

Developing Principles of Forensic Mental Health Assessment

The past 15 years have witnessed a tremendous change in forensic mental health assessment (FMHA). For present purposes, this kind of assessment will be defined as evaluation that is performed by mental health professionals as part of the legal decision-making process, for the purpose of assisting the decision-maker or helping one of the litigants in using relevant clinical and scientific data. Such legal questions in the criminal area include sanity at the time of the offense, sentencing, and competencies to confess, plead guilty, refuse an insanity defense, waive the right to counsel, testify, stand trial, be sentenced, and be executed, and juvenile transfer. Civil legal questions include civil commitment, guardianship, competencies to consent to treatment and research, testamentary capacity, fitness to work, personal injury under both workers' compensation and tort laws, child abuse and neglect, and child custody.

The professions most commonly involved in FMHA are psychiatry, psychology, and social work. Some of the procedures employed by each of these disciplines are most characteristic of the particular profession involved; when psychiatrists (e.g., Appelbaum & Gutheil, 1991) write about the process of forensic evaluation, they differ in some respects from psychologists (Grisso, 1986a, 1998a; Melton, Petrila, Poythress, & Slobogin, 1997; Shapiro, 1991).

The growth and development of FMHA during the last 20 years within psychology has been part of the broader evolution of the specialty area of law and psychology. This area has been represented primarily by the American Psychology–Law Society/Division 41 of the American Psychological Association. It includes both research and applied compo-

Principles Of Forensic Mental Health Assessment



**Kirk Heilbrun, David
DeMatteo, Stephanie Brooks
Holliday, Casey LaDuke**

Principles Of Forensic Mental Health Assessment:

Principles of Forensic Mental Health Assessment Kirk Heilbrun, 2006-04-11 Most of the literature in forensic mental health assessment is organized around the particular legal issue that is the focus of a given assessment tool or research study. This book starts with a different assumption. There are broad principles of forensic assessment that are applicable across different legal issues. If such principles exist, they should be derived from and supported by sources of authority in ethics, law, science, and professional practice. This is what I seek to do in this book with each of the 29 broad principles of forensic mental health assessment described and analyzed from the perspective of these sources of authority. There are a number of individuals who have contributed in various ways to making this a better book. It seems best to begin with a general acknowledgment. Those interested in forensic mental health assessment, particularly my colleagues from the American Psychology Law Society and the American Board of Forensic Psychology, have been an extraordinarily helpful and congenial group. I have learned a great deal from them over the years, and they challenged me to undertake the daunting task of trying to capture the broad views of the field in this book.

Principles of Forensic Mental Health Assessment Kirk Heilbrun, 2013-03-23 Unlike most of the literature in forensic mental health assessment, this book posits the existence of broad principles of forensic assessment that are applicable across different legal issues and are derived from and supported by sources of authority in ethics, law, science, and professional practice. The author describes and analyzes twenty-nine broad principles of forensic mental health assessment within this framework.

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