

Ψ GLEN D. SKOLER, PH.D. ⚖️
CLINICAL & FORENSIC PSYCHOLOGY
WAYNE, MEDIA & ASTON, PA • HAVRE DE GRACE, MD
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PHONE: 240-605-2988 • DRGLENSKOLER@GMAIL.COM
PSYPACT INTERSTATE AUTHORITY TO PRACTICE
LICENSED PSYCHOLOGIST (PA, NJ, MD, VA & DC)
ClinicalandForensicPsychology.com

Resume & Expert Witness Qualifications

Previous Employment

Clinical and Forensic Psychology Practice
VA, MD, DC, PA, NJ & PsyPact Compact

Clinical Psychologist
1992 to Present

A clinical and forensic psychology practice in the Washington DC-Baltimore metropolitan areas, in the PA/NJ/NY tri-state area, and in Havre de Grace, MD, providing child, adolescent, adult, and couples psychotherapy; psychological testing; and court evaluations. Dr. Skoler is also authorized to temporarily practice in, and provide telepsychology services in, 30+ U.S. states participating in the PsyPact Interstate Compact.

Tao Institute of Integrative Medicine
Bryn Mawr, Pennsylvania & Marlton, New Jersey

Consulting Psychologist
2013 to 2018

Consulting psychologist in this integrative medicine group practice combining Eastern medicine, and holistic psychiatric, psychological, and medical services.

Culpeper Juvenile Correctional Center
Culpeper, Virginia

Psychology Supervisor
April 1999 to August 2001

Supervisor of psychological services at Virginia's high security juvenile correctional center for 16–20-year-olds. Responsible for clinical and administrative supervision; developing and implementing treatment programs; conducting staff training and program evaluation; providing group, individual and crisis counseling; supervising risk and parole release evaluations; directing sex offender treatment programs; hiring and supervising psychology staff; and participating on institutional review committees.

Providence & New Life Clinics
Arlington, Virginia

Clinical Psychologist
1994 to 1999

Responsibilities in this large group practice included inpatient and outpatient group, individual, child, adolescent, and family therapy; psychological testing; forensic evaluation; and clinical supervision of therapy and testing. Clinic inpatient unit was located at the Psychiatric Institute of Washington DC.

Patuxent Institution
Jessup, Maryland

Correctional Psychologist
1993 to 1994

Duties at this maximum-security treatment prison included therapy; psychological testing; diagnostic, pre-release and risk/dangerousness assessments; clinical supervision; case management; and participation on due process boards for prison disciplinary and segregation matters. Developed and submitted grant application on stalking violence to the National Institute of Justice; resubmission requested. Developed prison “violent attachments” treatment and research module on stalking and relationship related violence.

Juvenile and Domestic Relations District Court
Arlington County, Virginia

Court Psychologist
1987 to 1993

Responsibilities included individual and group psychotherapy, psychological testing, and diagnosis; psycho-legal evaluations of criminal insanity, competency to stand trial, custody, and juvenile transfer hearings; crisis management; court testimony; child and spouse abuse cases; testimony in mental commitment hearings; case consultation to judges and probation officers; in-service training; and pre-sentence evaluations.

United States Secret Service
Washington DC

Grant Recipient
August 1986 to October 1988

The Secret Service funded a study of forensic inpatients charged as Presidential threateners or other White House cases. The study developed findings from the psychotherapy and evaluation of these cases at St. Elizabeths Hospital. The contract called for a paper describing the psychological testing and dynamics in these more dangerous (criminally charged) Secret Service cases.

John Howard Forensic Pavilion
Saint Elizabeths Hospital, NIMH
Washington D.C.

Intern & Resident
1984 to 1986

Duties at this inpatient, forensic division and other civil divisions included individual and group psychotherapy; intake, psychological assessment, and diagnosis on a pre-trial/admissions ward; interdisciplinary case staffings for treatment planning and competency/criminal responsibility evaluations; neuropsychological assessment; clinical consultation; training and supervision in the psychotherapy and assessment of psychotic spectrum disorders; and a study of Presidential threateners. APA approved training site.

Nebraska Center For Children and Youth
Lincoln, Nebraska

Clinical Psychology Extern
May 1983 to June 1984

Provided individual and family psychotherapy, testing and assessment for court-ordered evaluations, court testimony, staff consultation, in-service training, crisis intervention, suicide risk evaluation, and treatment planning.

Lincoln-Lancaster Child Guidance Center
Lincoln, Nebraska

Clinical Psychology Extern
September 1981 to July 1982

Duties included family, individual, marital and play therapy; psychological testing and assessment; consultation to a local youth detention facility for unmanageable youth; case staffings; and treatment planning.

Jail Operations Project
National Sheriffs Association
Washington D.C.

Research Associate
Fall 1977 to Fall 1978

A Federal Bureau of Prisons grant project to develop model jail training materials. Drafted training manual sections on depression and suicide, crisis counseling, psychopathology, and alcohol and narcotics withdrawal.

Victim-Witness Assistance Project
National District Attorneys Association
Washington D.C.

Research Associate
Summer 1975 to Fall 1977

A program funding and coordinating victim-witness projects. Produced program brochures and materials; monitored district attorney victim-witness assistance programs.

Senate Subcommittee on Constitutional Rights
Washington D.C.

Intern
Summer 1971

Senator Sam Ervin, chair. Responsibilities involved general staff assistance.

Education

Law-Psychology Program
University of Nebraska-Lincoln

Fall 1979 to Spring 1987

A joint program in the psychology department and law school including law classes, psycho-legal study and research, mental health law, and forensic assessment.

Clinical Psychology Training Program
University of Nebraska-Lincoln

Fall 1980 to Spring 1988

An APA approved clinical psychology training program. Ph.D. (1988).

Georgetown University
Washington D.C.

Fall 1975 to Spring 1977

B.A. (1977) Major: literature. Minor: psychology. Dean's list.

University of Chicago
Chicago, Illinois

Fall 1973 to Spring 1975

Dean's list. Transferred to Georgetown University in Washington D.C.

Publications

- Skoler, G. New Hearsay Exceptions for a Child's Statements of Sexual Abuse, 18 John Marshall L. Rev 1-48 (1984). (Cited in several state and federal appellate cases.)
- Skoler, G. (1988). Saviors of the Nation, Assassins of the Self: Psychological Characteristics of Presidential Threateners and Other Secret Service Cases (Contract No. 87-4076). Washington DC: United States Secret Service.
- Skoler, G. (1989, May14). Why Violent Toys Are Good For Kids. The Washington Post, Section: Outlook--Commentary and Opinion, p. C 3. Reprinted in: Lesko, W. (1996). Readings in Social Psychology: General, Classic and Contemporary Selections (3rd edition). Allyn & Bacon, Inc.
- Skoler, G. The Commercial Scare, Vol. 7, Initiatives, Institute for Mental Health Initiatives, No. 1, p. 5 (Winter 1990). (An article about the effects of "scream film" commercials on children.)
- Skoler, G. (1994, January 2). *I Hear America Swinging: Bill and Hill's Problem Is as Familiar as Apple Pie*. The Washington Post, Section: Outlook--Commentary, pp. C1-2. (Article about the Clintons, the press and adultery.)
- Skoler, G. (1996, January 2). Rethinking "Huck:" Our Kids and a Flawed Masterpiece. The Washington Post, Section: Outlook--Commentary and Opinion, pp. C 1-2. (Article about "Huckleberry Finn" and the "N-word.")
- Parry, J. (Contributing authors: David Hominik, Glen Skoler, and Howard Altschwager) (1998). National Benchbook on Psychiatric and Psychological Evidence and Testimony. American Bar Association, Commission on Mental and Physical Disability Law, Washington D.C.
- Skoler, G. (1998). The Archetypes and Psychodynamics of Stalking. In J. R. Meloy (Ed.), The Psychology of Stalking: Clinical and Forensic Perspectives. San Diego, CA: Academic Press. J. Reid Meloy, Ed. (Included an analysis of Shakespeare's "Dark Lady" sonnets, cited in, Shakespeare and Psychoanalysis.)
- Skoler, G. (1998, March 22). The Half-Told Story of Sergeant Major McKinney. The Washington Post, Section: Outlook--Commentary and Opinion, p. C 7.

