

Cross-Examination of Psychological Testing

Cross-examining mental health experts is often a difficult challenge for attorneys as they are unfamiliar with the material. I will discuss the most commonly used psychological measures and key points to keep in mind when questioning experts, either in deposition or on the stand.

ARE THE PSYCHOLOGICAL TESTS APPROPRIATE?

One of the first steps is to substantiate as to whether or not the tests utilized are appropriate for the issues opined upon. Do the instruments have good validity and reliability? In other words, do they measure what they say they measure? And, are the results reproducible? Secondly, insure that the psychometrist has utilized the most current edition of each of the instruments included in the test battery. If not, ascertain why not. Thirdly, inquire as to the administration, scoring and interpretation of the tests. For example, did the client take tests in a quiet and comfortable environment? If the client wears glasses, did he or she have them with them at the time of testing? Were current norms employed? If not, why not?

THE MOST COMMONLY UTILIZED TESTS

The most commonly used psychological measures include the Wechsler scales (IQ testing), the Minnesota Multiphasic Personality Inventory often known as the MMPI-2, the Millon Clinical Multiaxial Inventory or MCMI-III, (self-report measures of personality), the Thematic Apperception Test or TAT, and the Rorschach inkblot test (projective measures of personality). Beyond mere name recognition, attorneys might not know much about these items.

IQ: Weschler Scales

The Wechsler scales are commonly associated with intelligence testing and cognitive functioning. There are actually three separate tests, one for preschoolers and primary school students (WPPSI-III), one for children between the ages of 8 and 16 (WISC-IV), and one for adults (WAIS-III). These are the most well known and most utilized tests of intelligence though the Kaufman Assessment Battery for Children (KABC-II) has been gaining in popularity. Typically, results are presented as a series of scales. These scales are organized into two major domains: Verbal and Performance. The verbal scales, such as Information, Comprehension, and Similarities, measure what is considered concrete intelligence—the ability to use knowledge and experience. Scores on these scales are dependent on formal learning. If one's educational background is poor or deficient, scores on these scores will be lowered. The Performance realm measures abstract and fluid reasoning and is not education dependent. This domain, which consists of such items as Block Design, Matrix Reasoning, and Picture Completion, provides a measure of how people successfully cope with novel situations. An IQ score of 100 is considered average. An

individual scoring 85 or lower may experience problems interacting in the world while someone scoring 115 or higher would be expected to meet with success.

MMPI & MCMI

The MMPI-2 is probably the most widely recognized of any psychological measure. It consists of 567 true/false questions and contains a number of validity scales. Scoring yields 10 primary scales and a slew of secondary and content scales providing information on the individual's psychological functioning and personality traits. This test is particularly good at identifying major psychopathology.

The MCMI-III is similar to the MMPI-2 but much shorter with only 175 true/false questions. The MCMI is particularly good in identifying personality styles and personality disorders. Like the MMPI, this instrument contains validity scales that examine desirability of responding and forthcomingness.

The MMPI-2 and MCMI-III provide computer scored and computer generated narratives. Though many psychologists depend on these, such reliance can often lead to false conclusions. Computer generated narratives should only be used as a starting point. They need to be integrated with a more detailed analysis and interpretation of the individual scales.

Rorschach

The Rorschach inkblot test is commonly classified as a projective test. This test is extremely difficult to fool as it calls upon the client to respond to ambiguous stimuli and answer the question "What might this be?" The client must provide a response to what they perceive. People may believe that the content of their response is key. This is not necessarily true. The Rorschach is scored on up to a hundred different variables and ratios and provides information about impulse control and stress tolerance, affect, information processing, ideation, and self and interpersonal perception. The Rorschach may also identify the presence of hypervigilance, suicidal ideation, obsessiveness and coping difficulties. It does not provide a diagnosis.

The TAT is falling out of favor in forensic settings. While clinically, it may provide a therapist with insight into the individual's inner experience, psychological conflicts and self-concept, interpretation of findings is questionable as the TAT lacks standardization and comprehensive scoring norms. Analysis is subjective. The TAT consists of a series of 20 cards in total that depict people in different situations. However, there is no standard administration. It is typical for only an arbitrary subset of cards, selected by the psychologist, to be administered. The client's task is to generate a short story which includes what is occurring at present, what happened in the past that led up to the present, and a prediction about the future. The subject is asked to include what the individuals pictured in the cards are thinking and feeling.

As you might imagine, this commentary does not scratch the surface of psychological testing. I do however hope that this writing has provided you with some insight regarding psychometrics. If nothing else, this might alert you to the need and efficacy of seeking consultation with a foren-

sic psychologist when reviewing psychological data, and reading questions for deposition or cross-examination.

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