PREFACE

We are pleased that this text is now in its sixth edition and has been adopted for master’s and doctoral courses in ethics in so many counseling graduate programs throughout the United States and abroad. We set out to write a text on ethics, law, and professional issues in counseling that would provide basic information for graduate students in these areas and would offer sound practical advice for counseling practitioners. Faculty members and students who have used this text in their teaching and learning have told us they find it to be comprehensive, rich with examples, and written in a style that makes complex material accessible.

We think you will find it useful to know something about us, the co-authors, and how we came to write this text. From 1997 to 2006, we were both professors in the counseling graduate program at the University of New Orleans. Ted Remley is an attorney with several years of legal experience and also has been a school and community college counselor. Barbara Herlihy has worked as a school counselor and a licensed professional counselor in private practice and community agency settings. She currently is a counselor educator with special interests in counselor ethics and social justice.

Before we became colleagues at the same institution, we worked together over many years, co-authoring articles and presenting numerous workshops on law and ethics in counseling. It was through these workshops that the idea for this text was born. The counselors who attended our workshops had much in common, although they practiced in a variety of settings with diverse clientele. They shared a deep and abiding commitment to the welfare of their clients, a desire to stay current with the ethical standards of their profession, and a need to feel competent in dealing with legal issues that arose in their work. At the same time, they sometimes felt overwhelmed by the complex and conflicting demands of situations they encountered. They frequently had difficulty distinguishing between legal and ethical issues. As we worked together in our presentations to these counselors, we found that we very rarely disagreed with each other, but we did bring differing perspectives. Barbara’s ethics orientation led her to focus on client welfare and to emphasize protecting the client. Ted’s legal orientation helped us to consider another dimension—that of protecting the counselor. We believe both perspectives are important.

Because both of us regularly teach graduate courses in professional orientation and ethics, we found ourselves discussing the need for a text written specifically for counselors that would address ethical, legal, and professional issues. Thus, out of our backgrounds and shared interests was conceived a text that is unique in that it approaches each professional issue in counseling from both an ethical perspective and a legal viewpoint. We believe you will find this integrated approach particularly helpful as you grapple with the complexities inherent in the work of the counselor.

We also believe that the best learning is active rather than passive, and personalized rather than abstract. We hope that you will actively discuss and even argue about the issues that are raised throughout the text and that you will work to develop your own personal stance on these issues. Typical situations and dilemmas that counseling practitioners encounter are presented in each chapter. We ask you to imagine that you are the counselor in each case study and to attend to what you would think, how you would feel, and what you might do in the situation. In these case studies, as in real life, there is rarely a single right answer to the counselor’s dilemma, so we hope that the situations will spark lively discussion.
NEW TO THIS EDITION

- **Added case studies with discussion.** One or more case studies that explore ethical, legal, and professional issues in counseling have been added to each of the 16 chapters. At the conclusion of each case, we provide our best thinking as counselor educators who specialize in ethics and law in counseling.
- **Integrated discussion of multiculturalism, values, social justice, and advocacy.** We have revised Chapter 3 extensively to provide an integrated discussion of the interrelated issues of multicultural competence, counselor values, social justice, and advocacy.
- **Expanded coverage of the issues surrounding values-based referrals.** In Chapter 7, we have expanded on our discussion of competence-based versus values-based referrals of clients to other mental health professionals. We clarify that referrals can be due to skill-based competence, but that a claim of lack of competence cannot be used as a justification for engaging in discrimination.
- **Detailed the types of lawsuits that have been brought against counselors and types of complaints received by state licensing boards.** In Chapter 8, we have added a discussion of lawsuits brought against counselors after their clients committed suicide and have offered specific guidelines for avoiding lawsuits and licensure board complaints.
- **Included non-suicidal self-injury (NSSI).** In Chapter 8, we summarize the current literature on client self-injury and offer suggestions for providing clinical services to those clients.
- **Added recent information related to client sexting and telecounseling.** In Chapter 10, we address new developments in technology that continue to affect the practice of counseling.

ALSO AVAILABLE WITH MYLAB COUNSELING

This title is also available with MyLab Counseling, an online homework, tutorial, and assessment program designed to work with the text to engage students and improve results. Within its structured environment, students see key concepts demonstrated through video clips, practice what they learn, test their understanding, and receive feedback to guide their learning and ensure they master key learning outcomes.

- **Learning Outcomes and Standards measure student results.** MyLab Counseling organizes all assignments around essential learning outcomes and national standards for counselors.
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clip from the MyLab Counseling courses plus additional videos from Pearson’s extensive library of footage. Instructors can create additional assignments around the videos or use them for in-class activities. Students can expand their observation experiences to include other course areas and increase the amount of time they spend watching expert counselors in action.

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The comments of the following reviewers were invaluable in suggesting updates for this edition of the text: Holly Abel, Lindsey Wilson College; Denise Daniel, Liberty University; Mohammad Hamza, Lamar University; Suzanne Mudge, Texas A&M University—San Antonio; and Natalie Spencer, North Carolina A&T University.
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