(Describing role as defense team psychologist, the use of psychological evaluation, and psycho-legal aspects of sexual harassment cases.)

Skoler, G. A Psychological Critique of International Child Custody and Abduction Law. American Bar Association, Family Law Quarterly, Volume 32, Number 3, Fall, 1998.

Skoler, G. Five “Seductive Ideas” Manipulated by “Whores of the Court” in Abuse and Neglect Cases. American Bar Association, 9th National Conference on Children and the Law, Conference Book. Washington DC, April, 1999. [“Whores of the Court” quotes a book title by another author, discussing the abuses of psychiatric expert witnesses in the courtroom.]

Skoler, G. (2010) A Survivor’s Guide to Healthy Living and A Healthy Life: Help In Starting Over For Victims of Sexual Exploitation and Abuse. The Barnaba Institute, in press. (A guide for rescued teen victims of sexual exploitation. The Barnaba Institute, along with organizations such as the National Center for Missing and Exploited Children, attempt to educate law enforcement and mental health professionals that teen prostitutes are themselves frequently victims of child abuse, exploitation, and severe pimp brutality, with many prostitutes and strippers beginning their “careers” as runaway teenagers.)

Newspaper Sunday Commentary Articles

Skoler, G. (1989, May 14). *Why Violent Toys Are Good For Kids*. The Washington Post, Section: Outlook--Commentary and Opinion, p. C 3. Reprinted in: Lesko, W. (1996). Readings in Social Psychology: General, Classic and Contemporary Selections (3rd edition). Allyn & Bacon, Inc.

Skoler, G. (1994, January 2). *I Hear America Swinging: Bill and Hill’s Problem Is as Familiar as Apple Pie*. The Washington Post, Section: Outlook—Commentary and Opinion, pp. C1-2. (Article about the Clintons, the press and adultery.)

Skoler, G. (1996, January 2). *Rethinking “Huck:” Our Kids and a Flawed Masterpiece*. The Washington Post, Section: Outlook--Commentary and Opinion, pp. C 1-2. (Article about “Huckleberry Finn” and the “N-word.”)

Skoler, G. (1998, March 22). *The Half-Told Story of Sergeant Major McKinney*. The Washington Post, Section: Outlook—Commentary and Opinion, p. C 7. (Describing role as defense team psychologist, the use of psychological evaluation, and psycho-legal aspects of sexual harassment cases.)

Skoler, G. (2013, December). *Beneath Those Songs of Cheer, A Sad Heart*. The Philadelphia Inquirer. Section: Currents—Commentary and Opinion.

Presentations, Consultations and Conducted Trainings

- Skoler, G. (1988). Saviors of the Nation, Assassins of the Self: Psychological Characteristics of Presidential Threateners and Other Secret Service Cases (Contract No. 87-4076). Washington DC: United States Secret Service.
- Skoler, G. (1992, February). The Clinical Prediction of Dangerousness. Presentation to the Federal Judicial Center research staff.
- Skoler, G. (1988). Arlington, Virginia Juvenile and Domestic Relations District Court. In-service training to juvenile and adult probation officers on forensic psychological testing, evaluations, and reports.
- Skoler, G. (1992, March). Attachment Disorders and Delinquency. Presentation to Fairfax, Virginia, CASA Program (Court Appointed Special Advocates).
- Skoler, G. (1994, November 20). The Psychodynamic Differentiation of Political and Celebrity Stalkers from Relationship-Related Stalkers. Three-hour training presentation to the Baltimore Psychological Association. Training approved by the Maryland Psychological Association.
- Skoler, G. (1996, April 12). Three-hour training presentation to psychology staff of the National Security Agency (NSA) and Central Intelligence Agency (CIA). The Psychodiagnostic and Psychodynamic Differentiation of Political, Celebrity and Relationship Stalking. Approved as Category A continuing education credits by the Maryland Psychological Association.
- Skoler, G. (1998). Federal Judicial Center, Court Education Division. Contracted consultant for the revision and review of training manual and curriculum for federal probation officers' on "Working with Mentally Disordered Offenders." Previously retained for original 1993 materials.
- Skoler, G. (January-March, 1998). Defense psychologist in the sexual harassment trial of Sgt. Maj. of the Army, Gene McKinney v. U.S. Army. (See Washington Post article, cited above.)
- Skoler, G. (1997-1999). American Bar Association, Commission on Mental and Physical Disability Law. Expert panel member, contracted project consultant, and contributing author for the National Benchbook on Psychiatric and Psychological Evidence and Testimony.
- Skoler, G. (April 23, 1999). "A Psycho-legal Critique of International Child Custody and Abduction Law." Spring Meeting, Family Law Section, American Bar Association. Miami, Florida.

- Skoler, G. "Five 'Seductive Ideas' Manipulated by 'Whores of the Court' in Abuse, Neglect and Termination Cases. April 1999. Presentation on the forensic evaluation of parents and children. American Bar Association, 9th National Conference on Children and the Law, Washington, D.C. ["Whores of the Court" quotes a book title by another author, discussing the abuses of psychiatric expert witnesses in the courtroom.]
- Skoler, G. (June 9, 1999). Statement to the Virginia Board of Juvenile Justice, for the Virginia Department of Juvenile Justice, on managing institutional violence and the "Handle With Care" staff defense/restraint program.
- Skoler, G. (February 3, 2002) "Understanding the Mind of a Terrorist: How Failures of Imagination Led to September 11 Failures in Intelligence." The Jewish Community Center of Northern Virginia.
- Skoler, G. (1999, December). Was Shakespeare A Stalker? Presentation to the Virginia Dept. of Juvenile Justice psychology staff on the psychodynamics of stalking using Shakespeare's "dark lady" sonnets.
- Skoler, G. (November 9, 2001) Training Presentation on "Forensic Evaluations in Abduction Cases," The National Center for Missing and Exploited Children.
- Skoler, G. (May 14, 2003) "The Effects of Post-traumatic Stress on Victims and Witnesses." Presentation to the Montgomery County Bar Association.
- Skoler, G. (October 20, 2015) *The Psychodiagnostic and Psychodynamic Differentiation of Political, Celebrity and Relationship Stalkers*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, University of Pennsylvania.
- Skoler, G. (November 8, 2016) *Healing the Incest Wound: With Daddy or Without Daddy?* Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, University of Pennsylvania.
- Skoler, G. (September 22, 2017) *Forensic Psychological Aspects of Initial Medical and Psychiatric Examinations*. Presentation to the Pennsylvania Association of Criminal Defense Lawyers, Conference on Litigating Sex Crimes.
- Skoler, G. (November 14, 2017) *Assessing Alleged Malingered & Feigned Post-Concussion and PTSD Injuries in an Accused Stalker*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, University of Pennsylvania.

- Skoler, G. (October 23, 2018) *Political, Celebrity and Relationship Stalking: Diagnoses, Psychodynamics & Risk Assessment*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, University of Pennsylvania.
- Skoler, G. (October 29, 2019) *Forensic Assessment of Child Sexual Abuse Allegations: Ethical Pitfalls, Clinical Challenges and 21st Century Developments*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Dept. of Psychiatry, Perelman School of Medicine, University of Pennsylvania.
- Skoler, G. (March 3, 2020) *The Forensic Assessment of Feigned, Malingered and Factitious PTSD, Post-Concussive and Other Mental Disorders*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, Univ. of Pennsylvania.
- Apy, P. & Skoler, G. (September 22, 2020) *Best Practices for Forensic Expert Opinions Based on Hague Child Abduction Convention Criteria for “Child Preference,” “Grave Risk of Harm,” and “Country of Habitual Residence.”* Presented to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, Univ. of Pennsylvania.
- Apy, P. & Skoler, G. (December 7, 2021) *An Expert Witness Survival Guide to Cross-Examination and Professional Ethics Attacks*. Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, Univ. of Pennsylvania.
- Seltzer Becker, L. & Skoler, G. (November 8, 2022) *Campus Sexual Assault/Title IX Adjudications: Balancing the Rights of the Accuser and the Accused: Evidentiary, Due Process, Standard of Proof and Clinical Considerations*. Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, Univ. of Pennsylvania.
- Skoler, G. (February 28, 2023) *Political, Celebrity and Relationship Stalking: Diagnoses, Psychodynamics and Risk Assessment*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, University of Pennsylvania.
- Skoler, G. (September 12, 2023) *The 21st Century Paradigm Shift in the Forensic Assessment of Child Sexual Abuse (CSA) Allegations: Ethical Pitfalls, Clinical Challenges, and Pathways to False Allegations*. Presentation to the Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Dept. of Psychiatry, Perelman School of Medicine, University of Pennsylvania.

