

# ETHICAL STANDARDS<sup>1</sup>

C. G. Jung Institute of San Francisco

The ethical standards listed below have associated violations which are relatively serious and definable. Each of these *Ethical Standards* is followed by the definition of the violation which, if engaged in by an analyst or psychotherapist associated with the C.G. Jung Institute of San Francisco, could lead to an Ethics Complaint Board finding of unethical behavior. These are the only violations which could lead to such a finding.<sup>2</sup>

1. Confidentiality:

Standard: Ethical practice of analysis and psychotherapy includes protecting the confidentiality of patient material. There are limited circumstances in which patient material may be shared, for example with adequate prior consent of the patient, within the scope of that consent; or in professional consultation; or when the law requires it (as in requirement to report child abuse, requirement to warn of potential harm, by court order, etc.).

Violation: It is a violation of this standard if an analyst or therapist discloses identifiable patient material from the therapy in a way clearly beyond such generally accepted exceptions to confidentiality.

2. Exploitation of dual relationships with current patients:

Standard: Ethical practice of analysis and psychotherapy avoids *exploitative* dual relationships. A dual relationship is one that exists both inside and outside the confines of the professional therapist-patient relationship. An *exploitative* dual relationship is a dual relationship that causes harm to the patient or the treatment in the service of the analyst's or therapist's own needs or gain.

Violation: It is a violation of this standard if an analyst or therapist engages in a reasonably avoidable *exploitative* dual relationship that should have been seen as likely to harm the patient or the treatment. Examples of dual relationships that might become a violation of this standard, depending on circumstances, include when the analyst or therapist chooses to have a social or an additional professional relationship with the patient, or to have a relationship with a close relative of the patient, or to gain something (e.g., money) outside of what is intrinsic to the therapy process.

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<sup>1</sup> Adopted by membership June 6, 2002.

<sup>2</sup> These *Ethical Standards* of the C.G. Jung Institute of San Francisco were derived from the Institute's *Code of Ethics* (which they replace), and they therefore apply to actions that occurred since the 4/4/91 adoption of that original *Code of Ethics*. For actions that occurred *before* 4/4/91, the Ethics Complaint Board will adjudicate alleged ethical violations only if they are defined as ethical violations by *both* the *Ethical Standards* and the standards that were then in force under the analyst's or therapist's professional license.

3. Sexual boundaries with current patients:

Standard: Ethical practice of analysis and psychotherapy includes protecting one's patients from being objects of one's own sexual gratification.

Violation: It is a violation of this standard if an analyst or therapist engages in sexual intimacy (physical sexual contact, or other behavior with the purpose of sexual gratification) with a current patient, or terminates a therapeutic relationship in order to have sexual intimacy with the patient.<sup>3</sup>

4. Sexual boundaries with former patients:

Standard: Because transferences and countertransferences may never be fully resolved, ethical practice of analysis and psychotherapy includes protecting one's former patients from being exploited as objects of one's own sexual gratification. It would be a rare circumstance in which a sexual relationship with a former patient would be considered to be ethical.

Violation: It is a violation of this standard if an analyst or therapist, without carefully and fully considering this standard, engages a former patient in a sexual relationship despite what should be clear indications that doing so might harm the patient.

5. Sexual boundaries with current students and supervisees:

Standard: Ethical practice by analysts and psychotherapists includes protecting the sexual boundaries with one's current students and supervisees.

Violation: It is a violation of this standard if an analyst or therapist engages in a sexual relationship with a current supervisee or control analysand.

6. Impairment of analyst/therapist:

Standard: Ethical practice of analysis and psychotherapy includes refraining from practice if one is seriously impaired, and seeking appropriate consultation to help assess and handle such a situation if needed.

Violation: It is a violation of this standard if an analyst or therapist continues to practice when seriously or persistently impaired in his/her practice by the use of alcohol or other substances, or by severe physical or psychological illness.

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<sup>3</sup> Note also that Section 729 of the California Business and Professions Code defines the following as a criminal offense: "Any psychotherapist...who engages in sexual intercourse...or sexual contact with a patient or client, or with a former patient or client when the relationship was terminated primarily for the purpose of engaging in those acts, unless the psychotherapist has referred the patient or client to an independent and objective psychotherapist, recommended by a third-party psychotherapist, for treatment, is guilty of sexual exploitation by a psychotherapist." Further, Section 43.93 of the California Civil Code states, "A cause of action against a psychotherapist for sexual contact exists for a patient or former patient for injury caused by sexual contact with the psychotherapist, if the sexual contact occurred...[d]uring the period the patient was receiving psychotherapy from the psychotherapist...[or w]ithin two years following termination of therapy."

7. Cooperation with the ethics process:

Standard: Ethical practice of analysis and psychotherapy includes cooperation with efforts of the professional society to promote ethical practice.

Violation: It is a violation of this standard if an analyst or therapist does not cooperate with the procedures of the Professional Standards Committee or an Ethics Complaint Board, as set forth in the *Professional Standards Committee Procedures*.