

## **Ethics And Legal Issues In Online Counseling Services: Counseling Principles Analysis**

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(*diterima*: 10-September-2017; *direvisi*: 05-Desember-2017; *dipublikasikan*: 27-Desember-2017)

**Abstract:** Challenges of living and dynamics modern society has spawned complex problems experienced by individuals. Counseling process with a variety formats attempt to develop the optimization of the individual. The development of the counseling process format formed a variety of alternative media that are capable to accommodating the communication process between the counselor and the client. The Media creates an atmosphere of counseling in long-distance (distance) condition has some advantages as well as disadvantages. One of the distance counseling forms is counseling online. With one form of service with fairly new developments, online counseling has had a significant positive impact on easing the client's problems. But on the other hand, this service also has some weaknesses that must be understood and controlled, especially for a counselor. This manuscript uses a documentary study approach on ethical conditions, counseling issues in Indonesia and discusses some of the ethical issues that must be understood by counselors during the process of online counseling in keeping some of the important principles in the counseling process.

**Keyword:** Online counseling; Ethics and Legal Issues; Principle in Online Counseling

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### **INTRODUCTION**

In years of widespread use of the internet in the world has provided the community that relies heavily on the speed of delivering information (Botta, De Donato, Persico, & Pescapé, 2016; Brown & Duguid, 2017; Guest, Tran, Gopinath, Cameron, & Craig, 2016; Margam & Dar, 2017; Naym & Hossain, 2016; Pitt, Theodoros, Hill, Rodriguez, & Russell, 2017; Trossen, Sathiaseelan, & Ott, 2016), reducing the distance and boundaries of a country (Bell et al., 2017; Benis & Ferrão, 2017;

Sujarwoto & Tampubolon, 2016) and variety of other convenience like never before. The utilization of this technology has been used in all sorts of community and professions in various aspects of life (Dew, Scott, & Kirkman, 2016; Ginis, Evans, Mortenson, & Noreau, 2017; Regev, Hadas-Lidor, & Rosenberg, 2016; J. E. Simpson, 2016). When referring to technological developments that occur in the next few years, we will found fact that internet technology has been accepted on various aspects of live (Mevisen et al., 2012; Sarrab, Elbasir, &

Alnaeli, 2016; Tao, Wang, Zuo, Yang, & Zhang, 2016; Tomer, 2016; Vorderer, Krömer, & Schneider, 2016; Zhong et al., 2016).

The use of internet technologies significantly happened around the world (Bradley et al., 2015; Brynjolfsson & McAfee, 2014; Keengwe & Bhargava, 2014; Perera, Liu, & Jayawardena, 2015; Sandoval-Almazan & Gil-Garcia, 2014). Based on report of The Pew Internet and American Life Project in 2002 until 2007 there are increasing in internet usage in United States society, thus the use of this technology given the role as much as 90% in daily activities of the community (Kawabata & Tamura, 2007). Rapid growth also occurred in Indonesia, it is proven based on the report of Association of Indonesian Internet Service Providers (2014) in 2012 recorded 63 million users and in 2013 recorded 82 million users.

Benefits and advantages offered by this technology also have a direct impact in process of education and learning (Al-Adwan, Al-Adwan, & Smedley, 2013; Arkorful & Abaidoo, 2015; Kuo, Walker, Belland, Schroder, & Kuo, 2014), including the process of counseling (Ardi, 2014; Ardi & Yendi, 2013, 2017). Some change that can be observed directly which change the pattern of learning, preparation of teachers who have excelled in competency transfer learning material, educational regulations, eligibility as well as certain educational standards, a change occurs in the environment education formal and non-formal (Ardi & Yendi, 2013; Totto, 2006). As part of the educational elements having an important role in formation of character of learners, the realization of a happy life and independent (Ardi, Ibrahim, & Said, 2012; Ardi & Yendi, 2013, 2017; Prayitno, 2009), counseling also experiencing growth as a result of the use of technologies, especially technologies that support the long-distance service (Lobelo et al., 2016; Pruthi et al., 2013; S. G. Simpson & Reid, 2014; Ziomek-Daigle & Curtis, 2017). Change in the service of the counseling will involve all items in it, from, terms of techniques, approaches, strategies, methods, and media services format (Ardi & Yendi, 2013).

One of the counseling format that has great potential in the use and development of online counseling service is using the internet technology as a communication media between client and counselor (Ardi & Yendi, 2013; Avery, Meng, & Mills, 2014; Hertlein, Blumer,

& Smith, 2014; Robinson, Hill, & Kivlighan Jr, 2015; Witt, Oliver, & McNichols, 2016). This is would be able to encourage and support communication continuously and create an atmosphere and counseling relationships that can be developed further in conjunction with the evolution of technology and the practice of counseling itself (Ardi & Yendi, 2013; Avery et al., 2014; Pruthi et al., 2013; Robinson et al., 2015).

