

THE WETC PSYCHOLOGY NEWSLETTER

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"Find the Truth, Tell the Story"

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December, 2015
Volume 1, Issue 83

The Book of Apricots™ - Happy Holidays

When I first got interested in forensic psychology thirty years ago I had already been a full professor of psychology for many more years than I am willing to admit. My first reaction to reading medical-legal psych reports at that time was shock and disbelief at their defective quality. Unfortunately, nothing has changed. Psych reports written for the workers' compensation and personal injury courts are still incredibly sloppy. That deficient quality persists because the only individuals who can challenge them are attorneys who understandably have limited psychological and psychiatric knowledge.

For the last seven years I have been trying to change that status quo by writing Apricots™. An Apricot™ is a work-product privileged report written to assist an attorney in taking a deposition or trial testimony from a psych doctor who has written a substantially flawed report. Of course, the real purpose of Apricots™ is to teach attorneys to force the doctors to write better reports.

I've already written extensively about Apricots™ in newsletters available on my website (www.drleckartwetc.com) but let me provide you

Browse Dr. Leckart's Book,
**Psychological Evaluations in
Litigation: A Practical Guide for
Attorneys and Insurance Adjusters**
at www.DrLeckartWETC.com

Apricots™:

No matter where you are in the world as long as your report is in English, you can send it to me and I can provide you with a critique and a list of questions to ask the doctor during their testimony.

with a quick summary. Essentially, the weakest link in every psych report is the doctor's diagnosis. In this regard, a successful Cx involves determining if there are sufficient data to support the doctor's DSM-IV-TR diagnosis. Most frequently those data are missing. Specifically, the doctor's diagnosis must be supported by Mental Status Examination data; a complete accounting of the patient's complaints or symptoms, including information about their qualitative nature as well as their frequency, intensity, duration, onset and course over time; and the objective psychological testing data. Without those data, none of the doctor's "naked" conclusions support their diagnosis.

When writing an Apricot™ I provide all of the data in jargon-free, non-technical language indicating that there is no support for the doctor's diagnosis. I also provide an extensive series of questions or a script to be used during the cross-examination that will expose all of the flaws. In addition, I discuss a series of rules to follow during the Cx that avoids the doctor going off the deep end with "word salad," long-winded comments having no relevance to the attorney's questions. Below is a link to a sample report. Take a look at it and see if you can duplicate it without my help. If you can, so much the better!

<http://drleckartwetc.com/wp-content/uploads/2014/09/GONZALEZ-MARIA-PRE-DEPO-CONSULT-2014.pdf>

Although I get paid for writing Apricots™, my real purpose in producing them is to teach attorneys how to take testimony so that after one or two reports they don't need me anymore. Think of me as a coach, willing to step aside.

Basically, taking psych testimony is not complicated although almost half of the attorneys we recently surveyed admitted finding the Cx of psych doctors "stressful" because they don't know where the weak points are, they don't know what to ask and they are unfamiliar with psychological testing.

Well, here's my holiday gift to you!

Below find a link to my free book, Psychological Evaluations in Litigation: A Practical Guide for Attorneys and Insurance Adjusters. Use it in

preparing to take testimony. My book provides general information about evaluations, specific information about every psych disorder you are likely to find in a med-legal psych report, and descriptions as well as data about the vast majority of the psych tests you are likely to encounter. Feel free to download it and to pass it on to your colleagues and friends. I wrote it to help, not to become famous or rich! Just use it as a reference guide when preparing to take testimony.

<http://drleckartwetc.com/wp-content/uploads/2012/10/FINAL-051311.pdf>

OK, so here is some more help. If you or your adjuster do not want to pay for an Apricot™, despite our research that reveals that over 90% of adjusters are willing to do so, give me a call at 844-444-8898 and we will set up an appointment for a free telephone consultation and I'll tell you where all the flaws lie and how to expose them on Cx. Of course, I won't do this for every case you have, just one. My wife won't let me do more!

And please, have a nice holiday season.

Pre-deposition/Pre-trial consults involving reports of an

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(e-mail us at DrLeckartWETC@gmail.com
for more information)

This is the eighty-third 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.