

*Batista*, 483 F.3d 193 (3rd Cir. 2007), respectively. In fact, as the authors point out, the accurate determination of cognitive ability can be a matter of life or death for defendants in capital cases, since the Supreme Court held in *Atkins v. Virginia*, 536 U.S. 304, 321 (2002), that the execution of mentally retarded offenders is unconstitutional.

The topic of neuropsychological effort testing can admittedly be a daunting one. Fortunately, this book presents it in a highly comprehensible manner. Boone and her collaborators have synthesized recent scientific advances in the area of effort testing into a text that will become an invaluable tool for all practitioners who rely on neuropsychological testing data.

## Psychological Evaluations for the Courts: A Handbook for Mental Health Professionals and Lawyers

By Gary B. Melton, John Petrila, Norman G. Poythress, and Christopher Slobogin, with Phillip M. Lyons, Jr, and Randy K. Otto. 3rd ed. New York: The Guilford Press, 2007. 930 pp. \$95.00.

Reviewed by Debra A. Pinals, MD

As a bibliophile, I find it easy to collect books that may be interesting to read. As a forensic psychiatrist, however, I ponder which books will be valuable additions to my professional library. *Psychological Evaluations for the Courts* is definitely one of them.

The title of the book may lead some psychiatrists to question its applicability to psychiatric practice. The authors note that the book is written for two audiences: forensic mental health professionals who conduct evaluations involving the courts, and legal professionals who request mental health evaluations to clarify questions that arise during legal proceedings.

This is the third edition of the book. The second edition was authored by two attorneys, John Petrila, JD, LLM, and Christopher Slobogin, JD, LLM, and two psychologists, Gary Melton, PhD, and Norman Poythress, PhD. The third edition includes additional perspectives from Randy K. Otto, PhD, an

Associate Professor at the University of South Florida Mental Health Institute, and Phillip M. Lyons, Jr, JD, PhD, a professor of criminal justice at Sam Houston State University in Texas. This scholarly team of writers has a combined wealth of forensic evaluation, testimony, and legal experience and is well acquainted with public sector forensic mental health.

The text is divided into five parts and 20 chapters that cover general topics, criminal proceedings and related matters, civil forensic mental health, forensic mental health concerns involving children and families, and interactions between forensic mental health professionals and courts. Although the book is probably too dense to read from cover to cover, each section may serve as an excellent resource for forensic psychiatrists seeking to research a particular aspect of forensic evaluations.

Part I, titled "General Considerations," examines challenges encountered by forensic mental health professionals who interface with the legal system. In this section, the authors describe who should be considered a court expert. They describe the law's traditional tendency to view a medical degree more readily as an indicator of expertise than some other credentials. They also examine variations in qualifications among psychiatrists, psychologists, and, to a lesser extent, social workers. In addition, they opine that the law should utilize a functional approach to assessing who is qualified to give expert testimony, based on experience, education, and training.

"An Overview of the Legal System: Sources of Law, the Court System, and the Adjudicative Process" is the title of the second chapter. It reviews the basic structure and function of laws, courts, and government. In the fifth chapter, "Managing Public and Private Forensic Services," the authors describe complex payment systems that specify where public sector forensic evaluations can be conducted. They also describe interests that compete with these systems, including the need to have evaluations conducted in the least restrictive settings available.

Part II covers criminal proceedings, including competence to proceed with trial, refuse an insanity defense, testify, waive counsel, and be executed. They include case examples that bring the material to life and also provide information about structured instruments for forensic evaluations.

The text contains a discussion of criminal responsibility, including a history of the insanity defense

and a review of legal standards. The authors describe the process of conducting sanity evaluations, including gathering collateral information, interviewing defendants, and formulating opinions about criminal responsibility. They cite the American Academy of Psychiatry and the Law's "Practice Guideline for Forensic Psychiatric Evaluation of Defendants Raising the Insanity Defense"<sup>1</sup> as a resource.

Part III examines civil adjudication, including civil commitment, guardianship, competence to consent to treatment and research, and competence to testify. The authors review workers' compensation, disability, and other evaluations related to antidiscrimination laws. Although each chapter stands on its own and provides a thorough overview, in some ways these latter chapters are less comprehensive than the criminal law chapters, but only in relative comparison.

"Legal Matters Involving Children and Families" are addressed in Part IV. Chapters include "Juvenile Delinquency," "Child Abuse and Neglect," "Child Custody in Divorce," and "Education and Habilitation."

The authors review report writing, expert testimony, and other topics in Part V, "Communicating with the Courts." These chapters contain useful advice regarding managing depositions and pretrial conferences. Sample questions from courtroom examinations of expert witnesses are presented and classic pitfalls are described. Chapter 19, entitled "Sample Reports," provides a wealth of examples that illustrate concepts presented elsewhere in the text. Chapter 20 contains a useful glossary of terms.

The final (almost 200) pages of the text contain in-depth discussions of information cited in the preceding chapters. Placing these notes at the end of a text this size makes for a cumbersome cross-referencing experience for the reader.

Throughout the text, the authors have described evidence-based data and focused on larger systems issues in an effort to help inform readers. In the chapter that describes juvenile courts, for example, they contemplate whether the juvenile court system should be abandoned if its structure and function closely approximate adult court practices. They note that law reform and role changes for juvenile court mental health professionals should be considered if the juvenile court system is to function as an agent of youth rehabilitation.

Overall, the authors are to be commended, yet again, for a comprehensive, useful analysis of an array of topics relevant to forensic mental health practice. The latest edition expands on the strengths of the previous two. It is an extraordinary, scholarly work that reflects current practice and is certainly worth its price, in particular for forensic mental health professionals who own previous versions.

#### Reference

1. Giorgi-Guarnieri D, Janofsky J, Keram E, *et al*: AAPL Practice Guideline for Forensic Psychiatric Evaluation of Defendants Raising the Insanity Defense. *J Am Acad Psychiatry Law* 30(2 Supp): S1-40, 2002

## Investigating Allegations of Child and Adolescent Sexual Abuse: An Overview for Professionals

By Tom Plach. Springfield, IL: Charles C Thomas Publisher, 2008. 180 pp. \$29.95.

Reviewed by Emilie A. Becker, MD

Tom Plach, LCSW, is a veteran investigator of child abuse allegations. He wrote *Investigating Allegations of Child and Adolescent Sexual Abuse: An Overview for Professionals* for practitioners who are new to the field.

This 10-chapter book begins with the description of a successful multidisciplinary team assessment of a sexual abuse allegation. The team, explains Plach, uses an unbiased and objective protocol called multiple hypothesis investigation, which he describes as "the process of developing different theories regarding the facts of the case, and then gathering evidence to evaluate and/or rule out each theory." He also suggests various protocols that investigators may use to evaluate the merits of each complaint.

The chapter entitled "The Investigative Process" describes factors critical to any comprehensive child abuse investigation, including interviewing alleged victims and perpetrators, arranging medical evaluations, and documentation. Plach describes how to critique interviews, plan follow-up interviews, gather related evidence, and develop safety plans for victims. His chapter, "Support Services," offers suggestions of medical and mental health interventions for victims.