
Reviewed by Joseph D. Bloom, MD

Robert Miller provides us with a detailed review of civil commitment over the last 20 years. The book is divided into the major areas of the substantive and procedural criteria for civil commitment. Under substantive criteria are chapters discussing mental disorder, dangerousness and need for treatment. The section dealing with procedural changes has chapters on the right to counsel, the right to remain silent, the right to treatment and to refuse treatment, commitment to least restrictive environment, and access to records. The book concludes with a discussion of the impact of these changes, a chapter on outpatient commitment, and a look to the future.

The book is as complete an overview as I have seen on the subject of civil commitment. It is very heavily referenced; anyone wanting to research any of the subjects discussed will find more than ample references from case law and the legal and psychiatric literature from which to begin an in-depth inquiry. Although clearly written by a physician, the author continuously presents a balance between the clinical and civil liberties points of view.

I like this book very much, and I recommend it highly to any serious student of the subject of civil commitment. If the book has a failing, it is in the conclusion. Dr. Miller decries polemic and asks for dispassion and research. The inescapable conclusion, however, after reading his book is that those who toil in the field of civil commitment are like those who built the Tower of Babel. After 20 years of reform what do we actually have? We have no national policy toward the mentally ill. Our President and Congress have led a full-scale retreat from the problems of the mentally ill. We have a Supreme Court that has backed away from most of the major problems in this area. We are left with state legislatures and the federal and state courts, all making law as diverse as the facts in any individual situation. After 20 years it seems that we still can't agree that mental illness exists, that effective treatments are available, that drugs and psychosocial treatment help the large majority of patients, that both hospital and community care are necessary, and that most refusal of treatment is a product of illness, not the rational, considered expression of First Amendment choice. In keeping with the measured tone of his book, Dr. Miller couldn't say this, so I said it for him.

Reviewed by Stuart B. Silver, MD

Subtitled “Children without a Conscience,” this compendium of current thinking on the Antisocial Personality Disorder (APD) is written in a breezy style and appears directed at a composite audience. The authors’ thesis attributes the formation of APD to early failure of bonding to primary caregivers—engendering unremitting rage in the infant, who later transforms into an ingratiating, manipulative, and unpredictably assaultive character. These “unattached children” become what the authors call “trust bandits” as they mature and enter adult life. This work is divided into five sections that address recognition of the disordered personality, its pathogenesis, treatment, and prevention.

A substantial mission of the book is to sensitize the reader to the growing problem of APD in our nation. An alarmist and sensationalist quality to the presentation mirrors, perhaps, the authors’ liberal use of references drawn from magazines, newspapers, and personal communications. This quality is reflected in some of the chapter headings, e.g., Kids Who Kill, The Cycle of Abuse, and Defusing the National Time Bomb. APD becomes the embarkation for a broad examination and critique of many contemporary issues including teen pregnancy, rootlessness of modern society, marriage and divorce, custody, child care, and education. Often the linkages between these problems and APD are drawn more from citations of anecdotal experiences than from careful research.

Although interesting and informative, the book suffers from over-repetition of many themes and a tendency toward overinclusiveness. Much of the energy of the test is devoted to encouraging a national policy on parental postnatal leave policy, better child care facilities, and full-time parental presence during the infant’s first year of life. Chilling anecdotes describing remorseless murders occupy many other pages. Of interest to the general reader, the book is too superficial for the psychiatric clinician.


Reviewed by
William H. Reid, MD, MPH

This small—indeed, “concise”—volume is packed with information for the general psychiatrist. Its various sections range from judicial issues to clinical practices that often involve the law, with the bulk of the test being related to the latter. The book has ten sections: Defensive Psychiatry and the Law, The Doctor-Patient Relationship, Informed Consent and the Right to Refuse Treatment, Psychiatric Interventions, Confidentiality and Testimonial Privilege, Civil Commitment, The Suicidal Patient, The
Potentially Violent Patient, Sexual Misconduct, and Seclusion and Restraint. Each section is clearly organized with an overview of the law, clinical management suggestions, and references. One of the appendices includes a very useful glossary of legal terms. This guide should be kept next to the heavier reference tomes in one’s library. It is inexpensive enough for residents and medical students (although they should be able to refer to more comprehensive books from time to time).


