

Lay Counseling Overview

This overview is designed to help ministry leaders better understand the issues regarding lay counseling and to assist you as you research and begin to establish a lay counseling or spiritual care ministry.

You'll find risk management information as well as well as recommendations for policy language, applications, agreements, and reference checks. It also includes information about program basics, screening and selection of applicants, developing a liability insurance strategy, and more.

Note: We recognize that every ministry is different, and policies and procedures must address the particular needs of each organization. The Lay Counseling info presented on this site is designed to provide risk management recommendations. It does not constitute legal advice between an attorney and a client. The law varies in different states, and the information discussed here may not be applicable to the law in your state. Remember as you work on developing policies and procedures to have a licensed attorney in your area review final drafts.

Lay Counseling Basics

Today, more and more people are feeling isolated, overwhelmed, and hurt by a variety of life circumstances. Jesus Christ, the “Wonderful Counselor,” served people by meeting practical and spiritual needs. He spoke words of hope and healing. Now more than ever, church leaders recognize that the local church must serve as a safe place for spiritual care and Biblical guidance for life’s problems and decisions.

Biblically—and practically—spiritual care of church attendees and staff should not fall solely to the pastor. To meet growing needs for spiritual counseling, many local churches are developing lay counseling ministries in order “*to equip his people for works of service, so that the body of Christ may be built up*”¹ —Eph. 4:12

Organizing a church lay counseling program calls for prayer and planning. It also includes implementing a risk management program to safeguard the church and the people involved in church-sponsored lay counseling programs. Church leaders need to become aware of legal risks and responsibilities associated with counseling and take preventative steps to protect the ministry from unnecessary legal liability.

Generally, lawsuits against churches related to lay counseling address breach of privacy, abuse, negligence, and reporting failures. By developing lay counseling procedures, your church can provide much-needed guidance while protecting counselees and counselors. In the process, it also may help avoid unnecessary litigation and its emotionally and financially destructive effects on your church and the people involved.

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What is a Lay Counselor?

“Lay” is defined as of or relating to the laity¹—the people of a religious faith, distinguished from clergy. Therefore, lay counseling stands apart from pastoral or licensed counseling.

Lay counselors are typically members of a church without professionalized training or specialized knowledge in the field of counseling and are also not a part of the pastoral staff.

Lay counseling and spiritual care ministries usually involve lay helpers assisting people who need hope, care, and direction to provide guidance, insight, and encouragement based on Biblical principles. In doing so, the local church attends to its people as it is encouraged to do in Heb. 10:24, “*And let us consider how we may spur one another on toward love and good deeds.*”²

Lay counselors have a spiritual desire to help others. They can be a powerful tool used by a church body to receive biblical and trusted care. Often, lay counselors bring their own first-hand experiences and knowledge to counseling, allowing them to specialize within a lay counseling ministry. Within the local ministry setting, talking with a lay counselor can be like talking to a trusted friend.

1 "Lay." Merriam-Webster Unabridged. 2022. Accessed 1 September 2022. <https://www.merriam-webster.com/dictionary/lay>.

2 Holy Bible, New International Version®, NIV® Copyright ©1973, 1978, 1984, 2011 by Biblica, Inc.® Used by permission. All rights reserved worldwide.

Benefits of Lay Counseling

A lay counseling ministry gives local church members and attenders the opportunity to meet with a lay counselor for spiritual counseling.

People seeking guidance from lay counselors have a variety of needs, including marriage and parenting issues, fear, anger, addictions, grief, and other issues related to the challenges of life.

Across America, church lay counseling ministries are helping people find hope and healing. Lay counseling ministries can:

- Build fellowship and accountability in churches.
- Serve as an effective and valuable outreach ministry to the community.
- Help pastors by serving as an additional resource for counseling needs in their churches.

About Spiritual Care Ministries

Churches are also organizing and supervising an increasing number of spiritual care ministries in which laypersons facilitate informal care programs. Look in any church bulletin today, and you are likely to find references to one or more of the following care ministries:

- **Topical Support Group Ministries** relating to grief, divorce, parenting, or coping with past abuse. These support groups naturally foster an opportunity for informal transparent discussion, encouragement, and prayer among individuals of like interests.
- **Recovery Programs** that provide teaching and testimonies of people who have gone through struggles relating to various addictions and obtained victory through faith.
- **Marriage Mentoring Ministries** that enable trained couples within the local church to informally meet with other couples for mentoring on issues such as communication, parenting, blended families, and forgiveness.
- **Money management basics** that help families manage their finances by learning budgeting techniques.
- **Children and Youth Care Ministries** that provide support programs for minors struggling with divorce, a new blended family, loneliness, and other issues.
- **Shut-In and Hospital Visitation Programs** through which caregivers reach out to the sick, disabled, and homebound.

