



Banning weapons in a private office

Question: I work in a private practice setting in a large city. I recently became aware that a client was carrying a concealed firearm while in my office. I am very uncomfortable with this, especially because I work with troubled youth. Can I tell clients that I have a policy of no weapons in the office?

Answer: Even in states that allow the carrying of concealed weapons, you can usually ban such weapons in your private office. First, check your state law because there may be certain areas that are considered to be “weapons-free zones.” See smartgunlaws.org/concealed-weapons-permitting-policy-summary/#state for a summary of state laws governing the carrying of concealed weapons.

Some laws specify that hospitals and schools are among the weapons-free zones, but these laws do not always address private offices. In such cases, the law may allow you to prohibit guns if you post signage that provides notice of the ban. Some state laws are very specific regarding signage requirements.

If you have clients who are police officers or federal agents, they may be required to carry their weapons with them. In some jurisdictions, however, these professionals are permitted to put their weapons in a lockbox or in a locked vehicle during a professional office visit.

If the matter of clients carrying concealed weapons is a concern for you, consider addressing the issue through your informed consent process. You may wish to let clients know that you reserve the right to enforce your “no weapons” policy by calling the police. Violators could be subject to arrest for trespassing

if they don’t abide by your policy or refuse to leave your office.

Consider the effect of such wording in your informed consent document, however. Although your aim is to prevent gun violence against you, your clients and your office staff, you also don’t want to alienate clients or unduly frighten them. Consider having a trusted colleague or your local attorney review your informed consent document, especially as it relates to any pertinent language regarding weapons.

The question addressed in this column was developed from a de-identified composite of calls made to the Risk Management Helpline sponsored by the American Counseling Association. This

information is presented for educational purposes only. For specific legal advice, please consult your own local attorney. To access additional risk management Q&As, go to counseling.org/ethics and scroll to the bottom of the page for the ACA members-only link to the Risk Management section of the website. ♦

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