Reviewed by Joseph T. Smith, MD

Experience may be the best teacher, even for the expert witness, but if the forensic psychiatrist is willing to set aside a couple of hours to read this book, he or she will find that the author’s experience will do two things. First, it will bear out his or her own experience as an expert, which tells one the author is authentic. Second, it will suggest many pointers that will save a lot of trouble down the road. The handbook includes simple examples and valuable checklists for every phase of the expert’s work, such as attorney-expert pretrial conference, depositions, and courtroom testimony. The reader will recognize all the common mistakes beginning experts make, such as discussing a case in the hallway or elevator where jurors might overhear, and will find practical suggestions to help avoid them.

The Expert Witness Handbook is quick and easy reading. If you’re an expert witness, it’s the best book you’ll ever buy.


Reviewed by Denis M. Donovan, MD, MEd

If potentially life-saving research is often slow to make its way into the professional literature, how and when does the same information reach the legal system? If it does reach the system, how is it understood and interpreted and how is it used in formulating legal decisions? This is a crucial question that Melton and his associates, members of a study group sponsored by the Society for Research in Child Development, answer in great detail. Whether aware of it or not, every clinician working with children and families in cases dealing with divorce, custody or the increasingly common allegations of physical and sexual abuse (and, obviously, every forensic psychiatrist) is profoundly affected by what our legal system does or does not know about social science research.
The authors of the present volume, drawn from psychology, sociology, education, political science and law, deal first with specific issues such as the concept of "consent" as applied to children and the various ways by which child development research reaches the judicial system and its actual impact there. Practical guidelines for introducing research to legal audiences and for affecting the actual legal process are examined in great detail and with some surprising results. Melton notes, for example, that "Although publication of an important, legally relevant study in Child Development or Developmental Psychology will advance a child psychologist's (or child psychiatrist's) career, it will not inform legal authorities about the findings." National law reviews, especially those of the most prestigious law schools, are more likely to do so. A research-oriented article with legal implications published in Psychology Today is likely to be even more effective in reaching legal audiences—if less academically impressive.

Those who wish to reach the legal system will find the practical guidelines offered quite useful, although progress is slow. The book is enlightening for the clinician concerned with the real world of his or her patients; for the clinician actively involved with the legal system, it is an indispensable resource.


Reviewed by Jonathan R. Kelly, MD

The editors of this forensic text present varied contributions from well-known authors in the field. A panoply of topics is presented, emphasizing the necessity for a statistical foundation for the modern clinical criminologist in proffering expert opinions and advice to the judiciary. A refinement of clinical assessment devices is suggested, to improve validity over past, less rigorous evaluation methods. Most chapters provide an overview of a topic that includes classification, theoretical explanations of causality, psychosocial-dynamic and biological explanations, assessment techniques, epidemiology, and treatment alternatives. A thorough compilation of references to research and literature is found throughout, with a final index of authors and subjects. Several chapters refer to specific research efforts and analysis, while others review helpful clinical assessment tools. Exhaustive reviews of specific topics are found (e.g., Schacter's discussion of amnesia).

Overall, the strengths of this reference text include a diversity of authors and topics, detailed bibliographic references, an accumulation of data from multiple sources, and an emphasis on a research-supported foundation for clinical assessment, formulation of expert opinions, and treatment for specific forensic populations. Despite the presence of some well-worn hypothetical and psychodynamic causal explanations for criminal behavior, I recommend this volume as a good reference for the clinical criminologist of the 1980s.
Books Received

Once each year, a listing is published of all complimentary books sent for review by publishers whether reviewed in the Bulletin or not.

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Rinas J, Clyne-Jackson S: Professional Conduct & Legal Concerns in Mental Health Practice. E. Norwalk, CT, Appleton & Lange, 1988. x + 230 pp. $29.95.


Wise M, Rundell J, editors: Concise Guide to
Books Received