Lay Counseling vs Licensed Care

It's critical to draw a line between counseling from a professional licensed by the state and counseling on spiritual or biblical matters from a lay counselor. Most states require individuals who hold themselves out as a *Marriage and Family*

Therapist, Professional Counselor, or other similar professions to be licensed in their fields. This usually requires a certain level of education, a minimum number of clinical training hours, and passage of a board-approved competency exam to become licensed in such fields.

In contrast, lay counseling and spiritual care ministries do not involve formalized training. Instead, they provide a platform for the natural discussion of personal matters on an informal basis. Still, it's likely that issues of abuse, confidentiality, suicide, or threats to other people may arise in these discussions. Church leaders should determine which issues the lay counseling ministry can address, which ethical and legal issues will be beyond the competence or scope of the lay counseling ministry, and when to refer a counselee for professional help.

Managing Risk

Regardless of whether your church organizes and supervises lay counseling or informal spiritual care ministry programming, church leaders need to consider legal and ethical risk management issues as they coordinate these ministries.

Balancing Risk with Spiritual Care

Before considering a lay counseling ministry, church leaders should ask themselves the following questions:

- *Is the church aware of its legal and ethical risks regarding lay counseling and other spiritual care ministries of the church?*
- *Is church leadership involved in developing policies and procedures to legally, ethically, and biblically address these risks?*
- *Are spiritual care and counseling policies and procedures regularly reviewed to ensure that they comply with changing legal requirements?*
- *Are pastoral staff members and lay counselors trained to understand these policies and procedures and to actively follow them?*

If the answer to any of these questions is “no,” then church leaders should prayerfully reflect on what steps they can take to address these important points.

Legal Issues

Managing legal risk is part of ministry today. Taking a proactive approach to managing legal risks helps church leaders to be good stewards of the resources entrusted to them. It makes good sense to develop a lay counseling policy in accordance with well-established risk management principles.

As you prepare a lay counseling policy and associated forms, a local attorney should give you a legal evaluation of the risk management issues of any spiritual care ministry program that your church develops. With the help of legal counsel, church leaders can consider how lay counseling policy elements discussed on this site may apply to other spiritual care ministries that the church sponsors.

The attorney your church selects should be familiar with various federal and state laws that have an impact on churches with spiritual care ministries. Very few attorneys concentrate in “church law,” so you may want to seek attorney recommendations from other churches or trusted sources.

State Laws

Knowing your state law is critical in organizing a lay counseling ministry in your church. With the help of your church's attorney, church leaders should consider the following legal issues as they develop a lay counseling policy and related forms:

State Mental Health Licensing Laws. State mental health licensing laws vary from state to state. Generally, pastors employed in a church are free to provide pastoral counseling to church members and are exempt from state licensing.

However, **states differ in their exemption from licensing for lay persons who will provide lay counseling on behalf of a church.** Some state mental health licensing laws set restrictions relating to:

- Licensing exemptions if you charge a fee for counseling.
- Providing or advertising pastoral and lay counseling services to the general public.
- Using certain titles or descriptions of service.

Record Keeping. Counseling files should be confidentially maintained in a safe place and secure from unauthorized access. Counselor files or other private information contained in any electronic device should be encrypted and considered the property of the church, not any individual pastor or lay counselor. Records should remain private and only released when the counselee has granted permission or when disclosure is legally required. Procedures for retaining and releasing these records should be created with the aid of a local attorney.

Confidentiality. Generally, if a counselee discloses private, confidential information to a pastor or lay counselor in a non-public setting, the counselor must not divulge the information. There are some specific exceptions: it's legally required; it can be legally justified; or it is specifically authorized by the counselee or the counselee's parent or guardian, if the counselee is a minor.

Ethical Guidelines. Lay counselors should understand and follow the church's guidelines for referral of counsees to physicians, mental health practitioners, or other professional caregivers.

- Lay counselors should not interfere with a counselee's medically prescribed drug regimen.
- Lay counselors should be instructed to immediately report to their supervisor any state-mandated abuse reporting issues, a counselee's suicidal threats, or a counselee's threat to harm another person. Enlist your church's attorney for help developing a Lay Counseling Agreement/Informed Consent Form. **It is critical that the form/agreement lists such reporting as exceptions to confidentiality.**

State-Mandated Child Abuse and Elder Abuse Reporting Laws. It is absolutely critical that your church's leaders, staff, and lay counselors understand the legal requirements for abuse reporting in your state and immediately comply with the law whenever they identify such situations. Lay counselors themselves may be mandatory reporters. All counselors—pastoral and lay alike—should know how to make a report to avoid violating state law. The church should have an internal reporting process in place for when accusations or suspected cases are brought forward.

