

Barnett and Johnson (2010) remind us that many of the ethical dilemmas we will encounter do not have a readily apparent answer. Keeping in mind the feminist model of ethical decision making, Walden's (2015) views on including the client's voice in ethical concerns, a social constructionist approach to ethics, and a transcultural integrative model of ethical decision making, we present our approach to thinking through ethical dilemmas. Following these steps may help you think through ethical problems.

1. *Identify the problem or dilemma.* It is important to determine whether a situation truly involves ethics. The distinction between unorthodox and poor professional practice may be unclear (Koocher & Keith-Spiegel, 2008). To determine the nature of the problem or dilemma, gather all the information that sheds light on the situation. Clarify whether the conflict is ethical, legal, clinical, professional, or moral—or a combination of any or all of these. The first step toward resolving an ethical dilemma is recognizing that a problem exists and identifying its specific nature. Because most ethical dilemmas are complex, it is useful to look at the problem from many perspectives. Consultation with your client begins at this initial stage and continues throughout the process of working toward an ethical decision, as does the process of documenting your decisions and actions. Frame and Williams (2005) suggest reflecting on these questions to identify and define an ethical dilemma: "What is the crux of the dilemma? Who is involved? What are the stakes? What values of mine are involved? What cultural and historical factors are in play? What insights does my client have regarding the dilemma? How is the client affected by the various aspects of the problem? What are my insights about the problem?" Taking time to engage in reflection is an essential first step.
2. *Identify the potential issues involved.* After the information is collected, list and describe the critical issues and discard the irrelevant ones. Evaluate the rights, responsibilities, and welfare of all those who are affected by the situation. Consider the cultural context of the situation, including relevant cultural dimensions of the client's situation such as culture, race, socioeconomic status, and religious or spiritual background. Other relevant variables include the client's age and the client's relationship with other family members. It is important to

consider the context of power and privilege and also to assess acculturation and racial identity development of the client (Frame & Williams, 2005). Part of the process of making ethical decisions involves identifying and examining the ethical principles that are relevant in the situation. Consider the six fundamental moral principles of autonomy, nonmaleficence, beneficence, justice, fidelity, and veracity and apply them to the situation, including those that may be in conflict. It may help to prioritize these ethical principles and think through ways in which they can support a resolution to the dilemma. Reasons can be presented that support various sides of a given issue, and different ethical principles may sometimes imply contradictory courses of action. When it is appropriate, and to the degree that it is possible, involve your client in identifying potential issues in the situation.

3. *Review the relevant ethics codes.* Consult available guidelines that could apply in your situation. Ask yourself whether the standards or principles of your professional organization offer a possible solution to the problem. Consider whether your own values and ethics are consistent with, or in conflict with, the relevant codes. If you are in disagreement with a particular standard, do you have a rationale to support your position? It is imperative to document this process to demonstrate your conscientious commitment to solving a dilemma. You can also seek guidance from your professional organization on any specific concern relating to an ethical or legal situation. Most of the national professional organizations provide members with access to a telephone discussion of ethical and legal issues. These consultations focus on giving members guidance in understanding and applying the code of ethics to a particular situation and in assisting members in exploring relevant questions. However, these consultations do not tell members what to do, nor does the organization assume responsibility for making the decision.
4. *Know the applicable laws and regulations.* It is essential for you to keep up to date on relevant state and federal laws that might apply to ethical dilemmas. In addition, be sure you understand the current rules and regulations of the agency or organization where you work. This is especially critical in matters of keeping or breaching confidentiality, reporting child or elder abuse,

dealing with issues pertaining to danger to self or others, parental rights, record keeping, assessment, diagnosis, licensing statutes, and the grounds for malpractice. However, realize that knowledge of the laws and regulations are not sufficient in addressing a dilemma. As Welfel (2013) aptly puts it: “Rules, laws, and codes must be fully understood to act responsibly, but they are the starting point of truly ethical action, not the end point” (p. 24).

