

Biblical Counseling & Confidentiality

Counseling. Discipleship. Training
Pastor Tim Pasma



INTRODUCTION

- What do you do when . . .
- We have accepted, uncritically, the idea of absolute confidentiality.
- We need to explore, the whole issue of confidentiality in counseling.



I. The Biblical Understanding of Confidentiality

A. Why “absolute” or “strict” confidentiality?

- See *Catechism of the Catholic Church* (New York: Image Book by Doubleday, 1995), Part Two, Section Two, Chapter Two, Article 4, VIII (1467) & Part Three, Section Two, Chapter One, Article 8, IV (2490).



I. The Biblical Understanding of Confidentiality

B. Biblical confidentiality must take into account church discipline (Matthew 18.15-20).

1. Jesus requires a gradual loss of confidentiality in light of stubbornness.



I. The Biblical Understanding of Confidentiality

2. Unbiblical consequences follow from embracing absolute confidentiality.
3. It often requires making a “hasty vow” (Jay E. Adams, *Handbook of Church Discipline*, p. 31).



I. The Biblical Understanding of Confidentiality

4. Important note: It is NOT the struggle against sin that breaks confidentiality, but rather



I. The Biblical Understanding of Confidentiality

C. Biblical confidentiality must take into account the ethic of love & justice (Romans 13.8-10; Ezekiel 34.1-10).

D. Nevertheless, confidentiality **DOES** exist and **MUST** be a part of your counseling ministry (cf. Matthew 18.15ff.).



I. The Biblical Understanding of Confidentiality

1. Jesus commands confidentiality.
2. Confidentiality is assumed even as the circle widens.
3. What do you do when someone asks for absolute confidentiality?



II. A Legal Understanding of Confidentiality

A. Most states require “conditional” confidentiality

1. States require reporting certain criminal acts divulged in counseling sessions or if you suspect they are occurring.



II. A Legal Understanding of Confidentiality

2. Some states require that you surrender counseling records if the court subpoenas them.



II. A Legal Understanding of Confidentiality

B. You must take into account the biblical command to submit to governing authorities (Romans 13.1ff; 1 Peter 2.13ff.).

C. Submission to Christ can help you sort through the legal ramifications.



II. A Legal Understanding of Confidentiality

1. A “libertarian” streak cannot control your counseling ministry.
2. Fear cannot control your counseling ministry.



II. A Legal Understanding of Confidentiality

D. Presently, the key to legal challenges is “informed consent.”



II. A Legal Understanding of Confidentiality

1. Definition: “The caregiver has a duty to disclose fairly the scope and nature of the care provided and the alternative modes of care so that the person seeking care can make an informed voluntary decision” (Robert W. Kellemen, *Equipping Counselors for Your Church*, p. 310).



II. A Legal Understanding of Confidentiality

2. Clearly communicate your view of confidentiality in written form.

- LEAD Biblical Counseling Ministry Welcome Form
- LaRue Baptist Church's *Policy Statement on Confidentiality* in PDI.



II. A Legal Understanding of Confidentiality

3. Clearly explain your policy and require the counselee's signature.

4. Chilling effect?



Conclusion

- A. You must have a clear, settled understanding of biblically-defined confidentiality.
- B. You must understand the reporting requirements of your state.



Conclusion

C. You must communicate clearly that you will abide by the legal standards and biblical standards of confidentiality.