Guarding Against Sexual Misconduct. A church must take steps to deter sexual misconduct and false allegations of sexual misconduct in lay counseling settings.

Sexual misconduct can occur within adult to adult, adult to youth/vulnerable adults, and youth to youth relationships. Actions that fall under this term can range from unwelcomed, offensive remarks to assault, and includes intimidation and harassment. While an action may not meet the legal definition of sexual misconduct, it may violate your ministry's morality clause or code of conduct rules.

Consider establishing the following guidelines:

1. Prohibit any minister or lay counselor from providing counseling privately with a counselee of the opposite gender.
2. Have a parent or second adult to be present when counseling a minor.
3. Limit the hours when counseling will be available at the church and publicly post the schedule.
4. Set a time limit for each counseling session and establish a set number of sessions that any one counselor can provide to an individual.
5. Counsel only in a room that has a window and is within view of another adult. Prohibit non-public, after-hours, or unscheduled meetings.
6. Caution counselors about physical touching that might be misinterpreted.

Develop a Liability Insurance Strategy

Due to the legal risk involved in a church's lay counseling ministry and other spiritual care ministries, it's vital to develop a liability insurance strategy. There are several liability coverages in an organization's insurance policy that are potentially relevant. As a church specialty insurer, Brotherhood Mutual designs insurance programs specifically for churches and other ministries.

Occurrence vs. Claims-made

Insurance plays a key role in managing risk related to lay counseling as well as to church operations generally. It's important for church leaders to know whether the church's insurance policy or policies provide coverage on an "occurrence" or "claims-made" basis.

- Occurrence policies cover accidents and incidents that occur during the policy period, even if a claim or lawsuit is filed after the policy expires.
- Claims-made policies cover accidents and incidents submitted while the policy was in effect. However, if a claim related to past events is filed after the policy expires, it is unlikely coverage would apply.

Churches should seek the advice of their insurance agent about this important coverage distinction, and especially before changing from one type of insurance policy to another.

Handling a Claim

When church leaders first learn that someone is making a claim of bodily, personal, or emotional injury as a result of lay counseling, or if someone witnesses an alleged injury, take the following steps:

- Provide for medical care, if appropriate, but do not admit or deny responsibility.
- Report the incident, complaint, or summons as soon as possible, either to your insurance agent or directly to your insurance policy provider. Do this even if you think a potential claim might not exceed your deductible or if you don't have all the information.
- If the injury is one that is subject to mandatory reporting, follow appropriate state rules.
- Write down a detailed description of what happened.

Policies & Procedures

Creating a safe, secure environment for a spiritual care ministry calls for specific policies and procedures that protect your church, lay caregivers, and those who receive care.

Lay counselors should be adequately prepared for this ministry. To be effective, the church must take the lead in developing lay counseling ministry guidelines, and then provide ongoing, regular lay counselor training and supervision.

Here are some items to think about as you plan for this ministry:

- *Have you determined lay counseling ministry goals within the parameters of your state laws with the guidance of an attorney?*
- *Have you obtained full support of ministry development from church leadership?*
- *Have you determined who will serve as supervisor of the lay counseling ministry?*

- *Have you developed a lay counseling policy and accompanying forms with the help of an attorney?*
- *Have the policy and forms been developed to ensure compliance with state law and the church's governing documents?*
- *Have you secured appropriate insurance coverage for the lay counseling ministry?*
- *Have you developed a communications plan to address the information needs of various audiences within the congregation, including potential lay counselors?*
- *Have you selected and screened potential lay counselors?*
- *Have you provided training for the initial group of lay counselors?*
- *Is the lay counseling ministry supervisor prepared to provide ongoing training and supervision to lay counselors?*

Check for Conflict

The effectiveness of any church program begins with the understanding and support of church leadership. That's especially true of lay counseling and spiritual care ministries. For this reason, include church leaders in your planning process. Ensure that the governing body of your church not only understands the rationale for your ministry, but also fully supports and approves of spiritual care ministry policies and procedures before you implement a new program. It's also important to confirm that the policies and procedures you develop do not conflict with the church's bylaws or other governing documents.

Review your plan regularly

Laws change, as do the makeup and needs of a church. Review and update your lay counseling policy and forms annually, together with any other relevant spiritual care ministry policies and procedures. Church leaders should actively apply the church's lay counseling and spiritual care ministry policies and procedures.

