

AMERICAN ACADEMY OF PSYCHIATRY AND LAW

FOURTH ANNUAL MEETING

The fourth annual meeting of AAPL was held in Ann Arbor, Michigan on Thursday, Friday and Saturday, October 19, 20 and 21, 1972. The meeting was held at the University of Michigan, Campus Inn and Towsley Center for Continuing Medical Education. There were one hundred and sixteen registrants of whom fifty-one were AAPL members.

Officers and the program chairman of AAPL met in Executive Committee meeting on Thursday evening and Friday morning to conduct AAPL business, all of which was discussed with the AAPL membership and acted upon at the AAPL business meeting on Friday morning.

The topic of the teaching session on Friday afternoon was the "Psychiatrist As An Expert Witness." This session was headed by Dr. Ames Robey, Director of the State of Michigan Center for Forensic Psychiatry. Members of his staff and private psychiatrists from the community, as well as local prosecutors and public defenders participated. The session portrayed various techniques of giving expert psychiatric witness testimony.

Dr. Andrew Watson, Professor of Law and Psychiatry at the University of Michigan was the Friday evening banquet speaker. He discussed "Psychiatric Experts in Civil Actions - New Options in Use and Misuse," a talk covering the present varied involvement of psychiatrists in civil trial matters.

The Saturday morning session was directed to papers on the "Right to Treatment." Dr. Jonas Robitscher, Professor of Law and Psychiatry at Emory University, was moderator, and Grant Morris, Professor of Law, Wayne State University and Dr. E. Gordon Yudashkin, Director of Michigan Department of Mental Health, were participating speakers.. Ralph Slovenko, Professor of Law at Wayne State University, as the luncheon speaker on Saturday also directed himself to this topic.

All speakers were provocative and challenging with respect to the direction of institutional psychiatry in the 21 Century AD and implications for both the right to treatment and the right to refuse treatment. The great social significance these topics hold for both society and the professional psychiatric community underscores the need for AAPL to continue to exercise influence in the future. Many questions were raised as to the future direction of AAPL influence, whether by amicus curiae briefs, personal involvement of members with legislators, teaching and training sessions, research, articles in the literature, etc.

Present at AAPL Executive Committee sessions were: Robert Sadoff, President; A. Louis McGarry, Vice President; Seymour Pollack, Secretary and Chairman, Educational Committee; Ames Robey, Treasurer; Jonas Rappeport, past President; Herbert Thomas, News-letter Editor; Walter Shervington, Chairman, Membership Committee; Johnnie Gallemore, Chairman, Program Committee, and Jonas Robitscher, Counselor. Also present were AAPL members Alan Rosenberg and Irwin Perr.

All AAPL business items presented to the AAPL membership during the October 20, 1972 business meeting are reported in the following paragraphs. Special mention should be made of the treasurer's report by Ames Robey who noted that the estimated balance of the AAPL treasury as of November 1, 1972 would be a deficit of \$653. This negative balance resulted largely from the marked increase in cost of the AAPL Bulletin and led to the discussion of the Pfizer Pharmaceutical Company offer for subsidy of the Bulletin. Alan Rosenberg, who had been requested at the last meeting to explore this relationship with Pfizer, described the offer at the executive meeting. This offer was subsequently presented in considerable detail at the business meeting by Pfizer Company representatives to allow the members present the opportunity for full discussion. The following business matters are presented in considerable detail in order to allow the many AAPL members who were not present at this meeting to be informed of the proceedings and to increase the involvement of the membership at large in our AAPL business.

Fifty-one AAPL members were present, representing a quorum (our Constitution requires that either ten percent of the membership of 25 members must be present for a quorum, whichever is greater). As a consequence, AAPL business was conducted and motions were passed and approved by the AAPL members at the meeting.

(1) The Pfizer offer of \$5,000 to AAPL was approved (see below).