American Bar Association Consultations & Presentations

Skoler, G. A Psychological Critique of International Child Custody and Abduction Law. American Bar Association, Family Law Quarterly, Volume 32, Number 3, Fall, 1998.

Skoler, G. (1997-1999). American Bar Association, Commission on Mental and Physical Disability Law. Expert panel member, contracted project consultant, and contributing author for the National Benchbook on Psychiatric and Psychological Evidence and Testimony,

Skoler, G. (April 23, 1999). "A Psycho-legal Critique of International Child Custody and Abduction Law." Spring Meeting, Family Law Section, American Bar Association. Miami, Florida.

Skoler, G. "Five 'Seductive Ideas' Manipulated by 'Whores of the Court' in Abuse, Neglect and Termination Cases." April 1999. Presentation on the forensic evaluation of parents and children. American Bar Association, 9th National Conference on Children and the Law, Washington, D.C.

Media Interviews and Citations

Skoler, G. (1989, May 20). Weekend Edition [Interview: Why violent toys are good for children]. National Public Radio.

Skoler, G. (1989, May 25). Diane Rehm Show [Interview on Violent Toys]. Washington DC, WAMU, National Public Radio.

Skoler, G. (1994, October 31). Channel 4 News. [Interview on Presidential threateners/stalkers and recent White House shooting incident]. WRC TV, Washington DC affiliate, NBC News.

Skoler, G. (1998, September). Cosmopolitan Magazine. [Background interview and article citation on love obsession and stalking.]

Skoler, G. (1998, July 25). Weekend Edition [Interview: Profiling presidential and political threateners after Capitol shootings.] National Public Radio.

Skoler, G. (1998, August). The Village Voice. Background interview & citation on the psychopathology of terrorist Osama Bin Laden, implicated in the 1998 US embassy bombings. (This interview occurred about 3 years prior to 9/11/01.)

Skoler, G. (1999, June 10). Richmond Times-Dispatch. pp. A1-3. Coverage and quotation of statement to the Virginia Board of Juvenile Justice on institutional violence, correctional staff safety and self-defense tactics.

Skoler, G. (2011, February). CBS “48 Hours,” interview on the psychology of stalkers.

Skoler, G. (2012, August 20). A & E Channel, taping of interviews on the psychology and psychopathy of teen killers, for two episodes scheduled to air the fall of 2012.

Skoler, G. (*Washington Post* and *Philadelphia Inquirer* commentary articles cited above.)

Skoler, G (May 2013) Local Philadelphia Fox and NBC News interviews on the psychological effects of abducted women held prisoner for years.

Flynn, Gerald (January 18th 2018) *Distorted Love, Rage Mix in Minds of Stalkers*, The Villager Newspaper Manhattan) (Citing interview with Dr. Skoler.)

Skoler, G. (June 2020) A House Divided Podcast, hosted by Alycia Kinchloe, Esquire. *Assessing True Versus False Allegations of Child Sexual Abuse in Custody Cases*. Interview of Dr. Skoler on 21st Century developments in assessing child sexual abuse (CSA) allegations arising in custody conflicts.

**Episcopal Church Adult Education/Formation Series by Dr. Skoler
St. Asaph’s Church (SAC), Bala Cynwyd, Pennsylvania (2013-2015) and
The Church of the Redeemer (COTR), Bryn Mawr, Pennsylvania (2018-2022)**

Was Mary Magdalene Really a Prostitute? The Rescuing the “Prostitute with the Heart of Gold” Archetype in Western Literature, Film and Actual Assassination, Forensic & Stalking Cases. Discussions of Biblical accounts, Martin Scorsese’s *Taxi Driver*, Dostoevsky’s *Crime and Punishment* and Other Works (SAC)

Understanding Evil and Sin Through Modern Theological and Ethical Figures: Pope John-Paul II, C.S. Lewis, Soren Kierkegaard, Gandhi, Solzhenitsyn, Dietrich Bonhoeffer, Dr. Martin Luther King, Jr., Ernest Becker & Others (SAC)

Was Shakespeare A Stalker? A Psychological Deconstruction of Shakespeare’s Sonnet Sequence Including the “Spiritual Sonnets” and the “Dark Lady Sonnets” (SAC)

The Sickness Unto Death and The Journey From Darkness to Light: Clinical Depression and Spiritual Despair. Referencing Kierkegaard’s “Sickness Unto Death,” Freud’s “Mourning and Melancholia” and Other Works (SAC)

“Do You Believe in Miracles? Yes!” *Taking the Bible Literally???* Referencing “Miracles” by C.S. Lewis (SAC)

“Two Loves I Have of Comfort and Despair:” *Shakespeare’s “Spiritual Sonnets” in the Context of his Last Obsessed “Dark Lady Sonnets.”* (April 29, 2018) (COTR)

Black and White Perspectives on the Adventures of Huckleberry Finn— “That Amazing Troubling Book” [Toni Morrison]. Based on Dr. Skoler’s Washington Post commentary, “Rethinking Huck: Our Kids and a Flawed Masterpiece,” and based on Dr. Skoler’s book in progress, “A Guide to Huckleberry Finn for Offended Blacks and Guilty Whites: The Literary Masterpiece on the Precipice of the American Racial Divide.” (January 30, 2022) (COTR)

Selected Forensic and Correctional Training & Continuing Education

Institute of Law, Psychiatry and Public Policy

University of Virginia--Charlottesville

- Basic Forensic Training Program
- Advanced Forensic Training Program
- Sex Offender Evaluation Training
- Risk Assessment/Dangerousness Training and Conference (June 2000)
- Expert Testimony and Forensic Evaluation Symposium
- Use of Restraints/Seclusion with Juvenile Offenders Symposium
- Treatment of Conduct-Disordered Adolescents Symposium
- Mental Health and the Law: The Last 25 Years (Conference)

Maryland Police and Correctional Training Commissions

Maryland Correctional Training Academy

A three-week training program for officers and treatment personnel on correctional custody, classification, security and treatment issues. Distinguished graduate.

Patuxent Institution

Patuxent, Maryland

Selected in-service trainings as a correctional psychologist at this maximum-security treatment prison on forensic assessment and dangerousness prediction. Emphasis on substance abuse treatment, and use of the Millon personality inventory and the Hare Psychopathy Checklist in assessing personality and risk factors for treatment and parole.

Harborview Incest Program

Seattle, Washington

Workshop in Lincoln, Nebraska on the evaluation and treatment of incest victims and offenders.

Law-Psychology Training Program
University of Nebraska

A graduate law and psychology training program integrating mental health law and forensic evaluation with clinical psychology training, including law school courses in Constitutional law, criminal law, torts, domestic relations, and mental health law.

St. Elizabeths Hospital, NIMH
Washington DC

John Howard Forensic Pavilion. Psychology Internship and Residency.
Duties described above under "Previous Employment."
Virginia Department of Juvenile Justice
Culpeper and Richmond, Virginia

- Handle With Care Restraint/Self Defense/De-escalation Training
- Treatment of Juvenile Sex Offenders, 2 days, by VA Dept. of Juv. Justice
- Psychotropic Treatment of Adolescents
- Sex Offender Management: The 14th Annual Training Institute on the Management and Treatment of Sex Offenders, by the Sex Offender Program Action Committee (SOPAC) and the Virginia Department of Corrections, March 22-24, 2000 (2 and 1/2 days)

National Center for Missing and Exploited Children
Alexandria, Virginia

Invited participant to first two annual (2009 & 2010) two-day Family Advocacy Outwork Network Training Conferences, as a member of that network and a referral source for the National Center for Missing and Exploited Children.

