

Key People

CHAPTER 7

Group Work: Ethical and Legal Considerations

R.R. Cottone
V.M. Tarvydas
T. Remley

Chapter Key Terms

CHAPTER 7

Group Work: Ethical and Legal Considerations

Principles for Diversity Competent Group Workers
Best Practice Guidelines
ACA Code of Ethics
Competence
Malpractice
ASGW's Professional Standards for the Training of Group Workers
Negligence
Mandated clients
Involuntary groups
Confidentiality
Boundary
Dual relationships
Bartering
Boundary crossings
Boundary violations
Scapegoat
Confrontation
Cherokee Inner/Outer Circle
Termination
Follow-up
Cultural awareness
Premature withdrawals

Chapter Summaries

CHAPTER 7

Group Work: Ethical and Legal Considerations

This chapter provided readers an understanding of the ethical responsibilities of group workers. A second aim of the chapter was to make readers aware of legal issues that need to be considered when conducting groups. Group counselors are responsible not only for protecting the welfare of each individual group member, but also for ensuring that the group as a whole functions in a way that benefits everyone involved. All of the major ethical issues that pertain to individual counseling also apply to group work, but these issues can be more complex in group work because of significant differences between the two modalities. In addition, ethical issues that are unique to group work, such as the screening of potential group participants and outside-of-group socializing among members, need to be addressed.

Chapter 7 is organized into three main sections. The first section presents a brief overview of ethical codes and other guidelines for group practitioners. The second section addresses pre-group issues, examining the ethical considerations that go into preparing to lead a group. Foremost among these issues is the competence of the group leader. Counselors who are thinking about forming and leading a group need to have adequate training, experience, and qualifications, as well as multicultural competence. Counselors also need to understand how to avoid malpractice, which is a legal consequence of lacking competence. Careful planning, recruiting members, pre-group screening, and ensuring the informed consent of members are also important steps to

complete prior to the formation of a group. Special considerations must be taken in planning for groups composed of children and adolescents or mandated clients.

The third section of the chapter focuses on ethical and legal issues that arise during the life of a group. These issues include dealing with confidentiality and privileged communication, establishing and maintaining boundaries, minimizing risks, dealing with diversity, handling premature withdrawals from the group, and ending a group in an ethically sound manner. Again, groups composed of minors or mandated clients raise unique ethical and legal considerations.

Counselors who are engaged in group work should be fully familiar with the contents of the ACA code and both sets of ASGW guidelines. Group workers who conduct psychotherapeutic groups should also familiarize themselves with the ethical guidelines of the American Group Psychotherapy Association and National Registry of Certified Group Psychotherapists (2000).

As a group leader, you have a myriad of ethical responsibilities that affect every aspect of your work with groups, from the planning stage through termination and follow-up. Written guidelines that can assist you include the *ACA Code of Ethics* (1995), and three publications of the ASGW: the *Best Practice Guidelines* (1998a), the *Principles for Diversity Competent Group Workers* (1998b), and the *Professional Standards for the Training of Group Workers* (2000). Although these guidelines are helpful, they cannot substitute for your sound clinical judgment.

Taken together, all these ethical and legal issues paint a picture of the complexities and ambiguities involved in conducting group work. It may be helpful to keep in mind that ethics committees, licensing boards, and courts of law do not expect

you to do a perfect job or never make a mistake. Rather, the expectation is that you exercise due diligence—by keeping your knowledge current, documenting carefully, seeking consultation and supervision as needed, and using sound professional judgment.

Chapter URLs

CHAPTER 7

Group Work: Ethical and Legal Considerations

American Association for Marriage and Family Therapy (AAMFT)

<http://www.aamft.org/>

American Group Psychotherapy Association (AGPA)

<http://www.groupsinc.org/>

American Mental Health Counselors Association (AMHCA)

<http://www.amhca.org/>

American Counseling Association *Code of Ethics and Standards of Practice*

www.counseling.org

Association for Specialists in Group Work (ASGW)

www.asgw.org

Association for Specialists in Group Work *Professional Training Standards*

www.asgw.org/training_standards.htm

Association for Specialist in Group Work *Best Practices Guidelines*

www.asgw.org/PDF/best_Practices.pdf

Association for Specialist in Group Work *Principles for Diversity Competent Group Workers*

www.asgw.org/diversity.htm

American Group Psychotherapy Association & The National Registry of Certified Group Psychotherapists

www.groupsinc.org/group/ethicalguide.html

Test Your Knowledge

CHAPTER 7

Group Work: Ethical and Legal Considerations

1. T F The leader must screen and select participants who are compatible and can assist each other in meeting their goals.
2. T F There are few differences between individual and group counseling.
3. T F Group leaders must make ethical decisions that satisfy the professional codes and state and federal laws, but at the same time also satisfy their own sense of ethics and morality.
4. T F The Association for Specialists in Group Work (ASGW) has adopted the APA code as its sole code of ethics.
5. T F Not only must group leaders act ethically, they must also create an ethical climate in the group.
6. T F The ASGW published two documents that counselors should adhere to, the Best Practice Guidelines and the Principles for Diversity Competent Group Workers
7. T F Adherence to the ACA Code of Ethics is mandatory for all ACA members, including members of ASGW.
8. T F The ASGW Principles for Diversity Competent Group Workers outline competency into two domains: self-awareness and awareness of group members' worldviews.
9. T F Different types of groups require different leader competencies.
10. T F Competence as a counselor is an ethical rather than a legal issue in counseling.
11. T F Few malpractice suits are filed against counselors and accordingly court cases involving group counseling are relatively rare.
12. T F Self-disclosure can be a powerful intervention and group leaders need to recognize its limits.
13. T F Screening of potential group members involves deciding both whom to exclude and whom to include.

14. T F Securing informed consent is both a pre-group task and an issue that needs to be revisited during the initial session.
15. T F The ASGW does not provide specific information on what is to be discussed during informed consent.
16. T F Legally, the rights of children belong to their parents and need to be exercised through their parents.
17. T F A group leader makes it clear that confidentiality leaks will not occur.
18. T F Privileged communication laws regard the legal right of counselors protecting them from having their sessions disclosed in a court of law without their permission.
19. T F Group session notes should not make reference to individual group members by name or other identifying information.
20. T F There is no single correct answer regarding where therapeutic boundaries should be drawn.

Chapter 7 Answers

1 T, 2 F, 3 T, 4 F, 5 T, 6 T, 7 T, 8 F, 9 T, 10 F, 11 T, 12 T, 13 T, 14 T, 15 F, 16 T, 17 F, 18 F, 19 T, 20 T