

# Code of Ethics and Conduct with Interpretive Discussion

## *Preamble*

The Code of Ethics and Conduct of the American Association of Legal Nurse Consultants (AALNC) establishes the ethical standard for the specialty practice and provides a guide for legal nurse consultants to use in ethical analysis and decision-making in their practice. It provides guidelines for the professional performance and behavior of legal nurse consultants. The esteem of this specialty practice of nursing results from the competence and integrity of its practitioners. Thus, AALNC sets forth this code to impart its ethical expectations for legal nurse consultants and to set the standards of accountability.

- 1. The legal nurse consultant maintains professional nursing competence.** The legal nurse consultant is a Registered Nurse and maintains an active nursing license. The legal nurse consultant is knowledgeable about the current scope and standards of legal nursing practice and advocates for these standards.
- 2. The legal nurse consultant uses informed judgment, objectivity and individual professional competence as criteria when accepting assignments.** The legal nurse consultant does not purport to be competent in matters in which he or she has limited knowledge or experience. Only services that meet high personal and professional standards are offered or rendered. The legal nurse consultant is accountable for his or her decisions and actions.
- 3. The legal nurse consultant does not engage in activities that could be construed as the unauthorized practice of law.** The legal nurse consultant refrains from offering opinions that could be deemed legal opinions requiring a law license (e.g. opining directly to a potential plaintiff without an attorney being involved regarding whether a claim may have merit).
- 4. The legal nurse consultant's work products and opinions are free from bias.** The legal nurse consultant does not discriminate against any person based on race, creed, color, age, gender, sexual orientation, national origin, social status or disability. The legal nurse consultant does not allow personal attitudes or individual differences to interfere with professional performance and practice. Financial and/or other relationships that may give an appearance of or create a conflict of interest will be considered and disclosed when practicing.
- 5. The legal nurse consultant performs his or her work with the highest degree of integrity.** Integrity is exemplified by uprightness, honesty, and sincerity. The legal nurse consultant applies these attributes to the specialty practice. Integrity is a personal and sacred trust and the standard against which the legal nurse consultant must ultimately measure all actions and decisions. Honest errors and differences of opinion may occur, but deceit, poor judgment, and/or lack of principles are unacceptable.
- 6. The legal nurse consultant respects and protects the privacy and confidentiality of the individuals involved in a medical-legal case or claim.** The legal nurse consultant uses

confidential materials with discretion and abides by applicable statutes, regulations, and professional codes of conduct that pertain to confidentiality. The legal nurse consultant does not use any case information for personal gain.

- 7. The legal nurse consultant maintains standards of personal conduct that reflect honorably upon the profession of nursing and the specialty practice of legal nurse consulting.** The legal nurse consultant abides by all local, state and federal laws and other regulatory requirements. The legal nurse consultant who knowingly becomes involved in unethical or illegal activities prioritizes personal interest or personal gain over professional responsibility. Such activities jeopardize the public confidence and trust in the nursing profession and are unacceptable to the profession and to this specialty nursing practice.
- 8. The legal nurse consultant integrates ethical considerations into his or her practice.** The legal nurse consultant works to achieve client goals while upholding the responsibility to provide accurate information, independent and sound opinions, and professional recommendations. The legal nurse consultant contributes to resolving ethical issues in practice; reports illegal, incompetent or impaired practice; and promotes respect for the judicial system.

### ***Conclusion***

By promulgating this Code of Ethics and Conduct, the American Association of Legal Nurse Consultants sets forth the level of professional behavior and conduct expected of legal nurse consultants. Each legal nurse consultant's personal commitment to this Code of Ethics and Conduct safeguards the continued honor and integrity of both the nursing profession and this specialty nursing practice.

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Revised 2005 2009 2015

Reviewed 2022,

By the American Association of Legal  
Nurse Consultants

## **Appendix to the Code of Ethics and Conduct with Interpretive Discussion**

### ***Resources***

Legal nurse consultants, as nurses, should acknowledge and be mindful of the American Nurses Association's *Code of Ethics for Nurses*.

As consultants in the legal arena, legal nurse consultants should acknowledge and be mindful of the applicable portions<sup>1</sup> of the American Bar Association's *Model Rules of Professional Conduct*.

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<sup>1</sup> The applicable portions are Rule 1.6c (maintaining the confidentiality of information), Rule 5.3 (the attorneys' responsibilities regarding non-lawyer assistants), and Rule 5.7b (unauthorized practice of law).