

cult chapter, and some will find the writing at times repetitious. There are three extensive case examples for illustrative purposes.

The chapters specifically devoted to forensic topics focus on the nature of the forensic examination; the determination of causation, damages, outcome, and impairments; and forensic neurobehavioral analysis. Again, three illustrative cases are extensively discussed. Granacher opines that the treating physician should never give the patient a disability rating, which is somewhat stricter than is seen in general practice. The *Daubert*<sup>3</sup> criteria are emphasized, although there is no discussion of jurisdictions that have rejected them. There is an excellent discussion of the coaching of examinees by their attorneys, but there are no specific comments about the so-called neurolaw movement,<sup>4</sup> which focuses on the application of new developments in neuroscience, including cognitive neuroscience and functional neuroimaging, in the legal arena. Much in the forensic chapters will serve as good primary material for general psychiatry residents and a refresher for forensic fellows, including details on the theory and basis of tort law and fruitful areas of inquiry in the forensic evaluation.

The book includes a highly detailed table of contents and index, typical of what we expect from CRC Press products. The font is slightly small, and there are rare typographical errors. One page in my copy was sheared in half. These are trivial complaints, however. The text is eminently readable, thanks to the single authorship. While Granacher states that the book is not to be taken as an encyclopedia of TBI, after reading all of it, I have trouble imagining a more encyclopedic source on this important subject. This may be the reference to have on TBI.

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## References

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2. American Psychiatric Association: DSM-5 Development. Available at <http://www.dsm5.org/Pages/Default.aspx>. Accessed August 3, 2010
3. Daubert v. Merrell Dow Pharmaceuticals, Inc., 509 U.S. 579 (1993)
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## Mental Disability Law, Evidence, and Testimony: A Comprehensive Reference Manual for Lawyers, Judges, and Mental Disability Professionals

By John Parry and Eric Y. Drogin. Chicago: American Bar Association, Commission on Mental and Physical Disability Law, 2007. 467 pp. \$95.00.

A forensic mental health library should contain at least one easy-to-read, comprehensive reference that summarizes principal mental health statutes and case law. *Mental Disability Law, Evidence, and Testimony: A Comprehensive Reference Manual for Lawyers, Judges, and Mental Disability Professionals* may fill this niche. The book is the culmination of a 10-year effort by John Parry, JD, Director of the American Bar Association Commission on Mental and Physical Disability Law, and forensic psychologist Eric Y. Drogin, JD, PhD, to define and summarize mental health law. The text is a descendent of the *National Benchbook on Psychiatric and Psychological Evidence and Testimony*.<sup>1</sup>

The book, which is divided into seven parts, guides readers through civil and criminal laws, doctrine, evidentiary hazards, and forensic practices that have implications for mental health practice. The authors have included statutory and case citations to help readers understand current thinking in mental health law. They summarize empirical evidence that informs readers about the merits of and caveats associated with expert mental health testimony.

The first part of the book introduces readers to basic legal concepts and contains a history of mental disability law. Parry and Drogin describe how the focus has shifted from litigation pertaining to the rights of persons with mental disabilities to the justice system's impact on those with mental illness. They also proffer a thoughtful discussion about self-determination, the disability paradigm under the Americans with Disabilities Act (ADA, 1990), and stigma and sanism.

Parry and Drogin summarize common mental health terms and diagnostic classifications in the second part of the book. If there is a weakness in the

book, it rests in this section, which is designed to provide legal professionals with background clinical information. The chapter contains a cursory summary of several theoretical clinical orientations, as well as simplistic descriptions of mental disorders. The authors conclude the chapter with a discussion of matters relevant to mental health testimony, including admissibility of testimony, examining the substance of expert testimony, expert qualifications, and evidentiary limitations.

The remainder of the text, Parts III through VII, covers a wide-array of topics pertinent to forensic psychiatry, including competency, diminished culpability, dangerousness, standards of psychiatric care, mental impairment under the ADA, and mental harm under workers' compensation schemes. Part III, "Criminal and Civil Incompetency," which describes current law in these areas, is presented with sufficient clarity and detail to further the understanding of novice and experienced forensic mental health professionals alike. There is a discussion about the merits of mental health expert testimony, how expert testimony is weighed by the courts, and limitations of expert evidence and testimony. The authors review various legal doctrines, such as criminal confessions and fitness to stand trial, that may be tendered during the trial, sentencing, and appeal stages of litigation. Legal matters involving mental health and special populations, including juveniles and people with mental retardation, are also examined. Parry and Drogin also review aspects of civil mental health law, including guardianship, conservatorship, payees, and standards for various civil capacities (e.g., testamentary and contractual).

Part V, "Dangerousness," illuminates the controversy about situations in which dangerousness evaluations are requested, including when insanity acquittees seek placement in less-restrictive environments. The authors examine the concept of quasi-civil commitment in the contexts of insanity acquittees and sexually and mentally disordered offenders.

Mental health professionals may have particular interest in the discussion of the prediction of future violence in mentally ill individuals. The authors state that, although forensic mental health evaluators presently use clinical and actuarial methods to assess an evaluatee's potential for violence, the trend is moving away from clinically based predictions of dangerousness. The authors also describe research that implies

that jurors tend to find clinically based assessments more convincing.

Although forensic psychiatrists are unlikely to read this manual cover to cover because of the density of the material, the text may serve as a valuable resource for mental health law. The organization of the text facilitates easy access to comprehensive information. Each chapter begins with an introduction to a specific legal concept, followed by comprehensive summaries and analyses of the relevant law. There is a minor overlap in content across chapters. The book's organization helps readers understand the relatedness of important forensic mental health topics.

Each part of the book is self-contained; readers do not have to examine it in any particular order to glean important information. The material is well researched, and the authors include a useful glossary of key terms, court decisions, and legislation for easy reference. They might consider including a legal case index in future editions to facilitate accessing relevant information.

Although the book is designed to meet the needs of legal professionals, its content, style, and organization make it a valuable legal reference guide for forensic mental health professionals and trainees.

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#### Reference

1. Parry J: National Benchbook on Psychiatric and Psychological Evidence and Testimony. Chicago: American Bar Association, Commission on Mental and Physical Disability Law, 1998

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## Insanity: Murder, Madness, and the Law

By Charles Patrick Ewing. New York: Oxford University Press, 2008. 224 pp. \$39.95.

Professor Charles Patrick Ewing, an attorney and forensic psychologist, wrote *Insanity: Murder, Madness, and the Law* to examine one of the more controversial topics in forensic mental health. He describes how the insanity defense was proffered in