The huge potential brought by this online counseling services described that someone who has encountered a problem and feel ashamed to reveal/tell the problem directly at the first counseling session will be recommended using online counseling sessions in advance, because those services prefer anonymity (Das & Faxvaag, 2014; De Choudhury & De, 2014; Rodda, Lubman, Dowling, Bough, & Jackson, 2013; Zamani, Nasir, & Yusoooff, 2010). Other potential that is able to be accommodated with the technology online counseling services are also recommended to someone who needs counseling services but a having problems of transportation (Snyder, Frail, Jaynes, Pater, & Zillich, 2014; Stevens, Richmond, Pereira, Shenvi, & Platts- Mills, 2014), have personal barriers, feel ashamed to do face to face meetings, suffering from a disease so cannot come directly to the counselors, not having much time to do counseling meetings (Ardi & Yendi, 2013; Kraus, Stricker, & Speyer, 2010).

In implementation and development, there are several pros and cons related to aspects of the online counseling, but this model is a great potential to be developed (Ardi & Yendi, 2013; Avery et al., 2014; Gackenbach, 2011; Rodda et al., 2013; Ziomek-Daigle & Curtis, 2017). The important thing to concern for online counseling service implementation is the ethics of service embodied in a particular code of ethics (Kawabata & Tamura, 2007; Lu, Chang, & Yu, 2013; Mulhearn et al., 2017; Musiat, Goldstone, & Tarrier, 2014; Richards & Viganó, 2013; Seligman & Reichenberg, 2015). The need for caution with regard to the code of ethics is based on findings from Shaw and Shaw that in 2002 there were 88 counseling website, which only 88% of them list the full name of the counselors with 75% who has qualified counselors, then 49% use the assessment procedure and only 27% use the security software has encrypted (McLeod, 2013). It is a sign and a warning to

the active counselor In the online counseling services (Ardi & Yendi, 2013).

### **ETHICAL ISSUES IN ONLINE COUNSELING**

Rapid use of the internet and continuous technology advance, provide opportunities for all professions including counseling profession to be able to develop and display a better performance for the optimum service to their clients (Botta et al., 2016; Brown & Duguid, 2017; Guest et al., 2016; Margam & Dar, 2017; Naym & Hossain, 2016; Pitt et al., 2017; Trossen et al., 2016). Technology development especially in the field of communication have given sufficient means to influence the guidance and counseling world, with emergence of guidance and counseling services (Ardi & Yendi, 2013; Musiat et al., 2014; Richards & Viganó, 2013; Rodda et al., 2013). The effectiveness of this services is answered by literature research by Kraus (Kraus et al., 2010) of the 92 study of the online counseling, 64 studies involving 9764 respondents reported that the execution of counseling online effective in intervention and the alleviation of problems experienced by clients.

But in this case, on further of online counseling development have some conditions which must be observed by counselors as an actor these services, ethics in the implementation of online counseling services (Kawabata & Tamura, 2007; Lu et al., 2013; Mulhearn et al., 2017; Musiat et al., 2014; Richards & Viganó, 2013; Seligman & Reichenberg, 2015). Kraus (Kraus et al., 2010) suggested that the ethics here contains the meaning which associated with the principle propriety, righteousness, as well as the behaviors that is acceptable in a relationship of humanity. As a product born from a specific community, ethics will rely heavily on cultural context in a particular region or community (Dana, 2013; Draguns, 2013; Welfel, 2015).

In the next stage, ethics will be developed further in setting a pattern of actions and services that should be done, not done and expected of a member of the organization or community. This is also happens in the counseling profession, i.e. There are some norms that contains what could be, what it should not be and what it should do by profession (Kim & Park, 2015; Oude Wesselink et al., 2014; Ratts et al., 2015). In line with that,

points out that the code of conduct guidance and counseling is "Provisions–provisions or regulations–regulations that must be adhered to by anyone who is engaged in the field of guidance counseling".

Next question will lead to what about the ethics of counseling services with remote format, which in this case is the online counseling? As one form of service using a different format than the usual, online counseling should have certain rules (Blumer, Hertlein, Smith, & Allen, 2014; Boulesteix, 2015; Lopez, 2014; Migone, 2013; Wentzel, van der Vaart, Bohlmeijer, & van Gemert-Pijnen, 2016). These rules will govern the way implementation of the service to be performed, the conditions on the ability of the counselor's personal counselors, authority and duty of counselors, as well as a work area (Blumer et al., 2014; Wentzel et al., 2016). The first step that must be understood by counselors is with regard to the basic principles of online counseling service (Lopez, 2014). Ethics in the implementation of online counseling service should be embodied by a counselor with the discussion, sharing, and inform in with regard to the findings of the research, the limitations of online counseling service and its advantages and the ease with which will be retrieved by the client (Blumer et al., 2014; Kraus et al., 2010; Lopez, 2014; Migone, 2013). It is important to do because some problems and the condition of the client can't be dealt with online counseling services, so that counseling will find a variety of other alternatives.

