I. TITLE: Legal and Ethical Issues in Counseling

II. CATALOG DESCRIPTION: This course will present the legal and ethical ramifications that being a counselor in today’s complex society demands. An in-depth examination of current contemporary issues will highlight the course.
Prerequisite(s): None

III. COURSE OBJECTIVES: (based on CACREP Standards)
A. To develop appropriate knowledge, skills, and attitudes for professionals in All Settings: Private Practitioners, Social Workers, Mental Health Professionals, Marriage and family Therapists, Psychologists, Health care Professionals, and Human Development Specialists as the are faced with legal and ethical concerns and decisions (II, G, 1b & c).
B. To help in arriving at an answer that is not only appropriate for the client, but one that is appropriate for you as a member of the helping professions (II, G, 1d, G, 1j, G, 2e, G, 8e).
C. To assist professionals to face those every-day tough and complicated legal and ethical issues (II, G, 1j).
D. To present and study the ethical codes of various professional organizations (II G, 1g).

The MSU counseling faculty recognize diversity and embrace a cross-cultural approach in support of the worth, dignity, potential, and uniqueness of people within their social and cultural contexts (ACA 2005 Code of Ethics Preamble).

IV. CONTENT OUTLINE:
A. American Legal Structure
B. Civil & Criminal Laws, Civil Liability
C. Confidentiality, Criminal Liability
D. Cultural Values
E. Dual Relationships
F. Duty to Warn
G. Ethical Decision Making
H. Ethical Standards, Ethics & the Law
I. Group Work
J. Invasion of Privacy
K. Informed Consent, Issues in Consultation
L. Issues in Theory, Practice, & Research
M. Malpractice
N. Marital & Family
O. Misconduct
P. Personal Values & Their Roles
Q. Privileged Communication
R. Professional Licensing & Credentialing
S. Professional Organizations  
T. Special Populations  
U. The Court System  

V. INSTRUCTIONAL ACTIVITIES:  
A. Lecture  
B. Class participation/discussion  
C. Small group activities  
D. Projects/position papers  
E. Research and presentation  

Academic Learning Focus and how learning will be accomplished and how it will be assessed via Learning Focus Key:  
- Acquisition/Integration  
- Extension  
- Application  
- Reflection  
- Professionalism  

VI. FIELD, CLINICAL, AND/OR LABORATORY EXPERIENCES:  
None  

VII. TEXT AND RESOURCES:  
A. Ethical Codes of Conduct  
   1. American Counseling Association (ACA), Ethical Standards.  
   2. American School Counselor Association (ASCA), Ethical Standards.  
B. Other Professional Codes of Ethic  
   1. American Psychological Association (APA), Ethical Principles of Psychologists.  
   3. American Association for Marriage and Family Therapy (AAMFT), Code of Ethics.  
   4. American Psychiatric Association (APA), Principles of Medical Ethics Especially Applicable to Psychiatry.  
   5. American Nurses Association (ANA), Code of Ethics.  
16. National Rehabilitation Counseling Association (NRCA), *Ethical Standards for Rehabilitation Counselors*.
17. National Education Association (NEA), *Code of Ethics*.

C. **Texts**


D. **References**


VIII. **EVALUATION AND GRADING PROCEDURES:**

Evaluation and grade will be determined by tests and assignments based on texts, supplementary readings in professional journals, lectures, group activities, and class discussion.
Grades: Total of 200 points possible

A = 91-100  91%
B = 81-100  81%
C = 71-100  71%

A. Quiz 1 10 points
B. Blackboard Discussion 1 10 points
C. Greatest Fear Paper 20 points
D. Quiz 2 10 points
E. Blackboard Discussion 2 10 points
F. Quiz 3 10 points
G. Blackboard Discussion 3 10 points
H. What I have learned paper 20 points
I. Total 100 points

A. **Quiz 1** (10 points). Will be taken via blackboard and will cover material covered in Chapter 3 & 4 of the Cottone & Tarvydas Text & Chapters 1 & 2 of Stone.

B. **Case Study Discussion – Blackboard** (10 points)

C. **Greatest Fear Paper** (20 points). Write a 3-4 page paper identifying an ethical dilemma they fear the most. Paper should be divided into 2 parts. First, introduce and discuss in detail why this issue in particular is more challenging and frightening to have to deal with than all the others. Second, use research and proper citation of current research that addresses this issue in the literature to show that this is a legitimate ethical issue counselors face today (minimum of 3 sources). (CACREP Section II: G1b, G1j, G2e, G8e)

D. **Quiz 2** (10 points). Will be taken via blackboard and will cover material covered in Chapter 5 & 6 of the Cottone & Tarvydas Text & Chapters 3& 4 of Stone.

E. **Case Study Discussion – Blackboard** (10 points)

F. **Quiz 3** (15 points). Will be taken via blackboard and will cover material covered in Chapter 13 of the Cottone & Tarvydas Text & Chapters 6,8 9 & 10 of Stone.

