiarism, the instructor, working in conversation with the Dean of the student's School has four options, depending on his or her judgment regarding the severity and recurrence of the problem: (1) to provide an opportunity for the student to redo the same or comparable assignment, typically with the grade for that assignment penalized to account for the act of plagiarism; (2) to record a failing grade for the assignment in question; (3) to fail the student for the course; and (4) to

recommend to the Dean of the student's School that the student be dismissed from the Seminary. In every case of student plagiarism, a written report of the episode and of the disciplinary action taken should be submitted to and affirmed by the Dean of the student's School. Recurrence of plagiarism by a student will lead to the dismissal of the student from the Seminary. The student may appeal the decision of the instructor or the Dean through the normal appeal process.

#### Statement on Inclusive Language:

It is the policy of Asbury Theological Seminary to use inclusive or non-sexist language in all Seminary publications, literature and communications. This refers to language for humans, but does not include God language.

#### Make Up Examinations

Make-up examinations will not be offered, unless unusual or non preventable circumstances preclude a student from taking a test at the designated time (e.g. death of a parent). For assessments of student work during the course of the academic term, feedback will be given, that is their work will be marked, graded, and returned within one week of its submission.

#### Grading

|                                     |     |
|-------------------------------------|-----|
| Completion of required readings     | 10% |
| Online participation                | 20% |
| Individual and/or group assignments | 40% |
| Final Examination                   | 30% |

#### Grading Scale

|             |             |
|-------------|-------------|
| 95-100 = A  | 90-94 = A-  |
| 85-89 = B+  | 80- 84 = B- |
| 75- 79 = C+ | 70-74 = C-  |
| 65- 69 = D+ | 60- 64 = D- |

A 4.00 Exceptional work - surpassing, markedly outstanding achievement of course objectives.

A-

B+

B 3.00 Good work -strong, significant achievement of course objectives.

B-

C+

C 2.00 Acceptable work – basic, essential achievement of course objectives.

C-

D+

D 1.00 Marginal work: inadequate, minimal achievement of course objectives.

D-

F 0 Unacceptable work: failure to achieve course objectives.

## How To Submit Work:

Click on the link for each assignment in each module to submit your work. For private correspondence (but not to submit work), click on To Professor.

## Required Reading:

Herlihy, B. & Corey, G., (1996). ACA ethical standards casebook. American Counseling Association, Alexandria, VA. (326 pages)

Sanders, Randolph K., (1997). Christian counseling ethics: A handbook for therapists, pastors and counselors, Intervarsity Press, Downers Grove, IL. (404 pages)

Moline, M.E., Williams, G.T., & Austin, K.M., (1998). Documenting psychotherapy: Essentials for mental health practitioners. Sage, London. (189 pages)

\_\_\_\_\_, (1998). AACC Christian counseling code of ethics. American Association of Christian Counseling, Forest, VA. (20 pages) available to down load at [ <http://www.AACC.net> ]  
www.AACC.net

Bennett, B.E., et. al., (1990). Professional liability and risk management. American Psychological Association, Washington, D.C.. (128 pages)

Nagy, T.E., (2000). Ethics in plain English: An illustrative textbook for psychologists. American Psychological Association, Washington, D.C.. (260 pages)

-----, (2005) Reading Packet, available from the bookstore (100 pages)

## Recommended Reading:

Bond, T., (1993). Standards and ethics for counseling in action. Sage, London.

Ohlschlager, G. & Mosgofian, P., (1992). Law for the Christian counselor, Word, Irving, TX.

\_\_\_\_\_, (1996). Reporting child abuse, neglect, and dependency. Kentucky Department for Social Services.

## Course Schedule:

Module One: Defining Ethics

Module Two: Christian Ethics

Module Three: Psychology, Theology, and Spirituality and the Counseling Process



Module Four: Models of Ethical Decision Making

Module Five: Confidentiality & Privileged Communication  
Documentation & Counseling Records

Module Six: Homosexuality and Other Tough Calls

Module Seven: Application of White's Model

Module Eight: Domestic Violence and Other Issues of Abuse  
Course Evaluation & Final Examination

Specific Dates and Due Dates

To be announced.

About Your Instructor

Dr. Ross has completed training in reality therapy with William Glasser, M.D., and in rational behavioral therapy with Maxie C. Maultsby, Jr., M.D. Dr. Ross is a licensed psychologist, a certified chemical dependency counselor, and an ordained minister, receiving a masters in divinity degree from Asbury Theological Seminary. He is also author of the book, *Treating Adolescent Substance Abuse: Understanding the Fundamental Elements*, currently published by Wipf & Stock.

Dr. Ross is nationally recognized as a leader in the field of teenage substance abuse. Since 1978, he has worked with nearly one thousand chemically dependent youth and their families. He has given several workshops on this topic, appeared on a national radio program, *Focus on the Family*, with noted psychologist, Dr. James C. Dobson, and was an invited participant at the White House Conference For A Drug Free America.

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Arthur, G. L., & Swanson, C. D. (1993). *Confidentiality and privileged communication*. The ACA legal series. Alexandria, VI: American Counseling Association.

Bayles, M. D. (1981). *Professional ethics*. Belmont, CA: Wadsworth.

Bennett, B.E., et. al., (1990). *Professional liability and risk management*. American Psychological Association, Washington, D.C..

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- Collins, G., (1991). Excellence and ethics in counseling. Word, Irving, Texas.
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- Jones, W. T., Sontag, F., Beckner, M. O., & Foegelin, R. J. (1977). Approaches to ethics (3rd ed.). New York: McGraw-Hill.
- Jordan, C.E., Quinn, K., & Walker, R., (1996). Mental health intervention in cases of domestic violence. Governor's Office of Child Abuse and Domestic Violence Services, Frankfort, KY.
- McGovern, T. F. (1994). Being good and doing good: An ethical reflection around alcoholism and drug abuse counseling. *The Counselor*, 12(3), 14-18. (May-June)
- Meyer, R. G., Landis, E. R., & Hays, J. R. (1988). Law for the psychotherapist. New York: W. W. Norton.
- Miller, T., Anton, W. D., & Cloak, N. L. (1993). Professional progress notes--revised. Professional Manual. Odessa, FL: Psychological Assessment Resources.
- Mitchell, R. W. (1991). Documentation in counseling records. The ACA legal series. Alexandria, VI: American Counseling Association.
- Mothershead, J. L., Jr. (1955). Ethics: Modern conceptions of the principles of right. New York: Holt Rinehart and Winston.
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- Sanders, Randolph K., (1997). Christian counseling ethics: A handbook for therapists, pastors and counselors, Intervarsity Press, Downers Grove, IL.
- Stadler, H. A. (1985). Confidentiality: The counselor's dilemma (Videotape). Alexandria, VA: American Counseling Association.

Van Hoose, W. H., & Kottler, J. A. (1985). Ethical and legal issues in counseling and psychotherapy. San Francisco: Jossey-Bass.

White, W. L. (1994). A commitment to ethical action. *The Counselor*, 12(3), 10-13. (May-June)

Zucherman, E. L., & Guyett, I. P. R. (1991). *The paper office 1*. Pittsburgh, PA: Three Wishes Press.