

# GUIDELINES FOR PASTORAL COUNSELING

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Pastors and other congregation-based counselors are generally not required to be licensed by the state and the decision of the California State Supreme Court in favor of Grace Community Church to exempt pastors from professional standards carries great weight. In light of the fact that there are still litigants who attempt to apply malpractice claims to pastors and the courts could either modify or overturn the law's exemption, some steps should be taken to minimize liability exposure.

1. Parishioners should be informed of the limits of what can be accomplished through counseling provided by the pastor or staff counselors. Avoid any representation implying that you are rendering psychological or mental therapy.
2. Provide biblical counseling. Use the values and resources of the Christian faith as the basis and content of counseling to avoid being held to the standard of care required of professional counselors.
3. Use descriptive titles such as *lay counseling program*, *unlicensed lay counselors*, *church discipling program*, *volunteer counselor*, *pastoral counseling*, *spiritual advisors*, *biblical advisors*, *personal biblical counseling and discipleship*, or *mentoring ministry*. The law specifically forbids holding out oneself as a therapist unless properly licensed.
4. Check thoroughly into the background of paid or volunteer counselors (experiences, references, criminal record, etc.) and provide them with thorough training in biblical counseling.
5. Obtain informed consent from all persons receiving counseling. Use a written agreement which sets forth the nature of the counseling ministry being offered. (see model *Pastoral Care Agreement*.) The agreement is a formal acknowledgment that the pastoral care is not the same type of counseling as might be provided by a professional counselor.
6. Don't coerce, bully or harass as a counselor; allow church discipline to do its job.
7. Don't interfere with a counselee's prescription medication; if necessary, suggest a second medical opinion.
8. Decline compensation, gifts or loans from persons counseled by the pastor or church counselors. Such gratuities may weaken a claim of being a pastoral counselor.
9. Keep records of all contacts with persons counseled by the pastor, staff or church counselors and maintain the records in a locked cabinet or desk with restricted access. Only record findings and summary of your counseling session that you wouldn't mind being revealed in court.
10. Limit the number of sessions conducted by the pastor or church counselors, such as three to five sessions.
11. Do your counseling at the church office, not in the counselee's home.
12. Develop a list of Christian practitioners and special programs for referral purposes when serious problems are encountered such as various addictions or complex marriage problems.