

## BOOKS REVIEWED

LEGAL GUIDEBOOK IN MENTAL HEALTH. By R.J. Cohen and W.E. Mariano. New York: The Free Press, 1982. ISBN 0-02-905740-X. xviii + 493.

Reviewed by William H. Reid, MD, MPH

This book was written by a psychologist who apparently maintains a private clinical and consulting practice and an attorney who is (or has been) counsel to the New York State Psychological Association. Its title and the Foreword (by Justin Carey, PhD, JD) imply "comprehensive coverage of the legal concepts and supporting materials which are important to mental health professionals, law students, and practicing attorneys." This reviewer must say at the outset, without detracting from the text itself, that the book is far more limited in its scope, focusing almost entirely on areas of potential malpractice or other liability related to the practice of the mental health professions. It does not address any other issues related to the interface of psychiatry, other mental health professions, and the law.

Having said the above, my next comment is that this is an excellent and extremely useful reference book. It is not a compendium of contributions by many authors, nor is it a superficial treatment of a complex topic. What the reader finds, for a change, is in-depth coverage of areas of potential liability, divided into the following major sections: "The Regulation of the Mental Health Professions," "Malpractice Defined," "Nature and Causes of Action," "Other Areas of Professional Liability," "The Countersuit," and "Malpractice and the Psychotherapist." Every section has a number of subheadings with both text and interpretations of literally scores of statutes, regulations, caselaw citations, and the like. Landmark cases are highlighted. The important concept of tracing a legal idea from its roots to the present day is given ample space.

The book stresses issues related to psychiatrists and psychologists, but also includes material of interest to other professionals. Most of the malpractice-related sections stress psychiatry (for example, in areas related to medication, "electroshock therapy," and diagnosis-related liability). The sections on institutional liability, a particular issue in this post-Tarasoff era, are a little smaller than one might wish.

In sum, this is a fine combination of legal text and readable reference material for the forensic psychiatrist. The bibliography and index are excellent. The "Index of Statutes, Regulations, and Other Materials" is particularly useful in an academic setting. □