Practical Applications in Forensic Psychiatry Grand Rounds Seminar, Department of Psychiatry, Perelman School of Medicine, University of Pennsylvania (2015-to Present)

Member and regular attendee at this weekly continuing education seminar comprising expert presentations, case staffings and peer consultation regarding the practical applications of varied topics in forensic psychiatry and psychology including risk assessment, competency, malingering, psycho-legal ethics, parental alienation, immigration evaluations, veterans' evaluations, sex offender risk, false confessions, adverse child trauma experiences, juvenile decertification, autistic defendants, forensic assessment and several other topics in modern forensic psychiatry and psychology.

Other Selected of Several Continuing Education Courses and Seminar Sessions

- Alzheimer's, Dementia & Memory Deficits
- Post-traumatic Stress Disorders, Assessment & Treatment
- Obsessive-Compulsive Disorders

- Professional Ethics
- Psychotropic and Psychiatric Medication and Controversies
- Effectiveness and Validity of Various Psychotherapy Models
- Autism Syndromes
- Attention Deficit Disorders
- Depressive and Bipolar Disorders
- Rorschach Interpretation and Scoring
- Neuropsychological and Neuropsychiatric Issues and Assessment
- Legal Competency and Insanity Assessment
- Child Abuse Identification and Reporting
- Suicide Risk Identification and Management
- False/Coerced Confessions and the Innocence Project
- The Adolescent Brain and Social Development
- Political, Celebrity and Relationship Stalking
- Relationship of Substance Abuse to Criminal Responsibility
- The Interface of Poverty and Forensic Psychiatry
- Mental Health Advance Directives
- Mental Health Issues and Rights to Bear Firearms
- Tort Law and Forensic Psychiatry
- Testimony in Capital Mitigation and Appeals
- Therapy Guidelines with LGBT Clients (2019 course)
- Sexual Harassment Evaluation Psycho-Legal Guidelines and the Me-Too Movement
- Identity/Multiple Personality Disorder and the Criminal Justice System
- Child Pornography and Online Sexual Offenders
- Adolescent Sex Offenders
- Malingering and Feigning in Court Cases
- Transfer/Decertification of Juveniles Between Juvenile and Adult Court Systems
- Reducing Risk of Recidivism
- Dealing with Unqualified Opposing Experts
- Pre-trial Taint Hearings in Child Sexual Abuse cases
- Autism Spectrum Disorders and Internet Crime
- Aspects of Sexually Violent Predator Legislation
- Parental Alienation: Clinical Issues and Forensic Challenges
- Catholic Priests and Child Sexual Abuse
- DSM-5 and Juvenile Justice
- Veterans' Disability Evaluations
- Assessment of Child Sexual Abuse Allegations
- Deinstitutionalization and the Mentally Ill
- Competency to Stand Trial
- Immigration Policies Impact on Child & Family Mental Health
- Malpractice Liability Principles Workshop & Scenarios Workshop
- Forensic Aspects of Medical Cannabis
- The Aging Brain and Criminal Responsibility

- Commercial Sexual Exploitation (CSA): Trauma, Treatment, Statistics, Warning Signs & Treatment
- Best Forensic Clinical Practices in Hague Child Abduction Convention Cases: “Grave Risk of Harm,” “Child Preference,” and “Country of Habitual Residence”
- Sleep Disorders and Criminal Responsibility
- Structural Competence in Forensic Psychiatric Practice (Re: Issues of Systemic Racism and Disparate Psychiatric Interventions)
- The Child as Witness: In a Case of Alleged Child Sexual Abuse
- The Department of Veterans Affairs and Suicide Prevention Issues
- Children’s Rights and Child Welfare Interventions: A Legal Perspective
- Traumatic Brain Injury (TBI), The Criminal Trial Process and the Role of Experts from the Perspective of Therapeutic Jurisprudence
- Female Offenders and Homicides
- Adolescents, Cruelty to Animals & Conduct Disorders
- Forensic Evaluation of Violent Extremists
- Psychiatry and the Pennsylvania Board of Pardons
- Medication Issues with Juveniles in the Justice System
- Maternal Infanticide Cases
- Traumatic Brain Injury (TBI) and the Law
- Expansion of Mental Health Provider’s Duty to Warn: Case & Statutory Law Update
- Clarifying for Attorneys Criminal Responsibility (Insanity) Assessment Referrals
- “Suicide by Cop” Victim Dynamics & Implications in Wrongful Death Actions
- Misogyny in Forensic Psychiatry & Gender Issues in the Criminal Justice System
- Ethics in the Psychedelic/Hallucinogens Therapy of Mental Disorders, e.g. PTSD
- Civil Litigation Involving Addictive Agents: Opiates and Opioids Addiction, Pain Management Issues & Addiction Treatment
- COVID-19 Vaccine Education and Debunking Myth—Mayo Clinic
- COVID-19 Myth, Mysteries, Misinformation, Myopia and Miracles—Mayo Clinic
- APA Guidelines for Psychotherapy: Lesbian, Gay, & Bisexual Clients (2021 Course)
- Juvenile Sentencing: Neuroscientific Approaches for Therapeutic Jurisprudence
- Mitigation Evaluations in Criminal Cases, Including Death Penalty Sentencing Phase
- Extending the Prohibition of the Juvenile Death Penalty: Case Law & Brain Science
- “Excited Delirium” and Death in Custody Cases
- A Survival Guide to Expert Witness Cross Examination and Ethics Challenges
- Problematic, Abusive Sexual Behaviors and Treatment in Children & Adolescents
- Children’s Rights and Child Welfare: A Legal Perspective
- Assessing Remorse, Assertions of Innocence & Mitigation Factors in Re-Sentencing; A Difficult to Diagnose Case of Neuro-Cognitive Disorder
- A Case Study Discussion of Interstate Child Abduction and Parental Alienation Nat. Center for Missing and Exploited Children, Family Outreach Advocacy Network
- Issues of the Child as Witness in Cases of Alleged Child Sexual Abuse (CSA)
- Mental Health Evidence, Evidentiary Challenges, and the Insanity Defense
- Forensic Psychiatric Perspectives in Autism Spectrum Disorder

- The Man Card Documentary, White Male Identity Politics in Presidential Elections, and the Resulting “Law and Order” Policies and Politics Often Focused on Minorities
- Dispositional Dilemmas and Challenges for Suicide by Cop Survivors
- Death Penalty Cases: Best Professional Practices in the Evaluation of Capital Murder, Death Penalty Sentencing Mitigation and Atkins IQ Criteria Cases
- Transgender Individuals in Correctional Care: Rights, Protections & Services
- Post-Conviction Relief and Psychiatric Testimony: Criminal Defenses, Ineffective Assistance of Counsel Claims, and Role of Psychiatric Opinions Assisting Counsel
- Title IX/Sexual Assault Cases: Balancing the Rights of the Accuser and the Accused: Evidentiary, Clinical, Standard of Proof and Due Process Considerations
- Centering Justice and Healing in Child and Family Mental Health: Juvenile Justice Treatment Reforms Sensitive to Racial Biases and Economic Disparities
- Forensic Assessment of Refugees/Asylum Seekers: Legal Basis & Clinical Issues
- Two Implicit Bias Training Courses for Health and Mental Health Professionals
- Forensic Psychiatric Digital Monitoring of Patients: Ethical Considerations of a Paradigm Shift from Pitfalls to Promise
- Normal Versus Problematic Sexual Behaviors (PSBs) in Children and Adolescents
- Political, Celebrity and Relationship Stalking: Diagnoses, Psychodynamics and Risk Assessment
- Homesickness and Nostalgia: Diagnostic and Clinical Implications for Child Custody
- Telepsychology: Ethical Practices, Confidentiality, Informed Consent, Clinical Implications, Appropriate Populations, Remote Evaluations and Other Issues
- The Fate of Not Guilty by Reason of Insanity (NGRI) Acquittees
- Intimate Partner Violence: Recognition and Intervention
- Responsible Opioid Prescribing Practices (Dr. Skoler, as a psychologist, does not prescribe opioids; an opioid awareness course was required for NJ license renewal)
- The 21st Century Paradigm Shift in the Forensic Assessment of Child Sexual Abuse Allegations: Ethical Pitfalls, Clinical Challenges, and Pathways to False Allegations

