

# THE WETC PSYCHOLOGY NEWSLETTER

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"Find the Truth, Tell the Story"

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## Do Apricots™ Work? We Asked the Attorneys!

The poor level of psych reporting in personal injury and workers' compensation evaluations has personally offended me since I started working in those areas in 1985. At that time an orthopedist friend showed me what psych reports were like in an attempt to interest me in the area. On reading those reports I was amazed, shocked and inspired all at the same time and decided that this kind of work was for me. It seemed much more exciting than being a college professor who had been doing research, writing books and teaching classes for 20 years. It also paid a lot better and I had a growing family.

Since I started my practice I have worked on between 5,000 and 10,000 cases and critiqued somewhere in the vicinity of 10,000 to 30,000 psych reports. It's been a lot of fun and now I'm mostly interested in passing on what I've learned and helping attorneys help themselves in this area. That's why there are so many self-help resources on my website, drleckartwetc.com. It's also why I wrote Psychological Evaluations in Litigation: A Practical Guide for Attorneys and Insurance Adjusters, which you can download for free at my website and pass along to whomever you wish. I am very proud to say I have not sold a single copy! It was never for sale.

Since the end of 2013 my monthly newsletters are mostly about Apricots™. An Apricot™ describes a psych report's flaws in jargon-free language, discusses specific techniques to Cx the doctor and provides multiple simple questions that get those flaws on the record despite the doctor's resistant

Browse Dr. Leckart's Book at  
[www.DrLeckartWETC.com](http://www.DrLeckartWETC.com)

*If in reading a psych report you find reason not to trust its credibility you can send it to me for a thorough analysis.*

behavior. Apricots™ can be written in any medical discipline. When an Apricot™ is written in a psych case it can be used in personal injury, workers' compensation, criminal cases, child custody cases or any other litigation where a psych doctor has written a report that the attorney thinks is not credible. Attorneys commission Apricots™ when they feel the report lacks depth and quality but as non-experts they don't know where the flaws are and most importantly, they don't know what questions to ask to get those flaws out in the open and on the record when deposing or taking trial testimony from the doctor. Additionally, if discovery has closed, or the attorney chooses not to cross-examine the doctor, an Apricot™ can be used to write a brief for the court pointing out all the substantial flaws in a report.

Apricots™ are work-product privileged reports that are not subject to discovery and can be used in any jurisdiction in the United States or abroad and in asking the court for a remedy. At times I go into court to testify as to the credibility of reports written by the doctors. Of course if there are no flaws found in the doctor's report that information is conveyed to the attorney with no written report and there is no fee for the service or obligation on the attorney's part other than to say "thank you" for the analysis.

Now, to get to the question posed in the title of this newsletter. This past May my wife and I spent a social weekend on the Big Sur coast with a friend from college and his wife. One night at dinner we got to talking about my excitement with the concept of Apricots™ and how I was bringing them into practice all around the country.

My friend is retired from a very successful career in marketing so I was dumbfounded when he asked me what my research into the effectiveness of my Apricots™ showed. You see, since I've been getting a lot of repeat referrals from some very prominent attorneys I never thought to do any formal surveys of their effectiveness. However, as soon as I got home I asked my staff to start calling around and asking attorneys for feedback.

In contacting the attorneys we decided to call only on recent cases that had already proceeded to the doctor's depo or their Cx at trial. Now, attorneys are often pretty difficult to get on the phone. Some had changed employers, some were out of town, others were on medical leave and still others had "disappeared." However, we were fortunate to speak with 15 attorneys. Each and every attorney told us the report was successful and helped them win or get a better outcome in their case than they thought they would get without the Apricot™. Of course I was totally thrilled that 100% of the attorneys were satisfied with the service. So thanks to my old college buddy, I actually have some data on how effective my Apricots™ are in real-life litigation.

Here are some of the attorney's comments:

"I was very impressed with the report and definitely will recommend Dr. Leckart to my colleagues."

"I found the doctor was very defensive about the flaws in her report and said that

in 20+ years no one had ever questioned her about her diagnoses. I was able to negotiate a better settlement."

"Halfway through the deposition I pulled the applicant attorney out and asked, 'Do I need to keep going?' The attorney said, 'no you've made your point.'"

"Thanks to Dr. Leckart, I was able to show the Apricot™ to the applicant attorney in a hearing and we actually resolved the case before the cross-examination occurred."

"All fourteen of the jury's decisions came back in our favor and it was due to Dr. Leckart's testimony."

"I felt very confident and learned a lot from Dr. Leckart and I am very thankful for his knowledge and the report he provided me with."

Finally, I wish thank all the attorneys and adjusters who have asked me to write Apricots™ over the last eight years. They've given me a new source of pride and excitement and yet another reason to be thrilled about my travels on this long road of psychology.

**FREE pre-deposition consults  
involving reports of a**

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(e-mail us at [DrLeckartWETC@gmail.com](mailto:DrLeckartWETC@gmail.com)  
for more information)

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This is the eighty-ninth of a series of monthly newsletters aimed at providing information about pre-deposition/pre-trial consultations, psychological evaluations and treatment that may be of interest to attorneys and insurance adjusters working in the areas of workers' compensation and personal injury. If you have not received some or all of our past newsletters listed on the next page, and would like copies, send us an email requesting the newsletter(s) that you would like forwarded to you.