

Clinical Manual of Psychiatry and Law

By Robert I. Simon and Daniel W. Shuman. Washington, DC: American Psychiatric Publishing, Inc., 2007. 263 pp. \$47.95.

Reviewed by Cheryl D. Wills, MD

Forensic psychiatry libraries should contain at least one user-friendly reference written for clinicians that catalogs core concepts in psychiatry and law. The *Clinical Manual of Psychiatry and the Law* is an attempt to meet this need. Authored by Manfred S. Guttmacher Award winners Robert I. Simon and Daniel W. Shuman, the book outlines a legal foundation for competent psychiatric practice. Chapters are arranged to provide easy access to essential topics, which are clearly articulated.

Each chapter has two divisions. The first section is entitled "Overview of the Law"; it presents legal aspects of a particular clinical subject. For example, the chapter entitled "Psychiatric Responsibility and the Violent Patient" reviews professional obligations and duties, including when a given duty is owed and to whom. The authors explain why duties are necessary, why a given action is considered to be a duty, and when and how a psychiatrist should discharge a duty.

The second section of each chapter is labeled "Clinical Management of Legal Issues." It integrates clinical approaches with the legal concepts that are introduced in the first section of the chapter. The chapter "Psychiatric Responsibility and the Violent Patient" addresses methods of assessing and predicting violence and approaches to managing treatment refusals, discharging patients from the hospital, and handling dangerous patients.

Legal concepts to be considered when fostering therapeutic alliances are coherently articulated. The authors cover topics as diverse as boundaries, confidentiality and privilege, seclusion and restraint, and termination of care. Risk management, including suicide prevention, managing the violent patient, and malpractice liability, is presented with sufficient clarity and detail to enhance the understanding of trainees and experienced clinicians.

The authors address controversial topics in psychiatry. Subject matter includes legal aspects of man-

aged care and the pitfalls of maintaining high-volume practices. Therapeutic jurisprudence and the goals of involuntary hospitalization are also explored. When applicable, exceptions to policies and rules are noted, as are evolving trends in case law.

Legal terms that require additional explanation are defined in the glossary. The index is well-organized and facilitates quick access to relevant material. Tables are thoughtfully compiled and contain useful information.

Although the authors specifically avoid providing case examples and a cookbook-style approach to understanding legal material and reducing liability, portions of the book leave the reader wanting additional information. For instance, the authors state that as a concept, therapeutic privilege is "difficult to apply." A more thorough explanation of this topic would benefit the reader. Also, when discussing patient abandonment, the authors say, "Leaving a message on the answering service such as 'If you have a true emergency, please go to your nearest emergency department' may be perceived by the patient as abandonment." The authors fail to suggest alternative options, such as incorporating contingency plans into the therapeutic contract and reviewing them periodically.

Unfortunately, the adolescent psychiatry section is sparse. A national shortage of child and adolescent psychiatrists has made it necessary for many general psychiatrists to treat older adolescents in the interests of community safety and public health. The authors mention consent to treatment for adolescents with divorced parents. One or two paragraphs about treating youths in foster care and residential programs would benefit readers. Also, youth-centered discussions of scope of practice, off-label use of medication, disclosure regarding qualifications to treat minors, and parent-youth accountability would increase the usefulness of this section.

The *Clinical Manual of Psychiatry and Law* is well researched. The authors cite medical and legal references separately, and they include a list of recommended readings. These features render the book a potential first stop for forensic psychiatrists seeking to share references with or to prepare lectures for their clinical colleagues.

This book, or one like it, should become a well-thumbed addition to the libraries of practicing psychiatrists and trainees who want to provide competent care while being cognizant of the legal foundation for safe clinical practice. I anticipate seeing the few shortcomings addressed in future editions.