

CHAPTER

Enhancing Professionalism: Ethics in Action

Case Scenario

Jenny is court ordered supervised visitation with her father. Typically, when Jenny comes to visitation sessions she is visibly upset to be there and frequently cries during the visits. One day, Jenny tells the visit monitor that she hates her father and is frightened by him because he physically abused her mother and does not want to have any more visitation sessions with him. Jenny refuses to walk into the visit room. Jenny's father, Jim, is demanding that he has a court order to see his daughter and that Carmen needs to force Jenny to meet with him. Carmen does not want to violate the court order, but she also wants Jenny to feel safe.

After completion of this chapter, you will be able to answer the following questions:

- What are the ethical responsibilities of the visit monitor in this scenario?
- Is it more important for Jenny to feel safe or to adhere to the court order?
- Is it ethical for a visit monitor to force a child to see their parent?
- What action would you take in this situation?

Introduction

Supervised visitation monitors will be faced with ethical dilemmas and professional decision-making while working with children and families. In order to provide the best service, it is important for monitors to think critically about some of the major issues that may be faced in this field. Issues such as blending boundaries and diversity awareness may play a role in the client-professional relationship. Monitors should become aware of their own values as well as the standards set forth by the employing agency in order to process through troubling situations. This chapter will provide examples of different ethical dilemmas to help monitors think about appropriate ways to respond.

What are Ethics?

Ethics are the standards we uphold about what constitutes correct conduct for a specific group or party.

What will I learn in this chapter?

Upon completion of this chapter, participants will be able to:

- Recognize ethical practice principles for supervised visitation
- Understand the difference between professional and personal standards
- Recognize ethical dilemmas and conflicts
- Learn how to make an ethical decision
- Understand common ethical issues that may arise
- Utilize the steps for ethical decision-making in examples
- Be aware of resources to refer to for ethical guidance

Ethical Practice Principles

As a monitor, it is important to understand the ethical values that shape all practices, skills, and interactions with clients in supervised visitation. There are five ethical principles that monitors should use to guide their everyday work. These principles promote client welfare as well as a strong relationship with the families served. Often ethical values are embedded within professional codes of ethics; The Clearinghouse on Supervised Visitation has defined these five principles to motivate supervised visitation staff in ethical behavior and to assist with solving ethical dilemmas.

Code of Conduct

The monitor must:

1. Diligently use best practices in the monitoring of all families;
2. Resist influences and pressures that interfere with impartial monitoring;
3. Report honestly and impartially in the Exchange Reports what occurs during exchanges;
4. Respect the privacy of the child and the family and hold confidential all information obtained in the course of service as a staff member or volunteer, as required by law and Program standards;
5. Decline to monitor cases in which he or she may have a conflict of interest;
6. Attend pre-service training, and in-service trainings when the monitor has been with the Program long enough for that to be required;
7. Not practice, condone, facilitate, or participate in any form of discrimination on the basis of race, color, sex, sexual orientation, age, religion, national origin, marital status, political belief, mental or physical handicap, or any other preference or personal characteristic, condition, or status; and
8. Comply with all Program policies

Why do we need Ethics?

- **Reason #1: To serve as a framework for decision making when faced with dilemmas**
- **Reason #2: To define what are acceptable and unacceptable behaviors for visit monitors**
- **Reason #3: To promote high practice standards for the profession**

TRY THIS!

- ❖ Is it possible to monitor visits and remain neutral with respect to their clients' values?
- ❖ What ways do monitors' values affect the visitation process?
- ❖ Discuss life experiences you have had that you think will enable you to effectively work with others.
- ❖ Discuss limitations in your life experiences that might hinder your understanding of certain clients.

Determining Ethics

The conversation surrounding ethics requires making a distinction between ethics, values, and law and policies.

Ethics are propositional statements and standards that are used by members of a group to determine the right course of action in any given situation. Ethics rely on rational and logical criteria to aid in making a decision by outlining the priorities of the group or organization.

Values describe ideas that we prize. Values are held close and can determine the worth of the individual holding that value. There is often an emotional component associated with values. Values develop from personal experience and background.