Selected Examples of Previous Cases

Criminal Law, Juvenile Law & Sentencing Cases

Criminal Responsibility • Trial Competency • False/Coerced Confessions
 Post-Traumatic Stress (PTSD) • Traumatic Brain Injury (TBI) • Miranda Rights Waiver
 Juvenile/Adult Court Transfer/Certification Hearings • Child Sexual Abuse
 Abuse Allegations • Sentencing Evaluations • Violence and Sexual Risk Assessments
 Malingering and Feigning • Political, Celebrity and Relationship Stalking
 Critiquing the Reports and Testimony of Other Experts

Civil Litigation & Family Law Cases

Personal Injury/Damages • Sexual Assault • Transgender Prison Rape
 Testamentary Capacity • Contractual Capacity • Divorce & Custody • Termination of
 Parental Rights • Child Protective Services • Right to Die • Domestic Violence • Abuse &
 Alienation • International & Hague Convention Child Abduction • Grandparents' Rights
 Post-traumatic Stress Disorders (PTSD) • Traumatic Brain Injury (TBI)
 Carcinogen Psycho-Oncology Emotional Harms • Maritime Drowning Survivors
 Critiquing the Reports and Testimony of Other Experts

Civil Rights & Employee Rights Cases

Racial & Sexual Harassment & Discrimination • Abuse & Trauma Allegations
 Disputed Intelligence Agency and Police Evaluations • School Molestation • Workers'
 Compensation • Alleged Officer Abuse • Prison Rape • Employee Discrimination
 Child Sex Abuse Victim Restitution • Courts-Martial • PTSD & TBI
 Immigration Case Asylum, Hardship, Spousal Abuse and Crime Victim Exceptions
 Critiquing the Reports and Testimony of Other Experts

Administered Psychological, Neuropsychological and Forensic Assessment Testing

There are literally hundreds of different psychological assessment instruments, tests, inventories, structured interviews, scales, and rating forms. The following is only a partial list of general categories of psychological testing administered by Dr. Skoler:

- Psychodiagnostic and Personality Testing for Adults, Adolescents & Pre-Adolescents
- Trauma, Abuse, Dissociation and PTSD Testing for Adults, Adolescents & Children
- Legal Competency and Insanity/Criminal Responsibility Inventories and Measures
- Competency to Waive Miranda Rights and Other Legal Competencies
- Mental Status, Memory, and Dementia Testing
- Adult and Adolescent Anger, Violence, Sexual Assault, and Psychopathy Risk Assessment Inventories and Rating Scales
- Malingering and Feigning Instruments for Both Claimed Psychological and Neuropsychological Disorders

- Neuropsychological, ADD, IQ, Executive Functioning, Memory/Learning, Dementia, Achievement, and Psycho-educational Testing and Screening Instruments
- Child/Parent and Parenting Stress Assessment Measures for Visitation/Custody Cases
- Chronic Pain, Eating Disorder, Anxiety, Depression and Other Scales & Inventories
- Alcohol/Drug Abuse Inventories Assessment Instruments and Scales
- Personality Traits and Styles Testing for Non-Patient and Non-Forensic Populations
- Other Specialized Psychological, Neuropsychological and Forensic Inventories/Tests

Active Licensure Status & Professional Organization Membership

Maryland:	Licensed Psychologist #02989
District of Columbia:	Licensed Psychologist #PSY1708
Virginia:	Licensed Psychologist #01725
Pennsylvania:	Licensed Psychologist #PS016752
New Jersey:	Licensed Psychologist #5125
American Psychological Association:	Member in Good Standing
Int. Association of Trauma Professionals:	Certified Clinical Trauma Professional
Nat. Center for Missing & Exploited Children:	Family Advocacy Outreach Network
PSYPACT: Temporary Authorization to Practice (TAP #11253), up to 30 days, per year, in 40 participating states in which the psychologist is not licensed.	
PSYPACT: Authority to Practice Interjurisdictional Telepsychology (APIT #11253)	

Expert Witness Qualification in State & Federal Courts & Acceptance of Cases Throughout the United States

Qualified as an expert witness in clinical and forensic psychology in various state courts, including DC, MD, VA, PA, NJ, NY, NC, WI, WV, NV & TX—as well as in various Federal U.S. District, military, and immigration courts.

The Psychology Interjurisdictional Compact (PSYPACT), permits up to 30 days, per year, of face-to-face practice, as well as telepsychology, 40 participating states, with legislation for additional states pending. In addition to Dr. Skoler's states of licensure (DC, MD, VA, NJ & PA), PSYPACT states include: DE, NC, SC, CT, TN, IL, MI, IN, MO, CO, TX, OH, WA, WI, WV, FL and other states—with NY and MA pending with active legislation. For states not yet formally PSYPACT compact members, Dr. Skoler will continue to comply with policies for out-of-state practice, which typically involve a simple process of providing notice to, or obtaining approval or a temporary permit from the visited state, based on the good standing of the psychologist in the home state(s) of licensure.

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LICENSED PSYCHOLOGIST (PA, NJ, MD, VA & DC)
ClinicalandForensicPsychology.com

Retainer Agreement for Forensic Psychological & Expert Witness Services
Model Hourly Retainer Template—Unsigned Draft—Confidential
To Be Adapted to Case Specifics by Dr. Skoler and Submitted for Review

Robert(a) Smith, Esquire
111 Infinity Drive
Anytown, USA 11111
Phone:

Date: _____,
Re: Expert Witness Services Agreement and Retainer
John Doeman Case

Dear Mr./Ms. Smith,

This letter constitutes a proposal for a retainer services agreement between myself, as a possible expert witness clinical and forensic psychologist, and yourself, and your law firm, as counsel representing Mr. John Doeman in litigation involving _____ and the allegations and issues related thereto.

This retainer template serves as an all-in-one document for various types of criminal, civil, civil rights, employee rights, immigration, military, juvenile court, family law, protective services, post-traumatic stress, sentencing/risk assessment—and other types of court-involved and non-court-involved psychological evaluations.

Consequently, not all of the following subheadings, clauses and caveats may be applicable to your specific case. For example, not all cases may involve a psychological or neuropsychological evaluation, or a criminal matter, or travel. Therefore, the anticipated services and charges for your specific case are listed on pages 9-10 under Phases 1, 2, 3, etc.

If the following case-specific terms are acceptable to you, I have provided counter-signature lines below, for you as the retaining counsel, and for Mr. Doeman, for his informed consent. Due to the nature of this document as a services agreement, I may refer to you, and myself, in the third person, below.

Specifying the Client or the Attorney as the Contracting Party for Expert Witness Services

For different reasons, in different legal matters, including the attorney work-product privilege, an attorney may prefer to retain expert witness services directly, yet, at other times, may prefer to have the client retain such services. For legal and consulting purposes, expert witness services will be retained, and funds provided through you and your law firm through arrangements your law firm makes with Mr. Doeman. However, Mr. Doeman will be responsible for the financial obligations in this retainer agreement, whether they are paid directly to Dr. Skoler, or through the law firm.

Mr./Ms. Smith, counsel for Mr. Doeman, and other counsel Mr./Ms. Smith may involve, will direct Dr. Skoler's services in the case, limited by any ethical constraints, in the context of the ethics provisions, cited below.

Hourly Rate of Expert Witness Charges

The retainer and charges are based on an hourly rate of **\$300 per hour**. Retainer estimates shall include reasonable estimates for associated case costs such as e-mails, phone calls, testimony preparation, the drafting of an expert witness report, and other expert witness services, as listed below.

Billing statements will note charges by tenth of an hour increments, with the date and type of service provided.

Flat Fee Versus Hourly Billing Policies

In some cases involving psychological evaluations or consultations for court cases, such as those involving certain criminal charges, certain juvenile court cases, immigration cases, and some other cases, Dr. Skoler may agree to a flat fee, to include, for example, phone calls, e-mails, a psychological evaluation with testing, a written report, and a day of testimony. However, in other cases, such as an ongoing civil suit, a civil rights litigation, a domestic relations case, or a complex criminal case matter, it may be difficult to anticipate the extent of expert witness services that may be requested, in which case, charges will be billed by the hour, or portion of the hour, against a provided retainer. If a flat fee is offered, the retainer will specifically state what services are included in the flat fee and what services would be charged additionally.