G. **Case Study Discussion – Blackboard** (10 points)

H. **What I have learned** (20 points). Write a 4-5 page paper that accomplishes the following: (CACREP Section I: AA4; Section II: G1d, G1j, G2e, G8e)
   1) Briefly summarizes the ethical dilemma you described as your “Greatest Fear”.
   2) Outlines a plan of action of how they would address this situation
   3) If applicable to your situation, Identify steps you can take to avoid this situation happening to you.
4) Concludes by summarizing what you have learned about yourself, your values and your fears by confronting this issue.

IX. ATTENDANCE POLICY:
Due to the condensed nature of this course over 5 weeks, attendance is vital to the learning environment of each student. Students will be allowed 1 excused absence. Unexcused absences will result in a 5 point deduction.

X. ACADEMIC HONESTY POLICY:
Murray State University takes seriously its moral and educational obligation to maintain high standards of academic honesty and ethical behavior. Instructors are expected to evaluate students’ academic achievements accurately, as well as ascertain that work submitted by students is authentic and the result of their own efforts, and consistent with established academic standards. Students are obligated to respect and abide by the basic standards of personal and professional integrity.

Violations of Academic Honesty include:

- **Cheating** - Intentionally using or attempting to use unauthorized information such as books, notes, study aids, or other electronic, online, or digital devices in any academic exercise; as well as unauthorized communication of information by any means to or from others during any academic exercise.

- **Fabrication and Falsification** - Intentional alteration or invention of any information or citation in an academic exercise. Falsification involves changing information whereas fabrication involves inventing or counterfeiting information.

- **Multiple Submission** - The submission of substantial portions of the same academic work, including oral reports, for credit more than once without authorization from the instructor.

- **Plagiarism** - Intentionally or knowingly representing the words, ideas, creative work, or data of someone else as one’s own in any academic exercise, without due and proper acknowledgement.

Instructors should outline their expectations that may go beyond the scope of this policy at the beginning of each course and identify such expectations and restrictions in the course syllabus. When an instructor receives evidence, either directly or indirectly, of academic dishonesty, he or she should investigate the instance. The faculty member should then take appropriate disciplinary action.

Disciplinary action may include, but is not limited to the following:

1) Requiring the student(s) to repeat the exercise or do additional related exercise(s).
2) Lowering the grade or failing the student(s) on the particular exercise(s) involved.
3) Lowering the grade or failing the student(s) in the course.

**If the disciplinary action results in the awarding of a grade of E in the course, the student(s) may not drop the course.**
Faculty reserve the right to invalidate any exercise or other evaluative measures if substantial evidence exists that the integrity of the exercise has been compromised. Faculty also reserve the right to document in the course syllabi further academic honesty policy elements related to the individual disciplines.

A student may appeal the decision of the faculty member with the department chair in writing within five working days. Note: If, at any point in this process, the student alleges that actions have taken place that may be in violation of the Murray State University Non-Discrimination Statement, this process must be suspended and the matter be directed to the Office of Equal Opportunity. Any appeal will be forwarded to the appropriate university committee as determined by the Provost.

XI. NONDISCRIMINATION POLICY STATEMENT:
Murray State University endorses the intent of all federal and state laws created to prohibit discrimination. Murray State University does not discriminate on the basis of race, color, national origin, gender, sexual orientation, religion, age, veteran status, or disability in employment, admissions, or the provision or services and provides, upon request, reasonable accommodation including auxiliary aids and services necessary to afford individuals with disabilities equal access to participate in all programs and activities. For more information, contact, Director of Equal Opportunity, Murray State University, 103 Wells Hall, Murray, KY 42071-3318. Telephone: 270-809-3155 (voice), 270-809-3361 (TDD).

### CACREP Counseling Program Specifics for CNS 625

<table>
<thead>
<tr>
<th>Clinical Mental Health Counseling Objectives</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundations A2</td>
<td>Understands ethical and legal considerations specifically related to the practice of clinical mental health counseling.</td>
</tr>
<tr>
<td>Foundations B1</td>
<td>Demonstrates the ability to apply and adhere to ethical and legal standards in clinical mental health counseling.</td>
</tr>
<tr>
<td>Foundations B2</td>
<td>Demonstrates the ability to apply and adhere to ethical policy, financing, and regulatory processes to improve service delivery opportunities in clinical mental health.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>School Counseling Objectives</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Foundations A2</td>
<td>Understands ethical and legal considerations specifically related to the practice of school counseling.</td>
</tr>
<tr>
<td>Foundations B1</td>
<td>Demonstrates the ability to apply and adhere to ethical and legal standards in school counseling.</td>
</tr>
<tr>
<td>Diversity E1</td>
<td>Understands the cultural, ethical, economic, legal, and political issues surrounding diversity, equity, and excellence in terms of student learning.</td>
</tr>
</tbody>
</table>