Law and agency policies dictate a particular course of action. There may be legal obligations that require monitors to act in a way that is in conflict with an ethical standard or personal values.

Resolving Professional Dilemmas

Read the following statements and identify whether the visit monitor acted upon ethical principles, values, and/or law.

1. Suzy has visiting children who were removed from the home due to their mother's heroin use. While accompanying one of the children to the bathroom, the child said, "Mommy has a needle in her purse today." Suzy responded by calling the mother into her office and confronting her about the needle. The mother admitted it was true and pulled the needle out of her purse. Suzy responded by calling the case manager over. What did Suzy act upon?
2. John was raised by his parents to promote equality for everyone. Because of his upbringing, he now treats all visiting parents and children equally, regardless of family structure. What did John act upon?
3. Leona's visiting parent discloses that she is pregnant and is considering her options. Despite her personal beliefs, she chooses to focus on the client's right to make her own decision. What did Leona act upon?
4. Oscar learns that a visiting child is being abused at home, and immediately calls the abuse registry to make a report. What did Oscar act upon?

1. Ethical principle & law 2. Ethical principles & values 3. Ethical principles 4. Law

Personal Values and Biases

Everyone has a unique background and experience that help shape the way they see the world. Monitors all have unique perspectives and in conjunction with previous experiences and history, monitors develop personal values. Personal values are largely associated with individual decision behavior, and while this is appropriate in one's own life, personal values and biases should not play a role in professional decision-making in supervised visitation.

- Working in an ethical manner can be difficult when personal values, biases, and professional ethics become hard to distinguish.
- To make appropriate decisions in compliance with professional ethics, monitors should work to understand their own personal values and morals. Monitors must work to understand their own background and experience and more specifically, how that background and experience affects the way they see the world.
- When monitors can identify their own personal values, it becomes easier to see how and when one's values overlap or conflict with professional ethical standards.

While personal values play a major role in an individual's life, the distinction must be made between personal values and professional ethics (should it be distinguished...i.e. personal values and professional ethics?). Personal values involve feelings and do not provide the objectivity that is necessary for decision-making in practice. By entering the supervised visitation realm, monitors have agreed to comply with the standards that are set forth for the profession. It is important for monitors to recognize and manage personal values but only in a manner that allows professional ethics to guide everyday practice. Conflicts involving personal values, although difficult and uncomfortable, should not be considered ethical dilemmas.



To understand personal values versus professional ethics, Table X.X displays questions that may arise from a conflicting situation. It is also important to note how monitors can deal with those questions while keeping the distinction between person and professional standards.

Table X.X
Professional and Personal Standards

Professional	Personal
<p><u>Ethics</u></p> <p>What relevant standards and expectations are outlined for supervised visitation?</p> <p>How do ethical principles conflict in this case?</p> <ul style="list-style-type: none"> • If ethical principles conflict, use an ethical decision making process to resolve. 	<p><u>Values</u></p> <p>What relevant personal values do I possess that apply in this case and where did they originate?</p> <p>What principles are outlined for supervised visitation and do any of them apply in this case?</p> <ul style="list-style-type: none"> • If there is conflict between personal and professional values, how can I manage my personal values so that I can allow my professional ethics to guide me? • Seek supervision, use self-reflection and a values clarification process.
<p><u>Laws and Policies</u></p> <p>Are there any legal obligations in this case?</p> <p>How do my agency's policies direct me?</p> <p>Are there any conflicts between the outlined ethical principles and my legal obligations/policies?</p> <ul style="list-style-type: none"> • Legal obligations usually supersede professional ethics. • Agency policies should not prevent the ethical practice of supervised visitation. <p>Seek supervision in both bases.</p>	<p><u>Morals</u></p> <p>How does my behavior affect my relationship with others in this situation?</p> <p>What would I like to do and/or what would I want done to me in a situation like this?</p> <ul style="list-style-type: none"> • Distinguish between personal and professional behavior and obligations.

See the Developing Guidelines for Resolving Ethical Dilemmas Handout.