This current case is not being retained for a "flat fee." Rather a retainer will be provided, against which expert witness services shall be billed and charged, by the terms in this retainer agreement letter. At the point that the balance of the remaining retainer funds falls between \$1,000 to \$1,500, additional retainer funds shall be provided based on agreed estimates for additional, forthcoming services.

Expert services will not be provided without deposited retainer funds to bill against.

Return of Unused and Unbilled Retainer Funds

In the event of case settlement, or for other reasons such as termination of this services contract and agreement, unused and unbilled portions of the retainer will be returned to Mr./Ms. Smith, when it is reasonable to assume no further expert witness services will be required. Expert services already provided and conducted will be billed and deducted from retainer funds, prior to the return of unused funds.

Liability for Reimbursement of Expert Witness Services if Subpoenaed by the Opposing Party

Because retained expert services are often rendered for the purpose of expressing opinions in a legal controversy, Dr. Skoler will be reimbursed by the retaining party, even if subpoenaed by the opposing party, due to Dr. Skoler submitting reports or opinions or expert witness declarations on behalf of the retaining party. Dr. Skoler shall also be reimbursed for any deposition testimony or preparation out of retainer funds that are not reimbursed by the opposing party, by the terms below.

Charges for Court Testimony Time

Dr. Skoler will charge at his hourly rate of **\$300 per hour** for time spent preparing for court testimony, reviewing relevant case file materials and documents, time spent in attorney preparation, organizing records, waiting at court and testifying in court.

It should be understood, therefore, that the actual time spent on the witness stand may be the smaller portion of this process of preparing adequately to testify and to be examined and cross-examined as an expert witness.

Dr. Skoler will also charge **\$300** per hour if counsel requests that Dr. Skoler observe any other trial or hearing testimony or observe the testimony of other witnesses. In the event that Dr. Skoler is requested to observe a hearing or trial for an entire day or days, he may choose to cap his actual court attendance fees for each day to 5-6 hours, but may charge additionally for the testimony preparation time, described above. However, Dr. Skoler will bill for each hour he is on the witness stand, waiting at court, or on court breaks and recesses, while his actual testimony is ongoing.

Dr. Skoler will provide good faith estimates of court testimony and preparation time, which must be paid and received 4 weeks prior to such scheduled testimony. Time traveling to and from court will be billed at a 50% rate (\$150 per hour).

Charges for Being Deposed by the Opposing Party

As noted above, a large part of the time for testimony involves adequately preparing for such testimony and reviewing the case file. However, in some cases, when being deposed by the opposing party, funds may only be provided for the actual hours Dr. Skoler is deposed, but not the travel, waiting and deposition preparation time. Often this preparation and review phase is important for the expert witness, since depositions may

occur long after the submission of an expert witness declaration or report.

Therefore, deposition testimony will be charged at \$350 per hour, if there is no prior agreement with the deposing party to reimburse Dr. Skoler for the associated preparation time and by the terms by which he agreed to become involved in this case, in this current retainer agreement.

Dr. Skoler will submit a billing statement or invoice for all his associated deposition time and costs, including travel time, preparation time, testimony time and the associated calls, letters or e-mails to arrange such.

Mr. Doeman or Mr./Ms. Smith shall reimburse Dr. Skoler for such professional time at a \$300/hr. rate, which is not reimbursed by the deposing party.

General Types of Expert Witness Services and Costs Anticipated

Expert witness services may include, but are not limited to:

- drafting, writing, editing and proofing a thorough written report, or a more brief expert witness declaration or notice of opinions;
- trial, hearing or deposition testimony;
- administering, scoring and analyzing psychological testing and inventories;
- the review of provided medical, psychological and psychiatric records; legal pleadings, motions and filings; transcripts and depositions; and other requested documents;
- the critique, analysis or rebuttal of the work of other mental health professionals;
- interviews with various parties, witnesses or collateral sources of information;
- review of scholarly commentary regarding the relevant psycho-legal evaluation principles and standards in the case;
- travel time, phone calls, letters and e-mails;
- attorney consultation;
- relevant research on commentary related to case issues;
- payment at \$25 per hour rate to administrative assistants, including for proofing and research on relevant topics;
- other tasks specific to case issues and concerns.

Mr./Ms. Smith, counsel for Mr. Doeman, will request and direct case activities involving expert witness services, within the constraints of the ethical provisions, below.

Administrative Costs

Administrative costs associated with the case such as psychological test materials and scoring charges, FedEx shipping, copying, mailing costs, limited administrative assistant costs and other administrative costs other than incidental expenses will also be deducted from the provided retainer, such as proofing, editing of reports, etc.

Preliminary Professional Time Prior to the Finalization of this Current Retainer Agreement

Depending on the case, up to 2.0-2.5 hours of itemized time will be deducted from the provided retainer for preliminary e-mails, discussions, letters and phone calls, and the professional time to mutually finalize this retainer agreement letter with counsel, prior to provision of the initial retainer, and prior to further case activities.

In addition to this preliminary time, travel (at 50% rate) and meeting time (at 100% rate) with Mr./Ms. Smith or Mr. Doeman, even if it occurs prior to the finalization of this retainer agreement, will be billed additionally to these preliminary hours, by the terms of this retainer agreement.

Travel Expenses and Time

Time spent travelling will be billed at a 50% rate (\$150 per hour). When travelling, actual attorney meeting, interview, evaluation, testimony and other professional time will be billed at the full \$300/hr. rate, including time spent waiting at court hearings, depositions or meetings. Time spent travelling to and from correctional facilities such as juvenile or adult detention or correctional centers will also be charged at the 50% travel rate.

If travel accommodations are necessary, Dr. Skoler will select his own accommodations at a "business class" type of hotel/motel, that is reasonably convenient for counsel and client consultation.

Travel beyond 60 miles round trip, 30 miles each way, will include reimbursement for gasoline, cabs, tolls, lodging if necessary, Amtrak coach or business class tickets, or airfare coach or business class tickets to be booked and selected by Dr. Skoler.

Client and/or counsel will provide sufficient retainer funds prior to such travel. However, Dr. Skoler will document with receipts such travel costs deducted from retainer amounts, and return unused travel funds.

Request for Raw Data and Records

Due to the complexity of and scrutiny in legal cases, 2.0 to 2.5 hours will be charged (\$600-\$750) for the professional time involved in organizing, documenting, confirming, copying and mailing the case file and records, as well as the associated necessary cover letter and communications relating to such requests, the proper authorization of such, and the protection of the confidentiality of such records. These matters can become complicated regarding not only concerns about the confidentiality of records, but also of the proprietary psychological test materials and computerized reports which are protected by the testing companies in an age when materials could be improperly posted on the Internet.

The Potential Additional Costs of IQ, Attention Deficit, Memory, Learning Disability, Special Needs, Psychoeducational and/or Neuropsychological Testing and Assessment

In some cases, the initial “referral issue” may clearly identify that some form of IQ, psychoeducational, cognitive, memory or neuropsychological testing is likely, or necessary—which would be included in initial good faith estimates of provided services. As examples: a defendant who made a “confession” may be suspected of having a low IQ; or a person who experienced a head injury may need neuropsychological testing; or dementia may be suspected in an elderly person. However, in other cases, the initial brief IQ and neuropsychological screening, which is typically part of many psychological evaluations, may indicate a potential problem and need for additional, more extensive IQ and neuropsychological testing. These different types and forms of neuropsychological and cognitive testing are often time-consuming for the administering psychologist, and may involve additional hours of administering hundreds of items in face-to face-testing, with many responses recorded verbatim, or even timed with a stopwatch. Counsel will be notified if such additional testing is recommended.