5. *Obtain consultation.* One reason for poor ethical decisions stems from our inability to view a situation objectively because of our prejudices, biases, personal needs, or emotional investment (Koocher & Keith-Spiegel, 2008). You do not have to make ethical decisions alone, but it is important to maintain client confidentiality when consulting others. It is generally helpful to consult with several trusted colleagues to obtain different perspectives on the area of concern and to arrive at the best possible decision. Wheeler and Bertram (2012) suggest that two heads are better than one, and that three heads are often even better! Do not consult only with those who share your viewpoint. If there is a legal question, seek legal counsel. If the ethical dilemma involves working with a client from a different culture or who has a different worldview than yours, it is prudent to consult with a person who has expertise in this culture. If a clinical issue is involved, seek consultation from a professional with appropriate clinical expertise. After you present your assessment of the situation and your ideas of how you might proceed, ask for feedback on your analysis. Are there factors you are not considering? Have you thoroughly examined all of the ethical, clinical, and legal issues involved in the case? It is wise to document the nature of your consultation, including the suggestions provided by those with whom you consulted. In court cases, a record of consultation illustrates that you have attempted to adhere to community standards by finding out what your colleagues in the community would do in the same situation. In an investigation the “reasonable person” standard may be applied: “What would a professional in your community with 3 years’ experience have done in your situation?”
6. *Consider possible and probable courses of action.* At this point, take time to think about the range of courses of actions. Brainstorm to identify multiple options for dealing with the

situation. Generate a variety of possible solutions to the dilemma (Frame & Williams, 2005). Consider the ethical and legal implications of the possible solutions you have identified. What do you think is likely to happen if you implement each option? By listing a wide variety of courses of action, you may identify a possibility that is unorthodox but useful. Of course, one alternative is that no action is required. As you think about the many possibilities for action, discuss these options with your client as well as with other professionals and document these discussions.

7. *Enumerate the consequences of various decisions.* Consider the implications of each course of action for the client, for others who are related to the client, and for you as the counselor. Examine the probable outcomes of various actions, considering the potential risks and benefits of each course of action. Other potential consequences of a decision include psychological and social costs, short- and long-term effects, the time and effort necessary to implement a decision, and any resource limitations (Koocher & Keith-Spiegel, 2008). Again, collaboration with your client about consequences for him or her is most important, for doing this can lead to your client's empowerment. Use the six fundamental moral principles (autonomy, nonmaleficence, beneficence, justice, fidelity, and veracity) as a framework for evaluating the consequences of a given course of action. Realize that there are likely to be multiple outcomes, rather than a single desired outcome in dealing with an ethical dilemma. A useful strategy is to continue brainstorming and reflecting on other options as well as consulting with colleagues who may see possibilities that have not occurred to you (Remley & Herlihy, 2014).
8. *Choose what appears to be the best course of action.* To make the best decision, carefully consider the information you have received from various sources. The more obvious the dilemma, the clearer the course of action; the more subtle the dilemma, the more difficult the decision will be. After deciding, try not to second-guess your course of action. You may wonder if you have made the best decision in a given situation, or you may realize later that another action might have been more beneficial. Hindsight does not invalidate the decision you made based on the information you had at the time. Once you have

Ethical Decision-Making Model (Corey, et al., 2015, Chapter 1)

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made what you consider to be the best decision, evaluate your course of action by asking these questions (Frame & Williams, 2005): “How does my action fit with the code of ethics of my profession? To what degree does the action taken consider the cultural values and experiences of the client? How might others evaluate my action? What did I learn from dealing with this ethical dilemma?” Once you have decided on a course of action, remain open to the possibility that circumstances may require that you make adjustments to your plan. Wheeler and Bertram (2012) recommend careful documentation of the ethical decision-making process you used in arriving at a course of action, including the options you considered and ruled out. It is important to document the outcome and to include any additional actions that were taken to resolve the issue. Review your notes and follow up to determine the outcomes and whether further action is needed. To obtain the most accurate picture, involve your client in this process.