Developing Guidelines for Resolving Ethical Dilemmas

There are a variety of guides to assist monitors in resolving ethical dilemmas. Monitors must consult the visitation monitor Code of Conduct, the minimum standards set forth by the Clearinghouse, the recommendations for best practices, and the law when seeking guidance in ethical decision making. Nonetheless, situations may still arise in programs when additional principles are needed. The following principles are listed in descending levels of priority to assist monitors with compromising ethical principles to reach decisions.



Principle of The Protection of Life: The safety of the program's clients, staff, and volunteers should be secured at all times.



Principle of Equality and Inequality: Dependent upon a parent's situation, a parent who has abused his or her child is subjected to non-equal treatment as opposed to a parent who receives equal treatment.



Principle of Autonomy and Freedom: Programs should provide an environment in which supervised visits can occur on neutral grounds in which no parent and/or child feels uncomfortable. If a parent does not follow program rules or poses a threat, program staff will interfere and limit the parent's autonomy.



Principle of Least Harm: When a monitor is presented with a conflict during a visit, he or she is required to choose the option that causes the least amount of harm.



Principle of Privacy and Confidentiality: Confidentiality must be kept in order to respect a client's privacy and ensure safety.



Principle of Truthfulness and Full Disclosure: During visits, the program staff should always give detailed information about rules, services, reporting requirements, etc.

Ethical Dilemmas

Ethical dilemmas are often thought of as any situation that may make one feel uncomfortable. In reality, a situation must meet the following three conditions to be considered an ethical dilemma.

1. **A decision about which course of action must be made.**
2. **There must be different courses of action from which to choose.**
3. **Some ethical principle is compromised no matter what course of action is taken.**

Ethical Decision-Making

Sometimes an ethical dilemma arises because of a difference between what a client feels should be provided, what the court has ordered, what the visitation staff feels is appropriate, and what services can safely be provided with limited resources. The role of the visit monitor may involve trying to resolve these dilemmas. Codes of ethics do not exist as a list of

answers to all of the dilemmas which may arise during visitation; however they do offer general guidelines with which to help the decision making process.

Researchers who examine ethical decision-making recommend a variety of criteria to assist human service workers in resolving these situations. The steps below will provide you with a model for thorough decision making when confronted with an ethical dilemma.



Steps for Making Ethical Decisions

1. **Identifying the problem or dilemma.** Once you have recognized that you are facing an ethical dilemma it is important to consider the situation from multiple perspectives. Ethical dilemmas are complex and doing this can help you to clarify the different aspects of the problem.
2. **Identify the potential issues involved.** Now that you have gathered all relevant information about the dilemma, prioritize what information is critical and what can be discarded. Basic moral principles such as autonomy,

justice, beneficence, and nonmaleficence may aid you in evaluating the different aspects. You will also want to consider the rights, responsibilities, and welfare of all those who are involved.

3. **Review the relevant codes of ethics.** Decide whether ethical principles from the Exchange Monitor Code of Conduct should be applied to the dilemma. Consider how your own values and ethics are affecting your decision making.
4. **Know the applicable laws and regulations.** It is imperative that you ensure adherence to state and federal laws which may be applied to the situation. Dilemmas which may concern breaching confidentiality, reporting child or elder abuse, harm pertaining to self or others, parental rights, and record keeping are especially important to be aware of. You will also want to be familiar with any policies for visit monitors pertaining to the situation.
5. **Obtain Consultation.** Being mindful of the policies regarding confidentiality, consult with your supervisor and colleagues. Present your assessment of the situation and your ideas for how to proceed. Afterwards, ask the person for feedback: are there factors you are not considering? Have you evaluated all ethical and legal issues involved in the dilemma? Consultation is important because it can help you consider alternative perspectives, demonstrate your adherence to agency standards, and help you find support for a course of action.
6. **Consider possible and probable courses of action.** Brainstorm all possible courses of action. Be sure to list a wide variety, you may discover some options which seem unorthodox, but may be useful. Remember that taking no action is a possible alternative as well.
7. **Enumerate the consequences of various decisions.** For each possible course of action, ponder what the implications may be for all those involved. What consequences exist for each option?



