

## **Provisions in the APA Ethics Codes That Address Conflicts Between Ethics and Law: A History**

### Ethics Codes from 1953 to 1979

The first APA Ethics Code to include a specific principle or standard that directly addressed conflict between law and ethics was 1981. (See below.) Prior to that time, except for the 1953 code, there was a principle called “Moral and Legal Standards.”

#### 1953 Ethics Code

Neither the full length version nor the summary version refers to legal standards.

#### 1959 Ethics Code

##### Principle 3: Moral and Legal Standards

“The psychologist in the practice of his profession shows sensible regard for the social codes and moral expectations of the community in which he works, recognizing that violations of accepted moral and legal standards on his part may involve his clients, students, or colleagues in damaging personal conflicts, and impugn his own name and the reputation of his profession.”

#### 1963 Ethics Code

*Same language as 1959*

#### 1968 Ethics Code

*Same language as 1959*

#### 1977 Ethics Code

##### Principle 3: Moral and Legal Standards

“Psychologists' moral, ethical, and legal standards of behavior are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities, or reduce the trust in psychology and psychologists held by the general public. Regarding their own behavior, psychologists should be aware of the prevailing community standards and of the possible impact upon the quality of professional services provided by their conformity to or deviation from these standards. Psychologists are also aware of the possible impact of their public behavior upon the ability of colleagues to perform their professional duties.”

1979 Ethics Code

*Same language as 1977*

1981 Ethics CodePrinciple 3: Moral and Legal Standards

“Psychologists’ moral and ethical standards of behavior are a personal matter to the same degree as they are for any other citizen, except as these may compromise the fulfillment of their professional responsibilities or reduce the public trust in psychology and psychologists. Regarding their own behavior, psychologists are sensitive to prevailing community standards and to the possible impact that conformity to or deviation from these standards may have upon the quality of their performance as psychologists. Psychologists are also aware of the possible impact of their public behavior upon the ability of colleagues to perform their professional duties.”

d. “In the ordinary course of events, psychologists adhere to relevant governmental laws and institutional regulations. When federal, state, provincial, organizational, or institutional laws, regulations, or practices are in conflict with Association standards and guidelines, psychologists make known their commitment to Association standards and guidelines and, wherever possible, work toward a resolution of the conflict. Both practitioners and researchers are concerned with the development of such legal and quasi-legal regulations as best serve the public interest, and they work toward changing existing regulations that are not beneficial to the public interest.”

1989 Ethics Code

*Same language as 1981*

1992 Ethics CodeIntroduction to the 1992 Ethics Code (paragraph 5) (aspirational)

“If the Ethics Code establishes a higher standard of conduct than is required by law, psychologists must meet the higher ethical standard. If the Ethics Code standard appears to conflict with the requirements of law, then psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict in a responsible manner. If neither law nor the Ethics Code resolves an issue, psychologists should consider other professional materials and the dictates of their own conscience, as well as seek consultation with others within the field when this is practical.”

Ethical Standard 1.02 Relationship of Ethics and Law (enforceable)

“If psychologists’ ethical responsibilities conflict with law, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict in a responsible manner.”

## 2002 Ethics Code

### Introduction and Applicability (paragraph 7) (aspirational)

“If this Ethics Code establishes a higher standard of conduct than is required by law, psychologists must meet the higher ethical standard. If psychologists’ ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists make known their commitment to this Ethics Code and take steps to resolve the conflict in a responsible manner. If the conflict is unresolvable via such means, psychologists may adhere to the requirements of the law, regulations, or other governing authority in keeping with basic principles of human rights.”

### 1.02 Conflicts Between Ethics and Law, Regulations, or Other Governing Legal Authority (enforceable)

“If psychologists’ ethical responsibilities conflict with law, regulations, or other governing legal authority, psychologists make known their commitment to the Ethics Code and take steps to resolve the conflict. If the conflict is unresolvable via such means, psychologists may adhere to the requirements of the law, regulations, or other governing authority.”