

Unique to the text is material intended specifically for treating clinicians and contrasted for nontreating evaluators. By way of illustration, Chapter 6, "Malingering and Mental Health Disability Evaluations," is an artful discussion of the challenges that a treating provider may face in completing disability evaluations. Included is a discussion of the competing interests that a provider may encounter in maintaining a treatment relationship when faced with evaluating for malingered illness. Chapter 7, which focuses on SSDI claims, similarly provides guidance on how an independent examiner can supplement or challenge information from the evaluatee's regular treatment provider.

Although the editors include information on workplace accommodation and return-to-work planning, they made clear that services such as vocational rehabilitation and employee assistance programs are beyond the scope of the text. If there is anything missing in this comprehensive guide it is in this area, as disability evaluators may be asked to coordinate or evaluate recommendations regarding such services. Basic guidance on how these additional services relate in the context of disability assessments would be helpful.

In summary, Gold and Vanderpool aptly accomplish their goal of providing a much-needed guide to disability evaluations. There is little to criticize. This comprehensive guide provides a balanced text with content relevant to the general practitioner and experienced forensic evaluators, as well. It is sure to serve as a how-to guide for those new to disability evaluations, yet it provides sufficient detail and case law to serve as a reference for those looking to answer specific disability-related questions.

References

1. Reeves WC, Strine TW, Pratt LA, et al., and the Centers for Disease Control and Prevention: Mental illness surveillance among adults in the United States. MMWR Morbid MMWR Surveill Summ 60:1–32, 2011
2. Jans L, Stoddard S, Kraus L: Chartbook on Mental Health and Disability in the United States. InfoUse Report. Washington DC: National Institute on Disability and Rehabilitation Research, 2004
3. Gold LH, Shuman DW: Evaluating Mental Health Disability in the Workplace: Model, Process, and Analysis. New York: Springer, 2009

Jennifer Piel, JD, MD
Seattle, WA

Disclosures of financial or other potential conflicts of interest: None.

Principles and Practice of Trial Consultation

By Stanley L. Brodsky. New York: The Guilford Press, 2009. 217 pp. \$40.00.

This book is the latest in a series of monographs addressed to expert witnesses and legal professionals from forensic psychologist Stanley Brodsky. Readers will find it informative, entertaining, and somewhat jarring. Although the book is brief, its content is rather weighty. Trial consultation is portrayed as an art and science in which bias is to be assumed, and little or no attempt is made at striving for objectivity. The goal of the trial consultant is to help the legal team make its strongest case and select the jurors most likely to be sympathetic to its arguments. Forensic specialists need to pay attention here. Although conspicuous by its absence, Bernard Diamond's classic paper appears vindicated.¹

Presented in five sections of two to four chapters each, Brodsky relies on his own research and case studies to make his points. Part 1, "Essential Issues in Trial Consultation," describes this activity as relying on behavioral psychology and marketing, although it is unregulated and only arguably a profession. The core competency of the trial consultant is case conceptualization, the ability to develop a narrative that the jury will find convincing and that will shape witness preparation, jury selection, direct and cross-examination, and opening and closing arguments. Brodsky provides an annotated bibliography with sources dated 1983 to 2007, weighted toward jury selection instruments including two evidence-based scales; he wryly admits, however, that the verdict does not always correlate with the hoped for results.

Part 2 focuses on witness and attorney preparation. Preparation of both expert and lay witnesses gets detailed attention, and dealing with questioning related to racial discrimination and gender-intrusive cross-examination is emphasized. Impression management is key, and suggestions for improvement in this area are provided. Research using undergraduate students confirms what most readers of *The Journal* already know, that good expert testimony requires that knowledge, confidence, trustworthiness, and likability be projected from the witness stand.

Jury selection is addressed in the third section. The author repeatedly admonishes that common sense, intuition, and demographics are fallible. Beware of

heuristics, biases, and stereotyping and instead pursue a more empirical approach based on academics who publish and other trial consultants who are freed from attorney work-product restrictions. Telephone surveys with case-specific descriptors can be more useful. Several case studies are offered, including a very effective one dealing with Internet unwanted sexual solicitations, especially of minors, and the effective use of *voir dire* in highly emotional cases. Juror deselection gets exhaustive attention.

Changes of venue to avoid pretrial biases constitutes Part 4. A nice history of the concept and the utility of community surveys flesh out this section. Readers will find illuminating the author's detailed process map for conducting surveys and his case examples, as well.

The concluding section, titled "Putting It All Together," presents two difficult case examples. The first, a capital murder case, suggests *voir dire* techniques in cases in which jurors will be exposed to gruesome photographs and describes preparation for the testimony of a defendant whose testimony style and appearance are weak. The second example, involving eminent domain, points out how emotionally charged such cases may become. Brodsky recommends that potential jurors prone to boredom, detected by their responses to survey instruments, be avoided. The outcomes of these case examples are not divulged, keeping the focus on the trial consultation process itself. The book ends with a chapter on emerging trends and limitations of the field, suggesting that new technologies will reduce the reliance on the telephone survey, and social networking sites will gain in importance. Web-based survey entities like Survey Monkey, RiddleMe This, and Zoomerang will be added to the consultant's toolbox. We can look forward to evidence-based trial consultation as an achievable goal.

There is an integrated bibliography and a useful index. Although many of the recommendations and processes described in trial consultation run against the striving-for-objectivity portion of the ethics code of the American Academy of Psychiatry and the Law, it is important for forensic specialists to know what is available to attorneys and how it affects the American trial court system. The United States has recently gone through a difficult political process in its presidential election, with the seemingly incessant polling results reported by the various media and marketing techniques of the political parties. Perhaps

Larry Sabato's earlier book² would make a nice companion for Brodsky's excellent addition to the forensic literature.

References

1. Diamond BL: The fallacy of the impartial expert. *Arch Crim Psychodyn* 3:221–36, 1959
2. Sabato L. *The Rise of Political Consultants: New Ways of Winning Elections*. New York: Basic Books, 1981

Stephen I. Kramer, MD
Winston-Salem, NC

Disclosures of financial or other potential conflicts of interest: None.

Sex Offenders: Identification, Risk Assessment, Treatment, and Legal Issues

Edited by Fabian M. Saleh, Albert J. Grudzinskas, Jr, John M. Bradford, and Daniel J. Brodsky. New York: Oxford University Press, 2009. 480 pp. \$75.00.

The editors' clearly articulated goal for this book is to produce the first single-volume resource for forensic clinicians and law professionals who work with sex offenders. The book aims for breadth rather than depth. The summary on the back cover pronounces that the text describes the "best practices in clinical assessment, treatment, risk assessment as well as the legal issues that affect legislation associated with sexual offenders in the United States and elsewhere."

The book contains 30 chapters composing seven parts: "Introduction," "Neurobiology/Neuropsychology," "Assessment and Diagnosis," "Treatment," "Juveniles," "Special Populations," and "Forensics." The authors are not wedded to a single orientation or approach. Concepts are clearly articulated, and the text has a balanced feel. Formatting features in many chapters are very helpful, such as the tables, lists, and guides that summarize the main points.

The book adopts a perspective that situates knowledge about sex offenders within a broader forensic context. It was helpful to review a discussion of general approaches to violence risk assessment before reading the chapter on actuarial instruments for estimating risk in sex offenders. Similarly, a discussion of forensic considerations and forensic approach methodology is then particularized to sex offender-specific issues such as sexually violent predator evaluation.