8. **Decide on what appears to be the best course of action.** Carefully consider all of the information which you have obtained. The more obvious the dilemma, the more clearly the course of action may be. After choosing a course of action, try not to second guess yourself. At the time of a decision you made the best choice you could with the information available to you. Reflecting back on the decision you made will help you to learn from the experience and use that knowledge for future decision making.

Applying the Steps for Ethical Decision-Making

Ethical decision-making can be difficult. Read the following scenario and apply the steps listed above to practice ethical decision-making in a common supervised visitation situation.

Case Scenario

Cassidy has been attending supervised visitation with her father for two months. At one session while Cassidy and the visit monitor are waiting for her father to arrive, Cassidy reveals details of her father's past sexual abuse. The monitor immediately reports this to the Child Abuse Hotline and is told that the accusations are being investigated. While the investigation is being conducted, the court has ordered that supervised visits continue between Cassidy and her father. The monitor is very concerned for the welfare of Cassidy and wants to terminate all visitation sessions between Cassidy and her father until the investigation is concluded, but does not want violate the court order and risk losing her job.

Making an Ethical Decision

This monitor is being confronted with an ethical dilemma and should go through the steps for ethical decision-making.



1. First, Charlotte looks at the issue from all perspectives involved. How this will affect Cassidy, the Court order, Cassidy's father, and the staff.
2. The monitor then identifies the potential issues involved. Continuing sessions may be harmful to Cassidy's mental health. If the allegations are incorrect, then Cassidy's father will have unjustly missed out on

visitation sessions while the investigation is conducted. If the monitor does not hold the visitation sessions, then she will not be in compliance with the court order.

3. Once considering who may be affected, the monitor realizes that there are special precautions that can be taken in sexual abuse cases.
4. The monitor then shares this dilemma with her supervisor.
5. The monitor examines all laws which apply to this situation and concludes that by reporting the details which Cassidy shared with her, she has complied with laws which mandate her to disclose to the Child Abuse Hotline any reports of abuse.
6. Using the guidance shared by her supervisor, the monitor examines all possible courses of action. The monitor could continue supervising the sessions between Cassidy and her father, ask the court to cancel the sessions, or she could refer the case to a different visit monitor.
7. With these possible courses of action in mind, the monitor considers what consequences may be involved with each course. If Charlotte continues visit sessions as mandated by the court, this may cause stress for Cassidy. If Charlotte chooses to cancel session she may be reprimanded or lose her job.
8. With all of the information which Charlotte has obtained she is in the best position to choose a well informed and ethical course of action.

STOP and Think

- **What ethical practice principles were conflicted in this case?**
- **What ethical practice principles would be in conflict in either course of action chosen?**

Common Issues Faced

With the above ethical practice principles outlined, there are common ethical issues that may arise. It is important for monitors to consider these common issues and know how to address them as they occur. These issues range from financial to client-worker relationships and there are guidelines to dealing with each of them.

- **Client's right to know** – There are many times when monitors may feel that certain information does not necessarily need to be shared with clients.

In supervised visitation, clients have the right to know all information pertaining to them using visitation services.

- What are the services provided?
- What is the cost of those services (extra charges for tardiness, absence, extra time)?
- What are the limitations?
- What are the qualifications of the professionals?
- How long with services last?
- What behavior is expected?
- What are the limitations of confidentiality?
- What can lead to termination?



NOTE

To keep the monitor-client relationship sound, remember the importance of **BOUNDARIES**.

The use of boundaries can assist with keeping relationships strictly professional and should be discussed by supervisors.

- **Duty to warn** – Supervised visitation monitors have a professional responsibility to warn when a harmful threat is made. High levels of invective are common in supervised visitation and staff should be mindful of what constitutes a threat. It is important to have consultation available and to have support from management and other staff in these situations.

- **Dual relationships** – Whenever there is interaction with a client in more than one manner, monitors risk complicating the client-worker relationship. With dual relationships there are several implications for supervised visitation.

- Dangers of misunderstandings (“I thought we were friends.”)
- Lack of objectivity
- Unfulfilled expectations

It is best practice for monitors to hold a single client-monitor relationship with clients and if there are any

conflicts of interest from dual relationships, it would be best to refer the client to a different monitor or center.