The sample policies and related documents in this overview are intended to be a template for you and your legal counsel to use in developing your own customized program. We recognize that every faith-based employer is different, and policies and procedures must address the particular needs of each organization. We believe that you'll find the materials on this site valuable, either as a starting point in developing a new program or in reviewing and updating an existing program. As with all documents of this nature, it's important that you ask an attorney in your area to review the policies in the handbook before you implement them. This step will help ensure that the documents have been properly drafted and that all relevant legal considerations have been addressed. Your legal counsel should also review the handbook on a regular basis after implementation to make certain that it remains current with changes in the legal environment.

Policy Recommendations

As you look at developing policies for your lay counseling program, at a minimum they should include the following:

1. **Screening of all employees** involved in lay counseling administration and all volunteer lay counselors. The screening process should include application forms, criminal background checks, reference checks, and interviews.
2. **Administrative guidelines** addressing the following potential issues:
 - a. State mental health licensing laws
 - b. Confidentiality of information

- c. Procedures for state-mandated abuse reporting
 - d. Internal process for reporting abuse allegations
 - e. Record keeping
 - f. Guarding against sexual misconduct
 - g. Ethical guidelines
3. **Training and supervision guidelines** for the lay counseling ministry supervisor to follow in providing adequate oversight to lay counselors.
 4. **A communications plan** that informs church leaders and members of the congregation about the lay counseling program.

Lay counselors should sign:

1. A statement acknowledging that they have read, understand, and will abide by the church's lay counseling policy.
2. The church's statement of faith and agree to abide by, adhere to, and advance the religious and moral beliefs of the church in their counseling.

Recommended Forms

The following forms are recommended for a church lay counseling ministry:

Lay Counseling Agreement/Informed Consent form. A Lay Counseling Agreement/Informed Consent form sets forth the conditions under which the church will provide lay counseling. It's critical that potential counselees review, understand, and agree to these terms before beginning counseling. Counselees have the right to receive information and ask questions about the counseling process so that they can make well-considered decisions about care. Successful communication about the relationship fosters trust and supports shared decision making.

Written counseling agreements can help establish appropriate expectations for counselees and set forth the conditions under which your ministry will provide counseling. These conditions can include, but are not limited to:

- The duties of each party
- The scope of counseling is biblically based and not with licensed mental health practitioners.
- A limit on the number of counseling sessions available
- The ability of either party to terminate counseling sessions at any time
- An indemnification and hold harmless provision in favor of the ministry, which usually includes a release of liability by the counselee

Confidentiality and Disclosure. Generally, if a counselee discloses private, confidential information to a pastor or lay counselor in a non-public setting, the counselor must not divulge the information unless an exception applies. Some exceptions may include, but are not limited to:

- It is legally required (such as being subpoenaed to testify by a court).
- It can be legally justified (for example, a duty to warn or a duty to protect).
- It is specifically authorized by the counselee (or the counselee's parent or guardian if the counselee is a minor).

Intake Form. This form contains standard background information about the counselee that may help the lay counselor better understand the counselee and provide appropriate Biblical guidance. Use a distinct, modified form for minors being counseled. Both the counselor and the supervisor should review this form.

Counseling Minors. Generally, counseling ministries that intend to provide services for minors are encouraged to use a separate agreement that accommodates confidentiality issues that pertain to minors. If the counselee is a minor, the minor's parent or guardian should sign the Lay Counseling Agreement/Informed Consent form on behalf of the minor.

Counseling agreements will often specify some exceptions to confidentiality, including providing information to parents or guardians. A counselor would likely want parents or guardians to know about a minor's thoughts of self-harm, a self-harm incident, attempted suicide, or contemplation of suicide. Additionally, having a parent or second screened adult present when counseling a minor can reduce the risk of liability.

Counseling Progress Notes. It's recommended that lay counselors maintain brief notes of all counseling sessions. Notes that are written in a timely manner will help a counselor accurately recall matters if the notes are ever needed for a legal purpose. Paper notes should be kept in a secure location; electronic notes should be encrypted and password protected.

Note: Consult your church's attorney periodically to update the church's lay counseling policy and forms.

Selection & Screening

Selection Criteria

Think about the topical issues unique to your congregation that lay counselors will likely encounter. Develop a team of lay counselors who have the personal characteristics discussed below and can most effectively minister to the needs of your church family.

Consider the following characteristics in selecting potential lay counselors:

- Spiritual and emotional maturity
- Appropriate spiritual gifts, such as mercy, exhortation, wisdom, and teaching.
- A desire to help and support hurting people
- Sufficient knowledge of the Bible and the ability to apply biblical principles
- A willingness to accept supervision and an ability to follow through with assigned tasks
- A commitment to serve for at least one year

Seek lay counselor recommendations from church staff and other church leaders who are familiar with the personality and gifting of people in the church.