Online counseling ethics also deals with the information service face to face (at-counseling room) that may be needed by the client when the client issues cannot be solved by counseling online. In addition, information on the qualifications, the competence of counselors and other important information will also need to be given by counselor (Kraus et al., 2010). Some conditions such as impaired hacker, the emergence of "typos" will bring impacts on prose online counseling as well as possible in a client account (whether it's e-mail or other accounts) known to those closest to (Shiller, 2009). In ethics, this can be addressed by a specific document storage obtained from counseling sessions by the counselor who works with online counseling (Mevisen et al., 2012). Furthermore, the ethical condition which will affect online counseling process deals with the

jurisdiction of the territorial boundaries (Shiller, 2009), when counselor and client are in different jurisdictions and regions will arise under some conditions which may hinder the process of counseling (Kanani & Regehr, 2003).

Ethical issues in counseling online furthermore would deal with conditions of availability of time counselors. Some clients will think that counselors will always be there 24 hours (Ardi & Yendi, 2013; Peterson & Beck, 2003; Shiller, 2009). These tend to occur on the base of service with e-mail as a media liaison. Therefore, the client should be informed when the period retaliation e-mail by counselors.

The next important thing is dealing with the competence of which is owned by the counselor concerning the ability of organizing counseling online. This should be filled in order to avoid misunderstandings regarding the client and counselor professionalism to know the extent of the competence and counselor's experiences (Shiller, 2009).

#### **COUNSELING PRINCIPLES SUPPORT IN ONLINE COUNSELING**

Online counseling is a service of assistance which utilizes remote communication media and then evolved into a format which services should be prepared in such way by counselors

Counseling services through the internet certainly has the same principles as in the face-to-face counseling. Important principles that should be owned in an online counseling session are:

##### **The Confidentiality Principle**

Client confidence regarding the confidentiality of data is very important. This is one of the important aspects that must be considered in delivering services of online counseling. Data storages of communication and data flow, provided the client is an important thing to be kept; Therefore, online counseling system should provide a system login using a password with a level of 128-bit encryption or higher (Ardi & Yendi, 2013; Kraus et al., 2010).

##### **The Openness and Volunteerism Principle**

The client expressed his openness to the problems that impact of volunteerism and the confidentiality of data which belonged to clients (Ardi et al., 2012; Ardi & Yendi, 2017; Prayitno, 2009). The client must know about data and profile of the counselor in advance, so

that it will bring up a voluntary condition, convenient to contact counselors (Kraus et al., 2010).

##### **The Independence Decision Principle**

This principle is directly supporting the self-sufficiency of clients. This principle related to the counselor stimulus so that clients think, analyzed, assess and conclude himself; perception, feel and behave themselves over what is in yourself and environment (Daharnis & Ardi, 2016; Prayitno, 2012). It is also applied for online counseling session, counselors strive to create the conditions that client able to make its own independent decision and determine that created conditions for effective every day.

##### **The “Here and Now” Principle**

One of the advantages of online counseling is the existence of conditions here and now in counseling sessions, so clients who experience problems can directly contact the counselor via chat, email, or video call (Shaw & Shaw, 2006). These conditions would certainly be greatly related with the principle of immediacy in relationship counseling, so that the client does not need to adjourn discussing the issue.

#### **CONCLUSION**

The utilization of technology widely and involves all elements and aspects of the life has penetrated guidance and counseling services area, on its development created a new format of counseling (Ardi, 2014; Ardi & Yendi, 2013; Yendi, Ardi, & Ifdil, 2014) then called by the counseling online (Kraus et al., 2010). The use of the internet as a means of communication between the client and the counselor would have created conditions that should be set up in a certain norms and rules (Ifdil, Ardi, & Yendi, 2012; Kraus et al., 2010).

Conditions that should be signs of online counseling service seen from various sectors, including information with regard to the limitation of service, service advantages, competence of counselors, a variety of problems that may arise during the counseling session online, the possibilities for further face-to-face sessions, and various other things that may need to be known by the client (Kanani & Regehr, 2003; Musiat et al., 2014; Witt et al., 2016). Principles in counseling who became the core of online counseling process should also be the

consideration for counselors who provide online services ethics of counseling online.

## ACKNOWLEDGEMENT

This paper was first published in the International Seminar on Guidance and Counseling in 2014 with the theme "The Actualization of Preparing the Next Generations Character for Building A Happy Drug-Free Family" and republished with various changes and the addition of theoretical studies, especially in novelty and reference aspects.

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