- **Financial issues** – Money issues should be clearly written in policies and relayed to clients as part of their right to know. Who, what, when, where, how, and why, are all important factors when determining policies for money issues. In general it is best to uphold the following policies:
 - **Do not** borrow or lend money to clients.
 - **Do not** barter with clients as it leads to resentment.
 - **Do not** accept gifts under any circumstances.
- **Business records** – It is imperative for monitors to keep all paperwork current. Observing and recording is a crucial part of keeping up with all

REMEMBER

Impartiality is not indifference. Impartiality takes into account inequality of risks and recognizes power differences.

Monitors should NEVER ignore violence!

It is also important for monitors to be culturally competent and should refer to Chapter XX to gain more insight on cultural differences and their impact on supervised visitation.

paperwork. Monitors should receive training to ensure the best practices of record keeping. **DO NOT** alter records in any case, specifically when litigation occurs.

- **Self-disclosure** – Revealing information about yourself, your family, or lifestyle all contribute to self-disclosure to clients. Often self-disclosure can be seen to humanize the monitor or to help with being well-liked, but it is important to keep personal information separate from interactions with clients. Revealing too much information can lead to misunderstandings with clients about the relationship and may contribute to dual relationships.

- **Impartiality** – Cases are brought to supervised visitation with the confidence that programs will be impartial. Impartiality holds the standards of providing no favor to either party. This includes impartiality regarding race, class, personal interests,

and monetary/fiscal interest. It is important for monitors to be hard on issues and to stay focused on parents' mutual interest, their children.

Examples in Action

As the basics of ethical principles and standards have been outlined, monitors should confront other issues that may arise. There are many different ethical dilemmas and some may require compromising different ethical principles outlined for supervised visitation. Monitors should become familiar with different scenarios that could occur in their own agencies, consider relevant questions, and understand how “best” decisions are made.

Scenario 1: Patrick is a recent college graduate working in a supervised visitation agency. He is enthusiastic about helping parents rebuild their relationship with their children. Patrick has begun receiving calls and messages from clients outside of work. He also has offered to lend money to parents in order to purchase gifts and snacks for their kids. During a staff meeting last week, he offered to take on a caseload that is much larger than recommended.

Questions to Consider

- How might Patrick's style of working help or hinder clients?
- Are any ethical principles violated with Patrick's style of working?
- What recommendations would you make to Patrick for him to continue to put forth his best effort without compromising any ethical principles?

Discussion

While many monitors like Patrick have good intentions, some of his practices can be detrimental to both the client, other clients and monitors, as well as the agency. Offering to be available to clients outside of their scheduled time or even outside of work hours can create an overly dependent relationship. When Patrick offers money to clients, it prevents clients' empowerment to develop solutions and ideas for their visits with their children. Another ethical concern in this case involves the exceeding caseload. Monitors must be cautious of caseloads and how higher caseloads may affect their work with families. Visit monitors should observe their caseloads and understand the necessary time commitment for each family. Rather than attempting to provide service to the most families, monitors should aim to provide adequate and quality service to each family on their caseload.

Scenario 2: Sarah is the monitor working with Olivia, her foster mother, Diane, and biological mother, Joanne. Olivia was removed from her mother's care three years ago because Joanne was abusing heroine with her boyfriend and was neglecting Olivia. Since losing Olivia, Joanne has been to rehab and has been clean for a year and a half. Joanne has had limited supervised visits with Olivia and has agreed to an open adoption with Diane. Last week, while waiting for a visit, Joanne admitted to using heroine the previous weekend with her ex-boyfriend. Joanne said to Sarah. "I've been clean for a year and a half, and now this



happens right before the adoption goes through.” Joanne begs Sarah not to tell the judge of this isolated setback and promises it won’t happen again.

Questions to Consider

- What potential problems would arise if Sarah does or does not report the drug use?
- What ethical principles are in conflict in this scenario?
- Are there any legal/policy obligations that Sarah is bound to comply with?