Screening Criteria

The success of your lay counseling ministry depends greatly on the character and quality of the counselors you select to staff the ministry. Developing screening guidelines that can be consistently applied will benefit your ministry in several ways:

- Increases the ability of church leaders to choose spiritually mature believers who are appropriate for the lay counseling ministry

- Heightens protection from incidents of sexual abuse
- Helps demonstrate to those seeking counsel—and to a court, if necessary—that your church has not been negligent in screening potential lay counselors

Your job isn't done once you've established your selection criteria and identified individuals as potential lay counselors. The next step is developing screening procedures that will help you maintain the integrity of your ministry and ensure that qualified people are serving as lay counselors. Consider these elements as you establish screening guidelines:

Application form. No one involved in a lay counseling ministry should be exempt from completing an application form. Everyone—including all employees involved in lay counseling administration and all applicants for volunteer lay counseling positions—should complete an application. Consider having the applicant indicate their agreement with your church's statement of faith, marriage and sexuality beliefs, and counseling philosophies as a part of the signed application. Doing so allows the church to exclude those who may disagree with fundamental tenants of the church's stated faith and protect against unbiblical or even abusive teaching.

Criminal Background Check. Criminal background checks have become common elements in employee hiring—and should be a part of your church's overall hiring policy. To provide a safe environment for counselees, your church should also conduct a criminal background check for volunteers, especially those who will have access to children, youth, and any other vulnerable individuals

Reference Checks. Require applicants to provide the names of at least two independent references who can speak to the applicant's lay counseling qualifications. You should contact references either in person or in writing before you allow an applicant to provide lay counseling. Before allowing the individual to serve as a lay counselor in your ministry, ensure that you have received verification from these references that the applicant is a qualified and competent counselor.

Personal Interview. Consider developing a uniform set of questions that will help you gain greater understanding of the potential lay counselor's character and background. Use time in the interview to follow up on any questions or concerns revealed through your other screening processes of the applicant. Interviews also offer a good opportunity to educate the potential lay counselor about the time commitments, training schedule, and other expectations for someone on your church's lay counseling team. Church leaders may desire to administer various spiritual gifts or psychological tests as a part of the interview process. This also is a good time to evaluate the applicant's knowledge of the Bible, as well as their ability to apply the Bible to matters in the context of lay counseling.

Check with a local attorney to ensure all your screening policies—including criminal background checks—are following local, state, and federal laws.

In addition to the above screening procedures, include the following in your overall screening practices:

The "Six-Month" Rule. As should be the case with all ministry volunteers at your church, lay counseling volunteers need to be members or regular attenders of the church for at least six months before being put into the position of lay counselor. Sexual predators often volunteer for ministries in which they can gain quick access to children or other vulnerable individuals. Normally, they won't wait long to gain access.

Annual Renewal Application. Lay counseling administrators and counselors should complete a renewal application form annually. This annual inquiry will help uncover potentially serious situations involving existing workers. It should include the legal risk management questions from the initial application form. If problems have developed, it's crucial that your ministry be aware of them as soon as possible.

Feedback. Once your screening process is in place and functioning, consider asking for feedback from those who have completed the process. You may want to create a special survey to gather their input. Ask them about the effectiveness of your screening process and encourage them to make suggestions for improving the process. You should constantly assess how your screening process is operating and make changes as you identify more effective ways of conducting screening.

Application & Renewal Forms

Lay Counselor Application

A lay counselor application form should include the following essential elements:

- An applicant's personal and spiritual life
- Church membership and attendance history
- The applicant's testimony of faith
- What drives the applicant to serve in the lay counseling ministry

It also should include legal risk management questions that inquire about:

- Sexual misconduct, including accusations, convictions, guilty pleas, no-contest pleas (if permitted by law)
- Convictions, guilty pleas, or no contest pleas to criminal offenses of any kind (if permitted by law)
- History of counseling or discipling experience
- Traits/tendencies that could pose a threat to others

Sample Form available from Brotherhood Mutual

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Sample Lay Counselor Renewal Application available from Brotherhood Mutual

Reference Checks

Require applicants to provide the names of at least two independent references who can speak to the applicant's lay counseling qualifications. You should contact references either in person or in writing before you allow an applicant to provide lay counseling. Before allowing the individual to serve as a lay counselor in your ministry, ensure that you have received verification from these references that the applicant is a qualified and competent counselor.

Sample Lay Counselor Reference Response Information available from Brotherhood Mutual

Training & Supervision

Counselor training and supervision are essential for building and maintaining an effective lay counseling ministry. Well-organized training processes that address spiritual matters, counseling methods, and risk management issues greatly enhance the success of lay counselors and ministry supervisors. Most importantly, they ultimately benefit the people your lay counseling ministry serves.