(2) At the program committee chairman's suggestion, the motion was approved that henceforth the week of the Veteran's day

holiday in October would be the week for holding the annual AAPL meeting, that is, the annual AAPL meeting would be held on the Thursday, Friday and Saturday immediately preceding the Veteran's Day holiday now set by the United States Congress as the fourth Monday in October. Executive committee meetings would be held on the Thursday evening, and the business and scientific meetings would be held on Friday and Saturday immediately preceding that Monday. This means that in 1973 the annual meeting would be on October 18, 19 and 20 of that year. It was believed by all present that having future AAPL annual meeting dates stabilized in this way would be desirable for the organization.

(3) The sites for the 1973 and 1974 AAPL annual meetings were decided and approved as being Pittsburgh, Pennsylvania in 1973, and Durham-Chapel Hill, North Carolina in 1974. The Vermont-Northeastern area was suggested as the annual site for the 1975 annual meeting, but no action was taken on this. It was recommended that future meeting places for AAPL annual meetings should be decided upon at least two years in advance.

(4) At President Sadoff's suggestion, an amendment to the Constitutional Bylaws was approved to allow an open-ended number of committee members to be present on committees in order to meet the needs of the Academy, rather than to have the stipulated number of members set by the Bylaws. This change in the Bylaw Committee membership number was for Article Four of the Bylaws, and was to read as follows: "The committee membership will be open-ended to meet the needs of the Academy." President Sadoff

now has the authority to appoint additional members to the Membership Committee. He believes this to be desirable, as well as yearly changes in committee membership related to changes in the annual AAPL meeting site.

(5) The topic of the 1973 annual meeting, to be held in Pittsburgh, Pennsylvania under the auspices of the University of Pittsburgh with Herbert E. Thomas as the developer of this program, will be "Effects of Imprisonment on Individuals," and persons interested in participating in this program are urged to write to Dr. Thomas.

(6) Under the combined auspices of the American Psychiatric Association Committee on Psychiatry and Law and AAPL, a Psychiatry and Law meeting is to be held in Atlanta, Georgia on March 16, 17, 1973. This invitational meeting will include attorneys, as well as psychiatrists, with the number of participants limited to one hundred each.

(7) Discussion again related to whether AAPL should be limited to psychiatrists, or whether attorneys and others involved in forensic psychiatry should be allowed to become members. Herbert E. Thomas raised the question of limiting the number of psychiatrists in AAPL to three hundred members, but no formal action was taken on this motion. Nor was action taken on the proposal to invite attorneys to become members of AAPL, although again it was stressed that for all local and regional AAPL meetings and for AAPL annual meetings, local attorneys should be invited to attend. Questions were raised by a number of AAPL members

about the possibility of law professors becoming members of AAPL. There are approximately three hundred law professors teaching law and medicine courses in law schools in the United States. Although it was recommended that these law professors be placed on the AAPL mailing list, no action was taken on the question of their becoming AAPL members. It was also urged by many that the mailing list of notices of AAPL activities be extended to include a variety of paramedical professionals such as psychologists and social workers, as well as court personnel, prison system staffs, interested practicing attorneys and law school faculty.

(8) AAPL will hold its semiannual meeting on Sunday, May 6, 1973 in conjunction with the APA annual meeting in Hawaii. A cocktail party will be held for AAPL members on Tuesday evening, May 8; announcement of its location will be in the APA meeting bulletin. No other formal AAPL meeting will be held in conjunction with the annual APA Hawaii meeting, but the following evening panel discussions will be held on psychiatry and law by AAPL member Jonas Rappeport on the topic "Arthur Bremmer and the Interpretation of the ALI;" Robert L. Sadoff on "Involuntary Hospitalization and the Right to Treatment;" other AAPL members are presenting papers on varied aspects of psychiatry and law.

