**Main Post Discussion B**

**Ethical Challenges Related to Record Keeping/Report**

A professional counselor uses record keep for a number of different reasons, when treating clients. Their primary purpose of keeping records is to assist in providing clients best possible counseling service (Remly & Herlihy, 2014). Record keeping helps counselors to refresh their memory prior to their sessions. Record keeping is not only beneficial to the counselor but the client as well, it helps to measure their progress and change during their sessions. There are also some ethical challenges or dilemmas related to record keeping and reporting in which records are subpoenaed by a judge or any legal representative requests records of a client. ACA code of ethics in section B.4.e. and Section B.4.c. Standard B4.e. requires counselors to obtain written permission from clients to disclose or transfer records to legitimate third parties unless exceptions to confidentiality exist (ACA, 2014). This is an ethical challenge when a counselor is subpoenaed for record legally even if a client has not signed off on it. Standard B.4.c addresses the issue of informed consent (ACA, 2014). This has became an ethical challenge in the legal system when it comes to electronically recording or observing a session.

**Addresses The Challenges**

In Remly and Herlihy (2014) textbook they recommend a counselor to always consult with their own attorneys before turning over records or appearing at a deposition hearing, or trail in response to a subpoena. Although a subpoena is a legal court order, counselors have to be mindful of what information to turn over. Many attorneys will accept summaries of notes or any other compromises (Remly & Herlihy, 2014), When counselors turn over records to legitimate third parties written document is always best, the Standard of Practice (SP-15) requires a clients consent to disclose information but does not have to be written. Writing consent shows evidence confidently is not broken if a client or other parties denies the consent.

**References**

American Counseling Association (ACA). (2014). 2014 ACA code of ethics [White Paper]. Retrieved from http://www.counseling.org/docs/ethics/2014-aca-code-of-ethics.pdf?sfvrsn=4.

Remley, T. P., Jr., & Herlihy, B. (2014). Ethical, legal, and professional issues in counseling (4th ed.). Upper Saddle River, NJ: Pearson Education.