Whoever manages your lay counseling ministry serves as gatekeeper in helping protect counselors and the people they are counseling. The supervisor's role is twofold:

- Assures that lay counselors are effectively trained to be able to provide competent spiritual care.
- Maintains accountability and risk management oversight of the lay counseling sessions.

If possible, a lay counseling ministry supervisor should be either a pastor with extensive pastoral counseling experience, or a Christian licensed mental health practitioner. If a church employs a Christian licensed mental health practitioner for this role, the church should have an attorney draft a contract between the church and the practitioner. The contract should outline the services and expectations for this position along with any legal protections.

Training Procedures & Modules for Lay Counselors

Training Procedures. Training procedures can vary according to the scope of your program and the skills and abilities of the lay counselors you select to staff your ministry. Consider the following:

- An extended lay counselor training program held weekly or bi-weekly.
- Limit the class size to assure quality interaction with the instructor.
- Implement ongoing and annual training to review and reinforce understanding of the lay counseling policy.

At the conclusion of the initial program training, counselors should sign a statement acknowledging that they have read, understand, and will abide by the church's lay counseling policy.

Essential Training Modules. Lay counselor training should include the following essential elements:

- Routine problems that lay counselors may encounter
- Biblical guidance pertaining to typical counselee problems
- Opportunities to "role play" and practice lay counselor skills
- Establishing appropriate boundaries between counselor and counselee
- The church's lay counseling policy
- Detailed discussion of the legal and ethical issues in lay counseling
- When and how to refer a counselee to appropriate professional counseling

Training for the First Counseling Session. At the first session, supervisors should ensure that lay counselors start the first counseling session by:

1. Reviewing the terms of the Lay Counseling Agreement/Informed Consent Form with the counselee.
2. Addressing any questions from the counselee.
3. Emphasizing that they are providing Biblical counseling, and that they are not providing counseling as licensed mental health practitioners.

Purposeful Supervision for Couselees, Lay Counselors

Purposeful supervision is an integral part of the church's efforts to use "reasonable care" in the oversight of the spiritual care and risk management activities of the ministry. It also helps make it more difficult for abuse to occur and easier to counter false allegations of abuse.

Require anyone seeking lay counseling to complete the following forms:

1. *A Lay Counseling Agreement/Informed Consent Form*
2. *An intake Form*

The supervisor should review the completed forms before the first counseling session. This allows a supervisor to determine an appropriate lay counselor for the individual, identify "red flags," and provide appropriate guidance in advance of the first session.

Supervisors can help ensure the effectiveness of the lay counseling program and promote the success of lay counselors by:

- Encouraging counselors to prayerfully prepare for counseling sessions.
- Instructing counselors to always follow the church's lay counseling policy, including guarding against inappropriate relationships.
- Advising counselors to properly document all sessions.
- Conducting regular meetings with counselors to discuss concerns, successes, potential issues, legal risk management, and ethical issues.

Regular meetings enable the supervisor to remain vigilant to situations that may require referral to a physician, mental health practitioner, or other professional caregiver. A supervisor also should have the ability to remove or terminate a lay counselor from their position in the event of conduct that is contrary to the stated beliefs of the church or that otherwise compromises the integrity of the ministry.

Communication & Promotion

Informing church leaders and members of the congregation about a lay counseling program will be important to the successful implementation of your lay counseling program. As is the case with most other ministry initiatives, lay counseling ministry supervisors will need to communicate with leaders and the congregation on a regular basis.

The way you promote your counseling ministry matters. If you are providing pastoral or spiritual counseling, it is likely a good idea for your ministry to explicitly inform staff, attendees, and counselees, that the service (a) provides only a biblically based counseling service according to, and based on, Christian principles, and (b) is not based on any clinical training or state-established standards for licensed counselors. Both the counselor and your ministry could be at risk if you imply that you'll be providing services from a state-licensed practitioner which requires a higher standard of care, like board-competency exams, clinical training hours, and a certain level of education.

Effective communication will be key to gathering ministry-wide support needed to implement and maintain a successful lay counseling program. While developing your communications plan, consult your attorney for help in identifying any state or local legal requirements that you need to address in your communications.