(9) AAPL membership, as of July 1972, is 256 members. In October 1971 we had a membership of 215. Present membership consists of 250 psychiatrists in the United States and 6 foreign psychiatrists. California has the largest number of members with 44, followed by New York with 30. There are a number of states

with no AAPL members. It was pointed out that AAPL membership consists of three rather disparate groups of psychiatrists:

(i) those psychiatrists involved in forensic psychiatry in the traditional sense; i.e., psychiatrists involved in pretrial, trial and post-trial litigation proceedings; (ii) psychiatrists involved in correctional psychiatry, and (iii) psychiatrists involved in the field of academic psychiatry and law. AAPL membership includes all psychiatrists who are actively working in the field of psychiatry and law, although, as noted above, the interests of many psychiatrists in AAPL may be considered quite divergent from a practical point of view. Nevertheless, it can be anticipated that their common interest in the relationship of psychiatry to law and legal issues will provide a cementing bond.

(10) Study groups (task forces) directing themselves to the possible development of position statements were announced by President Sadoff with the following as chairmen: Jonas Rappeport, "The Role of Psychiatry in Corrections," Jonas Robitscher, "Social Influences on and Treatment of Prisoners;" Irwin Perr, "Confidentiality and Privilege;" and Jonas Robitscher, "Human Experimentation and Behavior Control."

(11) The request by the AMA for AAPL member participation on the committee on "Medical Care in Prisons and Standards for the Care of Prisoners" was brought to the attention of AAPL. Doctors Sidley, Jens and Jurczak were recommended and approved as AAPL liaison members with this AMA committee.

(12) AAPL members approved the motion that AAPL set up a nonprofit corporation in the name of AAPL to allow the acceptance of monies for teaching, training and research. Alan Rosenberg was asked to explore the formation of such a nonprofit corporation in the District of Columbia.

(13) The president's recommendation that Alan Rosenberg be appointed as the AAPL public relations officer was approved.

(14) Jerry Epstein, Editor of a new journal of psychiatry and law, published by Federal Legal Publications, Inc., described his journal to the membership. This quarterly publication is directed to inform the legal field about psychiatry and, hopefully, so to influence the law and to modify the structure of the legal system in a more favorable direction insofar as psychiatry is concerned. Interdisciplinary articles dealing with criminology, penology, law and related disciplines, as well as psychiatric and psychological legal research, will be published. AAPL members were offered the possibility of a reduced subscription rate if AAPL were to provide a block journal subscription which would be available through AAPL. Individual members are invited to subscribe to this journal by writing to the Journal of Psychiatry and Law, 28 Morris Road, Tenafly, New Jersey 07670.

(15) The third annual meeting on Mentally Ill Offenders was announced at Carbondale, Illinois to be held on November 14, 15 and 16, 1972.

(16) Jonas Rappeport announced the APA Guttmacher Award for 1972 with the request that authors of papers, books or monographs

on psychiatry and law be sent to him by the end of this year for consideration of the 1972 award. The 1971 award had been presented to the Arizona Law Review for an extensive chapter on the "Mentally Disabled and the Law."

(17) Jonas Rappeport and Ames Robey, who had been instrumental in developing and publishing the AAPL Membership Directory, were commended for their efforts. This directory has now been received by all AAPL members. It is free to AAPL members, but will be available for \$1 per year to non-AAPL members and agencies.

(18) Two AAPL subcommittees were formally appointed and approved. These were the subcommittees on Membership Qualifications and Procedures with Ames Robey, Chairman; and the subcommittee on the Future of Forensic Psychiatry with Respect to Board Certification in Forensic Psychiatry with Seymour Pollack, Chairman.

(19) Much of the business meeting was taken up with discussion of our AAPL Newsletter-Bulletin. The hope has been to eventually have our AAPL Newsletter become a quarterly journal in Psychiatry and Law. This bulletin has been free for AAPL members and \$2.50 per copy for non-AAPL members. Members of AAPL were asked to recommend to their medical school libraries that they subscribe to the Newsletter. Because most AAPL members do not attend the annual meetings, and because psychiatric-legal articles and information are unorganized in the literature and so infrequently disseminated to psychiatrists working in this field, the need is great for a viable journal. Publication of a journal is

perceived by most AAPL members as one of the most important functions of the Academy. The estimated cost of a journal is \$8,000 for a quarterly. The need for a subsidy is obvious. With the primary role of AAPL as education in forensic psychiatry and psychiatry and law, the officers of this organization and the membership at large have decided to place major emphasis on the publication of the AAPL Bulletin with the hope that this bulletin as a journal would carry considerable import and significance for the field of Psychiatry and Law. AAPL members are strongly urged to submit their articles to the Bulletin for publication.