Discussion

Immediately, Sarah is bound to the policies of the agency as well as any legal restrictions. This may be difficult for Sarah because she might feel close to the client and feel as if she is betraying the client’s trust. Safety is the overarching ethical principle and it is crucial for Sarah to uphold the safety of the child and foster mother in making this decision. It also appears that Joanne may not know what the reporting requirements are for Sarah and may not fully understand boundaries between monitors and clients. When working on a case long-term, it may be helpful for monitors to revisit and address the roles, responsibilities, and obligations of the monitor from time to time. Sarah is required to report this drug use as part of misconduct in this case.

Scenario 3: Terry is a passionate supervised visitation monitor who openly states her belief in the preservation of the family unit and much of Terry’s passion stems from her strong religious background. Yesterday, Terry received a new case with visiting parent Paul and his daughter Marie. During the first visit, Marie was distant with Paul and did not interact well. Terry suggested that the three of them join in prayer together. Paul informed Terry that they are not a spiritual family and that it might be best to let him try to engage his daughter alone. Terry was shocked and informed Paul that his lack of spirituality led him to this situation in the first place.



Questions to Consider

- What concerns do you have for Terry’s behavior?
- How might Terry be better able to distinguish her personal values from work?

- How might Terry’s behavior affect the ethical principles outlined for supervised visitation?
- How might Terry’s actions affect Paul and Marie’s experience in supervised visitation?

Discussion

While religion may hold high importance in a monitor’s life, it is important for monitors to be cautious about introducing religious themes into visitation. Clients will come from many different backgrounds and in many cases their values and views will differ from the monitor. Monitors must work to keep personal values separate from professional ethics. Engaging in cultural competency trainings will assist in understanding one’s own biases and how to engage in a professional relationship.

Scenario 4: Madison is assigned her first case by her supervisor and is to work primarily on this case until more referrals come in. Madison goes to meet with Jamie, the visiting parent, for intake and immediately realizes that they know each other from high school. Madison meets with Jamie and immediately begins asking her “what happened to you? You used to be a good person. Come on, you can tell me.” Jamie asks to step outside for a moment to get some fresh air. Jamie then leaves the center and does not return.

Questions to Consider

- How should a monitor address the issue of having a previous relationship with a client?
- How did Madison’s actions affect the client?
- What ethical principles were compromised and how?



Discussion

It is inappropriate to have a dual relationships with clients. When approached with this situation, monitors must be concerned with how the client is impacted. In the situation outlined above, the client probably felt overwhelmed and even embarrassed to be seen in her situation. The client could have also worried about her confidentiality and privacy through the supervised visitation process. It would have been best for Madison to use more trauma-informed language to address Jamie and to seek supervisor assistance to reassure the client. Dual relationships should be avoided in any situation.

Reporting Unethical Behavior

As an ethical visitation monitor, it is your responsibility to not only exercise ethical practice, but to also report unethical behavior when you observe it. If you believe that you have witnessed a breach of ethics by someone within your agency you should feel comfortable in discussing the situation with your supervisor. The goal of supervised visitation is to ensure that the best practices are employed for clients and an effective way of doing this is holding peers accountable to the ethical standards set forth.



Online Resources

NASW Code of Ethics. <http://www.socialworkers.org/pubs/code/default.asp>. This resource will direct you to the Code of Ethics of the National Association of Social Workers.

American Counseling Association Code of Ethics. <http://www.counseling.org/resources/aca-code-of-ethics.pdf>. This resource will direct you to the Code of Ethics for the American Counseling Association.

American Psychological Association. <http://www.apa.org/ethics/code/principles.pdf>. This resource will direct you to the Code of Ethics of the American Psychological Association.

American Association of Marriage and Family Therapists Code of Ethics. https://aamft.org/iMIS15/AAMFT/Content/Legal_Ethics/Code_of_Ethics.aspx. This resource will direct you to the Code of Ethics for the American Association of Marriage and Family Therapists.

SVN Code of Ethics. <http://www.svnetwork.net/code-of-ethics.asp>. This resource will direct you to the Code of Ethics for the Supervised Visitation Network.

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