Additional Specialized Forensic Assessment Instruments for Competency, Insanity, Risk of Violence or Sexual Assault, the Validity of Reported Symptoms and/or Personality Disorders

Similarly, in many criminal cases, the strictly defined legal thresholds for competency to stand trial or criminal responsibility (insanity) can be assessed in a timely manner. However, if initial evaluation indicates that such issues as legal incompetency or insanity or incompetency to waive Miranda rights, appear to be a reasonable possibility, then, ethically, it may be indicated to administer more comprehensive instruments to assess these issues. Further, in the event of sentencing considerations, specialized risk assessment instruments may be indicated. These types of specialized forensic instruments may also add additional costs to psychological evaluations and expert reports, and counsel will be notified if such additional evaluation is recommended.

Agreement That Neither Party Will Tape or Record Audio, Phone Call, Computer or Video Communications with Dr. Skoler, Nor Record Any Other Interviews or Evaluation Elements Conducted by Dr. Skoler, Whether Remotely or In-Person

Dr. Skoler believes that recording can actually be used for misleading or unethical purposes, because such recordings can be edited and/or presented out of full context. Such recordings can also create a “chilling effect” which can impede the complex, interactive process of psychological interviewing and assessment. Pennsylvania, where Dr. Skoler primarily practices, is a state that requires the consent of both parties to record conversations. However, regardless of what state either party is communicating from or in, the parties hereby agree that neither party will tape or record any communications with Dr. Skoler, remotely or in person, without the signed mutual consent of both parties.

One exception to this condition is that Dr. Skoler may, at his discretion, use a small digital/tape audio recorder, in full view, only during the administration of certain brief IQ, memory or neuropsychological subtests, to accurately score the evaluation subject being

asked to quickly repeat lists of words, sentences or a paragraph. Another exception would involve if Dr. Skoler was interviewing a minor victim of child abuse in a forensic evaluation context—however this would only occur with the written consent of the authorizing party or parties and/or guardians. (The recording of such child accounts in a forensic evaluation context is considered a recommended best practice.)

Ethical Considerations

Regardless of which party retains Dr. Skoler, he is obligated to comply with the Code of Ethics and forensic specialty guidelines of the American Psychological Association, and associated standards of ethical and professional practice and conduct incorporated in applicable state psychology board licensing statutes and regulations.

Dr. Skoler will consider and receive attorney and client comments and input. Although licensed psychologists should consider various interpretations of case aspects and findings, it is considered ethical for an expert to advise on case issues and findings when retained by one party or another, or by mutual or stipulated appointment by a Court. However, attorneys and clients will not have the right to dictate, edit or determine Dr. Skoler's forensic report findings, case conclusions or stated opinions, which shall remain professionally independent.

Dr. Skoler shall also determine the necessary processes and procedures to adequately conduct and provide such services, based on professional ethics and recommended best practices. That is, to reach certain conclusions and opinions, Dr. Skoler must be allowed to go through a responsible professional process to do so. Similarly, adequate professional time to complete expert tasks will be mutually agreed by Dr. Skoler and Mr./Ms. Smith.

Expert witnesses may be limited by law, in various instances or certain types of cases, in the extent of their testimony and opinions regarding "ultimate legal issues" (for example, whether a criminally charged person is legally "guilty" or "innocent;" or a sued person is legally liable and negligent). Rather, generally, psychologist expert witnesses attempt to address the relevant mental and psychological state of the evaluated party, or the relevant psycho-legal issues or questions in a case. However, expert witnesses may not ethically guarantee or dictate case outcomes, which are often primarily determined more by the principles of relevant law, and the case evidence and fact allegations that are presented to, considered and weighed by the trier of fact in the case, the judge or jury.

In the unlikely event that ethical conflicts, or conflicts of interest arise involving the psychological and legal issues or services in this case, Dr. Skoler will attempt to clarify and resolve such issues with the retaining attorney directly, but will bill reasonable time for associated letters, calls or e-mails to do so.

Dr. Skoler may attempt to resolve any ethical questions or concerns by also consulting psycho-legal ethics experts made available to him through the American Psychological Association. Such informal consultations are provided free of charge through

the APA, however, Dr. Skoler will charge approximately half an hour for his professional time for these 20-minute consults and the associated time to arrange the consults. Use of this same service may also include Dr. Skoler seeking “best practices” and ethics advice from national experts involving psycho-legal evaluation ethics, methods, and testimony.

Case-Specific Ethical and Professional Practice Concerns and Issues

(Depending on the type of case) this case involves _____.

These are considered _____.

Further _____.

In some such cases, Dr. Skoler may cap charges for long, involved reports, or charge lower hourly rates for the completion of a long report, over a certain number of hours. However, any such courtesy reductions or credits will be solely at Dr. Skoler’s discretion and option.

Charges for Professional Time Spent on Ethical and Legal Challenges Relating to Dr. Skoler’s Acceptance of Your Case

Retained expert witnesses in highly adversarial court matters are sometimes subject to unfounded ethical allegations resulting from their decision to accept certain legal cases and to express or submit reports or opinions on your behalf. If, as a result of the adversarial nature of your case, the opposing party takes such actions, or threatens to, or questions Dr. Skoler’s ethical or professional judgments as a result of his actions and findings in your case, Dr. Skoler will charge you at his hourly rate for his professional time to respond to such issues, which may include any need to write a “rebuttal report” to an opposing so- called “hired gun” expert witness report.

Professional Time Spent on Preparing Expert Witness Reports and Declarations of Findings and Opinions

Often, an expert evaluation or consultation will result in a prepared forensic psychological evaluation expert report, or a declaration or notice of expert witness findings, opinions and anticipated areas of testimony.

In some cases, such expert witness evaluation reports may be as long as 10, 20, 30, 40 pages or more. Further, such expert reports often integrate or synthesize various aspects of the case, such as a review of records and documents, the analysis of any audio or video tapes if available, the psychosocial history, the psycho-legal issues in the case, the results of extensive interviewing and follow up phone calls, psychological testing, and the possible rendering of findings, conclusions and recommendations.

Therefore, a considerable amount of professional effort and time may be spent on the drafting, revising, editing, proofing and finalization of such reports, which may be

planned for possible submission to the court by the attorney for the client. It is therefore important that the retaining attorney and the client understand that to produce such expert reports may take a longer amount of time than is actually spent on the face-to-face interviewing and testing of a client, for example.

Potential Retainer Amount and Anticipated Professional Charges

Many psychological evaluation services without court involvement can be completed quickly. However, potential court-involved cases may involve the need for attorney consultation, reviewing extensive records and documents, carefully worded expert reports, a day of testimony, specialized assessment instruments, and associated communications. These services altogether can often take at least 20-40 hours, or 2.5 to 5 days of professional time. Evaluations involving multiple parties such as a custody case, may take additional professional time.

As examples of possible case costs, at the stated hourly rate of \$300 per hour, 10 hours of retained professional time would constitute \$3000; 20 hours of retained professional time would constitute a \$6000 initial retainer; 40 hours would constitute a \$12,000 retainer; and 60 hours would constitute an \$18,000 retainer.

An initial retainer amount is estimated below. However, it is anticipated that, based on the possible professional tasks which Mr./Ms. Smith might assign to Dr. Skoler, and the possible course and length of the case, the initial retainer amount may not be sufficient to cover all expert witness services that could conceivably be required or requested. **Again, this retainer is not a “flat-fee” agreement. And, as stated above, unused or unbilled portions of the retainer will be returned.**

The retainer amount will be replenished when the retainer funds are expended down to between \$1000 to \$1500, based on mutual estimates by Dr. Skoler and Mr./Ms. Smith of reasonably anticipated further case services. Expert witness services will not further be provided in the case without sufficient previously received retainer funds to bill such services against.

Dr. Skoler will maintain a running spreadsheet log of expert witness services, hours and charges, at 1/10 of an hour increments, which will be made available to Mr./Ms. Smith at appropriate agreed intervals, such as every 4 weeks; upon request; or when the current retainer has been mostly expended and the retainer fund needs to be replenished.

Good Faith Estimates of Requested Services

In certain cases, Dr. Skoler may provide a good faith estimate based on a list of possible planned services. Such cost estimates are not legally binding, not intended as a representation of a “flat fee,” and may need to be modified or increased based on case developments or additional requested services. Rather, these estimates are provided simply as an initial good faith estimate, so that attorneys and clients may reasonably plan on the initially anticipated costs of expert witness services.