(20) Drug advertising is not legally permissible in the Bulletin if sent to non-physicians. Therefore, such drug advertising (as this is utilized by other psychiatric journals to pay for the expenses of these journals) is not available to defray the expenses of our bulletin, if the Bulletin is to be distributed to non-physicians. The offer by the Pfizer Pharmaceutical Company to give AAPL \$5,000 for the Bulletin expenses had been roundly discussed by the Executive Committee with the decision to provide for the membership at large the opportunity for additional discussion with Pfizer representatives. Such opportunity was provided at this meeting, with the head of Pfizer's Marketing Department and the head of their Department of Psychiatry. Previously the president of AAPL had cleared the possible contractual relationship and ethical issues between AAPL and Pfizer (with the following stipulations) with the chairman of the Ethics Committee of the AMA. Pfizer Pharmaceutical Company market research staff is interested in obtaining feedback information

from psychiatrists with respect to Pfizer's decision-making about how to approach psychiatrists and how better to commercially move their pharmaceutical products.

(21) The members of AAPL at this meeting approved the relationship between AAPL and Pfizer with the following stipulations: a) A written contract would be developed between AAPL and Pfizer to authorize the Executive Committee to have a one year relationship with Pfizer as a trial, terminable by either party after one year, based upon the Pfizer Pharmaceutical Company providing AAPL with \$5,000 for the Bulletin publication costs.

b) AAPL members would be involved with Pfizer solely and entirely on a voluntary basis with all AAPL members contributing voluntarily to the following.

c) A written questionnaire would be submitted to AAPL members by the market research division of Pfizer requesting AAPL members to answer questions about drugs. No more than three such written questionnaires would be submitted to AAPL members per year, and each questionnaire would require a maximum of ten to fifteen minutes for completion by AAPL members.

d) There would be a maximum of four evening meetings per year in four different cities to which a group of eight AAPL members from any one city would be asked to participate with Pfizer market research staff for the purpose of answering marketing questions. No meeting would be more than one and one-half hours in duration, and no AAPL member would be asked to attend more than one meeting. Incidentals for parking, drinks, etc., would be paid for by Pfizer Pharmaceutical Company.

e) No mention by Pfizer Pharmaceutical Company would be made of AAPL as an organization or of AAPL members by individual name in any way in Pfizer literature or by Pfizer in any other way relating to this arrangement. In other words, no AAPL member need be concerned about his possible endorsement of Pfizer or of any Pfizer drug as a consequence of this relationship with Pfizer. AAPL members are acting as consultants to Pfizer with their understanding that their contributions in the above ways will support the financial base for the AAPL Bulletin.

f) Mention of Pfizer's support to the Bulletin will be made in a one line byline in the Bulletin. On this basis, AAPL members who were not at the meeting are asked to participate in this venture which will allow us to provide the professional community and the field of psychiatry and law at large with our continuing Bulletin.

(22) In spite of AAPL's financial problems, it was decided not to increase dues for this year. Members approved the motion that psychiatric residents in training (excluding career training physicians) who are also members in the APA be accepted as full members in AAPL, but that their annual dues be set at \$10. This \$10 dues figure is similar to the reduced figure available to APA members-in-training, that is, to psychiatric residents in training.

During, and following the conclusion of, the AAPL meeting, a number of the members visited the State of Michigan Center for Forensic Psychiatry where Dr. Ames Robey, Director, and the staff personally conducted the tour of the facility. Dr. Robey announced

that the Forensic Psychiatry Center has a \$2,000,000 expansion budget for 1973 and needed seven full-time forensic psychiatrists for the Center at that time. Persons interested were invited to apply for staff positions.

Seymour Pollack, M.D.
Secretary