

Building Your Practice Three Reasons to Add Forensic Evaluations to Your Practice

REASON #1: Forensic Mental Health Evaluation Is a Lucrative Means of Diversifying Your Practice

How would you like to earn a six-figure salary that is fairly stable even during times of economic recession?

Many clinical mental health counselors (CMHCs) I have spoken to who earn more than \$100,000 per year do so in part because they conduct forensic mental health evaluations, evaluations intended to be used in court or for legal proceedings.

Most forensic evaluations cost \$1,000 to \$5,000, with evaluators often charging \$150 to \$500 per hour for their service. One evaluator in my state told me that he works three to 15 hours per week and earns \$250,000 a year. Why does forensic evaluation pay so much? Because forensic evaluators provide a vital, highly specialized service. They have expertise above and beyond the average CMHC, and attorneys, courts, and clients involved in critical legal proceedings often recognize the importance of a highly skilled expert when the stakes are high.

REASON #2: Forensic Mental Health Evaluations Is Meaningful, Interesting, Important Work That Benefits Society

In the judicial system, *everyone* is a stakeholder—individuals, children, families, employers, employees, law enforcement officers, school systems, government

agencies, communities; so, everyone. Forensic evaluations are challenging, because there are many threats to the validity of client self-report. For justice to best be served, the court



Aaron Norton's conference presentation will be held Thursday, 6/27, from 10:30 AM–12:00 PM on, "Diversifying Your Practice with the Lucrative Specialty of Forensic Mental Health Evaluation." For information about the conference, visit amhca.org/conference.

This is the first article in the new "Building Your Practice" department.

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system needs qualified experts who can align several data points to formulate a clearer picture of a client's mental health. Many CMHCs find this task intellectually stimulating and impactful, considering their work a vital service to the community.

Many states and jurisdictions have lengthy waiting periods for forensic evaluations, and shortages of qualified forensic evaluators have resulted in lawsuits alleging violation of due process. The courts need more evaluators, and our profession can supply them.

REASON #3: Forensic Mental Health Evaluation May Sharpen Your Clinical Skills

Five years ago, I decided to pursue certification as a forensic mental health evaluator. Though I

had been conducting forensic substance abuse evaluations for a few years, I lacked some degree of confidence in my work. I remember thinking, "Even if I never do very many forensic evaluations, I bet this training will sharpen my clinical skills. It should make me a better diagnostician." Today, I'm all the more convinced that this is true, and I believe that my therapy clients have benefitted from this professional growth as well. Additionally, training in this specialty area has helped me to become more confident in my skills and more accepting of my professional limitations.

Ethical, Legal, and Professional Challenges

Forensic mental health evaluation may be rewarding and meaningful, but it has its challenges. First, CMHCs are generally more accustomed to their role as therapist rather than to the role of an independent evaluator, and they struggle with adopting this role. In the world of forensic evaluation, you are not a client advocate, nor are you helping a client to accomplish goals. Instead, the truth is your client, and you must maintain objectivity (see Section I.D4 of the AMHCA Code of Ethics; download free from amhca.org/learn/ethics).

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Second, remember that historically, this specialization was the domain of clinical and forensic psychologists and psychiatrists, not CMHCs, nor our master's-level allies in clinical social work and marriage and family therapy. Some state and local jurisdictions still have statutes, guidelines, and practices that discriminate against non-psychologists in the forensic mental health arena. For example, the ability to administer and interpret psychological tests—a vital component of quality forensic evaluations—has been limited by at least five states, despite the fact that our national counseling organizations concur that testing clearly falls within the scope of practice of CMHCs (for more on this, download National Board of Forensic Evaluator's (NBFEE) "Can Licensed Mental Health Counselors Administer and Interpret Psychological Tests?" from tinyurl.com/ydxjde6w). Additionally, some statutes appear to exclude CMHCs from conducting forensic evaluations.

The good news is that thus far, every statute sent to me from any state that appears to exclude CMHCs from forensic evaluation has on further scrutiny been found to only slightly limit CMHCs. Typically, such statutes govern only one or two types of

forensic evaluations, such as competency or civil commitment. Many other types of forensic mental health evaluations (e.g., violence potential, criminal responsibility, domestic violence, substance abuse, child custody/divorce, personal injury, immigration, sentencing variations, etc.) are available to CMHCs.

A Call to Action

I won't be happy until every U.S. court agrees that the professional identity of a licensed mental health professional—clinical mental health counselor, clinical social worker, marriage and family therapist, clinical or forensic psychologist, psychiatrist, psychiatric nurse practitioner—shouldn't determine whether that professional is a suitable expert witness. Rather, the individual's unique training, experience, knowledge, and expertise should be determining factors. In jurisdictions where this is not the case, I call on state chapters of AMHCA to advocate relentlessly for professional equality, perhaps using the shortage of qualified evaluators in the court system as a major talking point. ●

Forensic Mental Health Evaluation—How to Get Started

Consider watching a free, two-hour webinar I presented last year ("Introduction to Forensic Mental Health Evaluation for Counselors," viewable at youtu.be/WFBbvvrSv8). It covers:

- The definition of forensic mental health evaluation,
- Differences between forensic and clinical evaluations,
- The role of the expert versus the fact witness,
- An overview of different types of forensic evaluations,
- Qualifications required to administer and interpret psychological tests used in forensic evaluation,
- Ethical considerations for forensic evaluation,
- The admissibility of testimony by expert witnesses,
- How counselors can become forensic evaluators, and
- An overview of resources.

If you are interested in forensic evaluation after viewing this webinar, then I recommend that you consider becoming a Certified Forensic Mental Health Evaluator (CFMHE). Though not required to conduct forensic evaluations, certification is an excellent way to ensure that you are following an established national standard and to demonstrate to the courts that you are a recognized, vetted expert. To learn more about the credential, visit the National Board of Forensic Evaluators (NBFEE) nbfe.net, a nonprofit public charity founded in 2003 by Norman E. Hoffman, PhD, EdD, LMHC, LMFT, NCC, CCMHC, CFMHE.

Whether or not you pursue forensic certification, it will be important to establish yourself as an expert witness and a forensic evaluator. Here are some additional strategies:

- **Participate in formal training in forensic evaluation and the role of an expert witness**, whether with NBFEE or with other organizations, such as the Global Institute of Forensic Research (gifrinc.com).
- **Obtain credentialing in your area(s) of specialization within the forensic realm**. For example, AMHCA offers the Diplomate and Clinical Mental Health Specialist (DCMHS) credential in several specialized areas of clinical mental health counseling, attesting that you are an advanced practitioner (amhca.org/career/diplomate).
- **Create a detailed curriculum vitae (CV)**. To establish yourself as an expert, in addition to the components of a typical resume, include in your CV a transcript of every professional training you have taken, every presentation you have given, and every article you have written in your specialization area. You should also keep a list of all the court cases and case numbers you have worked on.
- **Forge relationships with referral sources**, such as attorneys, probation officers, government agencies, and other forensic evaluators. Take attorneys out to lunch to discuss your services. Offer in-service training in your area of specialization for the Public Defender's Office, District Attorney, or local law firms. Consider clinicians and other forensic evaluators as allies, not competition. They may have different specializations than you, or want to refer to you if they have a conflict of interest with a potential client or if they are not available.