As an informed consent, the analysis and critique of complex reports by opposing experts is often time-consuming, is aided by an analysis of the evaluation information and raw data on which they relied, and can add both time and cost to evaluation reports.

In this current case, the following services were reasonably or possibly anticipated at the time of the execution of this retainer agreement: [To be changed and tailored to the individual case from the examples provided below:]

- A first phase of case consulting and the review of records, to include attorney consultation, possible interviewing of the client, e-mails, phone calls and possible relevant research on case issues.
- A second phase might include a psychological evaluation of Mr. Doeman and/or the writing of an expert witness consultation report or declaration of findings and opinions, with continued attorney and client consultation and communication. The anticipated topics of such might include _____
- A third phase might involve evaluating and critiquing the work of an opposing expert.
- A fourth phase might involve Dr. Skoler being deposed.
- A fifth phase might include trial and testimony preparation, even if Dr. Skoler does not testify.
- A sixth phase, if the case does not settle, might include Dr. Skoler testifying in the matter, with continued attorney and client consultation, including the associated necessary communication, preparation and review of case records and documents.
- A seventh phase might involve subsequent case matters, such as continued consultation, the review of additional documents, the review of prepared transcripts and consulting on other case developments as the case continues.

[Travel clause: In regard to estimating retainer funds, another complication in this case is that it is taking place in _____, whereas, Dr. Skoler's primary office location is in Philadelphia, though he is actively licensed in _____. Therefore, travel and lodging funds would likely be involved for any testimony in _____.]

Based on the foregoing factors, set forth above, a good faith estimated initial retainer amount will be set at about ____ hours or, about ____ days, at \$300/hr., for phases __, __, and __, which equals about \$_____.

This amount includes the above-cited up to 2.0-2.5 hours for preliminary matters and communications prior to and through the finalizing of this retainer agreement. However, this is not a representation of a flat fee, but simply an estimate of an initial retainer payment for case activities. Significant additional requested case tasks, additional documents and materials to review, collateral interviews to conduct, extra testing to conduct, or unexpected case developments could potentially add to evaluation costs.

Further the parties understand that if the case does not settle after completion of an expert report, and trial testimony and preparation were required, additional retainer funds would likely be required, for case phases beyond Phase ___ and Phase ___, above.

Regardless, should the case settle, or if expert services are no longer requested, retainer funds will be returned after subtractions for all billed and charged services to the date of such returned funds.

Protections and Limits of Confidentiality of Records of the Evaluation Subject/Client

Generally, psychotherapy and psychological evaluations and records are considered private and confidential communications (similar to the doctor-patient privilege of confidentiality). Case communications, consultations, records, test results, and sessions may be considered legally confidential communications, both in regard to the psychologist-client, and possibly regarding the attorney-client and/or attorney work-product privileges, in cases in which Dr. Skoler is consulting with your attorney—until the time you and your attorney may choose to submit Dr. Skoler’s findings in a court proceeding. However, there are some exceptions, for example, if the evaluation is Court-Ordered or due to a stipulated agreement for Dr. Skoler to conduct an evaluation.

Psychologists are required, by law, to report for possible investigation reasonably suspected instances of physical, sexual or emotional child neglect and abuse, to then be assessed by investigating authorizes. In some states this mandatory reporting may include the intentional viewing or possessing of child pornography. (State statutes generally exempt from such reporting requirements the reasonable and age-appropriate care, demonstrations of affections, discipline and restraint of children, when necessary, that do not reach a level of child abuse.) Some states have expanded these reporting requirements for children and potential crime victims to include the abuse of spouses or the elderly as well. Psychologists may be required by law to take these various types of reporting actions, as “mandatory reporters,” whether or not you authorize them to do so.

Psychologists are also required to report situations or take appropriate actions in which they feel a patient or evaluated person is at a significantly increased risk or danger to harm himself or herself, or to harm someone else. It may be alright at times for people to express depressed, hopeless, angry or resentful feelings or thoughts in therapy or evaluation sessions; however, if a client threatens to harm others and/or appears at significantly increased risk of harm to self or others, state law may require appropriate action and notification by the psychologist, if the evaluated person does not agree to a reasonable solution or treatment/intervention plan.

If issues arise implicating your Constitutional rights against self-incrimination, which may occur in the course of a forensic or legally required psychological evaluation, Dr. Skoler will consult with your attorney and experts in psycho-legal ethics regarding your Constitutional rights in the context of a forensic psychological evaluation.

If your psychological records with Dr. Skoler are ever subpoenaed or subject to Court order without your consent or agreement, Dr. Skoler will inform the Court that the records are confidential under state law. Dr. Skoler will consult state law, the state psychology board and/or the American Psychological Association, as well as your attorney, in any case in which you do not wish your records released when there is a subpoena or Court order for your records. When there are such conflicts, Dr. Skoler will be an advocate for the confidentiality of client records, and will only release records when required to do so by state law and by valid court orders, after consultation with experts in psycho-legal ethics and evaluations. Professional time spent in responding to such subpoenas or records requests shall be billed at Dr. Skoler's hourly rate.

These are some of the exceptions to laws that protect the general confidentiality of psychological treatment and evaluation records. Remember, however, that by your attorney submitting a psychological expert report or evaluation on your behalf in a court case, then the associated or supporting records, testing and/or findings on which the expert report is based may be requested by the court or the opposing side as well. Your attorney will be aware of these issues and can advise you about this process.

Dr. Skoler's policy is to require a specific, written and signed informed consent and release of information form containing your authorization to release any information about you, including verbal communication to anyone. You may take back or rescind such permission afterwards, however, Dr. Skoler cannot be held liable for information he released while he had your permission and consent to share such information.

Signature and Countersignatures for Proposed Services Agreement

Dr. Glen Skoler, a clinical and forensic psychologist, and Mr./Ms. Smith, Esquire, counsel for Mr. Doeman, do hereby agree and contract that Dr. Skoler's services shall be retained based on the foregoing and following agreements, terms and conditions. By signing below, I, Mr./Ms. Robert(a) Smith, Esquire and Mr. Doeman agree to the above proposed terms and principles for Dr. Glen Skoler's expert witness services as a clinical and forensic psychologist, who is licensed in the states of PA, NJ, MD, VA & DC.

We understand that Dr. Skoler, based on his signature below, will contractually accept and commit to the case and begin providing services, 1) upon faxed, e-mail PDF scan or mail receipt by Dr. Skoler of this ___-page retainer agreement letter, countersigned by Mr./Ms. Smith and Mr. Doeman; and 2) upon receipt and deposit of a check by Dr. Skoler in the amount of \$_____.

Signature: _____ Date: _____
Name: Mr./Ms. Robert(a) Smith, Esquire, Counsel Retaining Dr. Skoler

Signature: _____ Date: _____
Name: Mr. John Doeman (Informed Consent of Client, Mr. John Doeman, for Mr./Ms. Smith to Retain Dr. Skoler, for Mr. Doeman to be interviewed and evaluated by Dr. Skoler and for Dr. Skoler to review the relevant case records.)

Authorized Releases of Information

The following is an Authorization for Dr. Skoler to release information to and/or receive information from the following persons (e.g., an attorney, a doctor, a therapist, a treating psychiatrist, a relative, or other persons specified.) (Please specify the name of and your relationship with this person, their phone number or e-mail if available, and whether Dr. Skoler is to receive information from and/or provide information to this person.) (You have the option to sign release of information forms later as well.)

1. (My attorney) _____

2. _____

3. _____

Signature: _____ Date: _____

Name: _____

Informed Consent of Mr. Doeman for Dr. Skoler to Receive and/or Provide Information Regarding the Above Persons (Please be sure to also sign the above retainer agreement informed consent on the previous page of this retainer contract, as well as this authorization for release of information to or from specific persons.)

Signature of Dr. Glen Skoler, Agreeing to Provide Services by the Above Terms and Conditions

Unsigned Draft Template To Be Completed and Submitted For Review by Dr. Skoler

Glen Skoler, Ph.D.

Licensed Psychologist (PA, NJ, MD, VA & DC)
PA #PS016752; NJ# 5125; MD #02989; DC #PSY1708; VA #01725
PSYPACT Interstate Authority to Practice (TAP & APIT) #11253