Use the following framework to help you build a customized plan that fits your situation:

Who's Your Audience? Have a clear understanding of each audience in your congregation so you can customize your communications to meet specific group needs. Potential audiences include:

- Church leaders (elders, church board, trustees, administrators)
- Ministerial and non-ministerial staff responsible for other church programs and ministries
- Paid and volunteer ministry supervisors, program coordinators, and workers
- Children's ministry, day care, and preschool teachers and staff members
- Members and regularly attending non-members

What Do You Tell Them? Most of your communication efforts will include the same information, but what you emphasize or provide in greater detail will depend on the audience. General information you can provide to most audiences:

- Background information about lay counseling ministries
- Purpose of the program
- Benefits of the program
- Explicit statement that the lay counseling ministry is biblically based counseling service based on Christian principles

- Screening procedures
- Program procedures
- Qualifications for lay counselors
- How to receive counseling help

Details to consider for specific audiences:

- Leaders—details supporting the need for a lay counseling program, organization and staffing, identification of lay counselors and training procedures, program costs, risk management issues, and the communications plan
- Ministry and non-ministry church staff—how lay counseling potentially integrates with other ministry needs, program organization, staffing, supervision, lay counselor identification and training, and screening procedures
- Ministry volunteers and lay counselors— qualifications, program procedures, resources, supervision, protections for lay counselors, screening procedures, and training
- Congregation—general information about the program (biblically based on Christian principles, policy, benefits, screening procedures, confidentiality, and connecting to the program as a volunteer lay counselor or counseling recipient)

How Do You Tell Them? Use a variety of methods to reach all potential audiences and develop other communication methods, as needed. Consider these possible methods for each audience:

- In-person, small group presentations—to church leadership, staff, ministry workers, parents
- Letter to congregation, ministry workers
- Special meetings with congregational groups, ministry groups, etc.
- Pulpit announcements/presentations
- Congregational meetings
- Specially developed brochures, flyers
- Church bulletin or newsletter
- Church website
- Posters, strategically placed

Update and Communicate Regularly. The time to begin communicating is before you implement your lay counseling program. Develop a schedule for regular communication—one communication will not be enough. Keep the members of your organization updated with any changes in the program.

The sample recommended policy and procedure information and related documents in the Lay Counseling Overview are intended to be a template for you and your legal counsel to use in developing your own customized program. We recognize that every faith-based employer is different, and policies and procedures must address the particular needs of each organization. We believe that you'll find the materials on this site valuable, either as a starting point in developing a new program or in reviewing and updating an existing program.

As with all documents of this nature, it's important that you ask an attorney in your area to review the policies in the handbook before you implement them. This step will help ensure that the documents have been properly drafted and that all relevant legal considerations have been addressed. Your legal counsel should also review the handbook on a regular basis after implementation to make certain that it remains current with changes in the legal environment.

The information provided in this overview is intended to be helpful, but it does not constitute legal advice and is not a substitute for the advice from a licensed attorney in your area. We strongly encourage you to regularly consult with a local attorney as part of your risk management program. © 2024 Brotherhood Mutual Insurance Company. All rights reserved.

Sample Form

Lay Counselor Application*

Name: _____

Address: _____

Phone: _____ Email: _____

PERSONAL INFORMATION

Why do you want to serve in the lay counseling ministry? _____

What do you believe are your spiritual gifts? _____

What experience do you have in counseling or discipling ministries? _____

TESTIMONY

Please briefly share your testimony of faith: _____

*(*Note to Ministries: Specific state laws may apply to lay counseling and other spiritual care ministry programs. These requirements vary by state. You should work with an attorney familiar with laws that apply to your church's lay counseling ministry program.)*

BACKGROUND INFORMATION**

Have you ever participated in sexual misconduct? Have you ever been accused of, pleaded guilty or no contest to, or been convicted of abuse or any sexual misconduct?

No Yes If Yes, please explain: _____

Have you ever been convicted of or pleaded guilty or no contest to any criminal offense of any kind?

No Yes If Yes, please explain: _____

Do you possess any traits/tendencies that could pose a threat to others?

No Yes If Yes, please explain: _____

*(**Note to Ministries: Because of the accusatory nature of these questions, and to the extent that a crime does not pose a threat to counselees, you may not be able to ask these specific questions in your state. Check with your attorney.)*

CHURCH ACTIVITY

What church or churches have you been a member of and/or attended in the past five years? Include your standing during your time at the church and your standing at the time of your leaving.

REFERENCES

(Please provide at least two references, neither of which is related to you.)

REFERENCE #1

Name: _____ Relationship: _____

Address: _____ Phone: _____

REFERENCE #2

Name: _____ Relationship: _____

Address: _____ Phone: _____

LAY COUNSELOR RELEASE

I recognize that [NAME OF ORGANIZATION] is relying on the accuracy of the information I provide on the Lay Counselor Application form. Accordingly, I attest and affirm that the information I have provided is absolutely true and correct.

I agree with the church’s statements of belief on faith, marriage and sexuality and agree to act and instruct in conformity with them during any counseling activity. [INCLUDE/ATTACH STATEMENT]

I authorize the organization permission to check my background with any governmental entity and law enforcement agency.

I authorize the organization to contact any person or entity listed on the Lay Counselor Application form, and I further authorize any such person or entity to provide the organization with information, opinions, and impressions relating to my background or qualifications.

I voluntarily release the organization and any such person or entity listed on the Lay Counselor Application Form from liability involving the communication of information relating to my background or qualifications.

Should I be selected to be a lay counselor, I agree to abide by the policies and procedures of the organization and to protect the health and safety of the lay counselees assigned to my care at all times.

Print Name: _____

Signature: _____ Date: _____

(Please read this document carefully before you sign it.)

This is a sample document only. Your organization is responsible for compliance with all applicable laws. Accordingly, this form should not be used or adopted by your organization without first being reviewed and approved by a licensed attorney in your area. Brotherhood Mutual Insurance Company assumes no liability in the preparation and distribution of this sample form. www.brotherhoodmutual.com/lay-counseling

Sample Form

Lay Counselor Reference Response

To: _____
(Name of Reference/Ministry)

From: _____
(Name/Address)

Re: _____
(Name of Lay Counselor Candidate)

The individual named above has expressed an interest in working as a lay counselor in a spiritual care ministry in our church. The candidate has listed you as a reference. In order for our organization to properly evaluate the qualifications of this candidate as a lay counselor, we are asking that you complete this form with your honest opinions and impressions of the candidate.

Please return the completed form in the enclosed self-addressed envelope. Thank you for your help.

1. How long have you known this lay counselor ministry candidate? _____

2. In what capacity have you come to know this individual? (i.e. coworker, neighbor, friend, etc.)

3. In your opinion, is the above candidate fully qualified to work as a lay counselor in a spiritual care ministry?
 No Yes

If yes, explain the candidate's spiritual gifts and counseling capabilities: _____

If no, please explain: _____

4. What concerns, if any, would you have in allowing this individual to work as a lay counselor?

5. Are you aware of anything in the candidate's background, personality, or behavior that could in any way pose a threat to children or adults who seek spiritual counseling?

No Yes If Yes, please explain: _____

Additional comments or explanations:

The above information is true and correct to the best of my knowledge.

Signature: _____ Date: _____

This is a sample document only. Your organization is responsible for compliance with all applicable laws. Accordingly, this form should not be used or adopted by your organization without first being reviewed and approved by a licensed attorney in your area. Brotherhood Mutual Insurance Company assumes no liability in the preparation and distribution of this sample form. www.brotherhoodmutual.com/lay-counseling

Sample Form Lay Counselor Renewal Application*

Name: _____

Address: _____

Phone: _____ Email: _____

What did you enjoy most about serving in the lay counseling ministry? _____

How can we support you as you continue to serve in this capacity? _____

*(*Note to Ministries: Specific state laws may apply to lay counseling and other spiritual care ministry programs. These requirements vary by state. You should work with an attorney familiar with laws that apply to your church's lay counseling ministry program.)*

BACKGROUND INFORMATION**

Since your initial application, have you participated in sexual misconduct? Since your initial application, have you been accused of, pleaded guilty or no contest to, or been convicted of abuse or any sexual misconduct?

No Yes If Yes, please explain: _____

Since your initial application, have you ever been convicted of or pleaded guilty or no contest to any criminal offense of any kind?

No Yes If Yes, please explain: _____

Since your initial application, have you identified any personal traits/tendencies that could pose a threat to others?

No Yes If Yes, please explain: _____

*(** Note to Ministries: Because of the accusatory nature of these questions, and to the extent that a crime does not pose a threat to counselees, you may not be able to ask these specific questions in your state. Check with your attorney.)*

LAY COUNSELOR RENEWAL RELEASE

I recognize that [NAME OF ORGANIZATION] is relying on the accuracy of the information I provide on the Lay Counselor Renewal Application Form. Accordingly, I attest and affirm that the information I have provided is absolutely true and correct.

I continue to agree with the church's statements of belief on faith, marriage and sexuality. [DETAILS]

I authorize the organization permission to check my background with any governmental entity and law enforcement agency.

I authorize the organization to contact any person or entity listed on the Lay Counselor Application form, and I further authorize any such person or entity to provide the organization with information, opinions, and impressions relating to my background or qualifications.

I voluntarily release the organization and any such person or entity listed on the Lay Counselor Renewal Application Form from liability involving the communication of information relating to my background or qualifications.

I agree to abide by the policies and procedures of the organization and to protect the health and safety of the lay counselees assigned to my care at all times.

Printed Name: _____

Signature: _____ Date: _____

(Please read this document before you sign it.)

This is a sample document only. Your organization is responsible for compliance with all applicable laws. Accordingly, this form should not be used or adopted by your organization without first being reviewed and approved by a licensed attorney in your area. Brotherhood Mutual Insurance Company assumes no liability in the preparation and distribution of this sample form. www.brotherhoodmutual.com/lay-counseling