

COPY

IN THE COURT OF COMMON PLEAS OF CUYAHOGA COUNTY, OHIO
LINDA G. MORRISON, ETC.,

Plaintiffs,

-vs-

: Case No. 408705

RICHARD LIGHTBODY, M.D.,
ET AL.,

: Judge Glickman

Defendants.

- - -

Deposition of BARRY L. MICKEY, a Witness herein,
called by Defendants for Cross-Examination under the
Ohio Rules of Civil Procedure, taken before me, the
undersigned, Joan M. Rohlman, Notary Public and
Court Reporter in and for the State of Ohio, pursuant
to notice hereinafter set forth at the offices of
the University of Findlay, Findlay, Ohio on Tuesday,
June 18, 2002, commencing at 2:04 p.m.

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- - -

I-N-D-E-X

<u>WITNESS</u>	DIRECT	CROSS	FURTHER CROSS
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<u>BARRY L. MICKEY</u>			
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By Mr. Stoffers	--	4	139
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By Mr. Philipp	--	128	---
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By Ms. Wistner	--	130	---
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EXHIBITS

DEFENDANTS' EXHIBITS	MARKED
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1 CV.....	4
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2 March 15, 2002 letter.....	4
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3 March 12, 2002 letter.....	30
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4 April 26, 2002 letter.....	30
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5 May 1, 2002 letter.....	30
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(Deposition commenced at 2:04 p.m.)

- - -

(Defendants' Exhibit Nos. 1 and 2 were
marked for purposes of identification.)

- - -

MR. STOFFERS: Swear in the
witness.

- - -

BARRY L. MICKEY

having been first duly sworn, testified and was examined
as follows:

CROSS-EXAMINATION

BY MR. STOFFERS:

Q Mr. Mickey, my name is Robert Stoffers. I
represent Bill Tiedemann and Mental Health Services in
this lawsuit where you have been identified as an expert
on behalf of the plaintiff and have authored a report.

I'm here today to take your deposition today
concerning your report and your qualifications, etc. I
assume you've had your deposition taken before?

A This is the first time.

Q First time. Okay. I'm sure you've been advised by
plaintiff's attorney concerning what happens at a
deposition. Let me emphasize a couple of things. I don't

1 want you to guess today. If you know the answer, tell me.
2 If you don't know, tell me that too and we'll move on.

3 Please let me finish my question before you answer
4 so that the reporter can take down an accurate transcript.
5 If we start talking over each other, I'm sure it's going
6 to happen unfortunately, but I'll try to avoid it and you
7 can try to avoid it. That would be helpful so the
8 reporter can take down an accurate transcript since she's
9 taking down everything that's said today.

10 If a question calls for a yes or no answer, you
11 want to answer yes or no, please answer verbally. Answer
12 all the questions verbally. You may have a tendency to
13 nod and shake your head as you're doing now, that's fine
14 now, but when you're asked a question, please verbalize
15 it, so again the reporter can take down your answer and
16 there's no mistake about what you mean.

17 If I ask you a question which you don't understand,
18 you lose your train of thought, I'm not clear for whatever
19 reason, please let me know, I'll restate it. I want to
20 make sure we communicate.

21 A Yes.

22 Q Finally, if you need to take a break at any point
23 in time, let us know. Certainly we can accommodate you.
24 Okay?

1 A Yes, sir.

2 Q All right. Just so we agree. Give us your full
3 name and spell your last name.

4 A Barry L. Mickey. M-i-c-k-e-y.

5 Q And we have had marked as Exhibit 1 your
6 professional resume which I just got a few minutes ago.
7 Is that your current --

8 MS. WINSLET: Is there another
9 copy of that?

10 MR. STOFFERS: Yeah, I put
11 another one out for you.

12 THE WITNESS: I gave him an
13 extra copy.

14 MR. STOFFERS: I've had one
15 marked. You want to look at this?

16 MS. WISTNER: Yeah. Thanks.

17 BY MR. STOFFERS:

18 Q Is Exhibit 1 your current professional resume or
19 CV?

20 A Yes.

21 Q And that has your current address on it?

22 A Yes, sir.

23 Q 725 Hawthorne Road in Findlay?

24 A Right.

1 Q What is your date of birth?

2 A July 11th, 1946.

3 Q Have you ever been convicted of any crimes?

4 A No, sir.

5 Q Have you ever had any licenses or certifications
6 suspended or revoked?

7 A No, sir.

8 Q Have you ever been fired from any jobs where you
9 were working as a social worker or were teaching social
10 work?

11 A No, sir.

12 Q And you're currently a professor at the University
13 of Findlay?

14 A Yes.

15 Q What course do you teach at the University of
16 Findlay?

17 A This semester, this coming semester I'll be
18 teaching an introductory social work course. A course I
19 believe in Social Work Policy. A course in Community
20 Organization and, oh, Human Behavior and Social
21 Environment. The second HBSE class.

22 Q Make sure I've got this down. Introduction of
23 Social Work. Social Work Policy?

24 A Right.

1 Q The third one was?

2 A Community Organization.

3 Q And the fourth one?

4 A Fourth one was Human Behavior and Social
5 Environment, the second semester of that course.

6 Q That's what you're going to be teaching?

7 A This coming fall.

8 Q -- this coming fall? Are those basic courses that
9 you taught in the past here?

10 A I also teach a course in group work. I teach the
11 senior grade seminar, and in the past I've taught here at
12 the University of Findlay, I've taught a course in Social
13 Work in the Law. I've taught Medical Social Work. I have
14 taught Child Welfare. And the Human Behavior in Social
15 Environment, Part I.

16 Q Do any of those courses address this issue of
17 suicide?

18 A Yes.

19 Q **And** how to assess suicide threats or risks?

20 A Yes.

21 Q Which courses would they be?

22 A The introduction course addresses that.

23 Q Introduction?

24 A Introduction to Social Work. We talk about it in

1 the group class, in the social work groups. We also talk
2 about it in Human Behavior and Social Environment, and in
3 the Child Welfare course.

4 Q In any of those courses do you specifically address
5 particular methods or instruments for assessing suicidal
6 behavior?

7 A Some of the -- some of the classes have instruments
8 in the text books themselves that the students use so that
9 they become familiar with the suicidal assessment scale or
10 range, being whatever they might be called.

11 Q Is there a specific, I guess, any text that you use
12 that deals with how to use instruments for assessing
13 suicide?

14 A I'm trying to think. In some of the Child Welfare
15 texts that I have used there are sections in those texts
16 and in some of the texts we have taught, a course in
17 Social Work in Health -- or Mental Health in Social Work,
18 and in that text there are various instruments. I don't
19 teach that course, but there are some texts that have
20 actual assessment instruments in those in the area that
21 deal with crisis intervention suicide.

22 Q You don't teach the Social Work in Mental Health
23 course?

24 A No.

1 Q Okay. But you do teach the Child Welfare course?

2 A Yes.

3 Q And that has some instruments in it?

4 A Right.

5 Q And some text?

6 A Text materials that are -- material in the text
7 that tells how students that -- displaced students how to
8 conduct those types of interviews or interrogations.

9 Q And are you able to give me the name of that text
10 or author of that text?

11 A Not right offhand, no. I'm sorry, I can't.

12 Q Do you have a curriculum for your Child Welfare
13 course that would list one of these texts that has this
14 suicide instrument information in it?

15 A I have not taught the course myself in several
16 years. We have an adjunct faculty that teaches it, and I
17 do not know if it lists in that -- in the syllabus or not.

18 Q Okay. You haven't taught the Child Welfare course
19 for how long?

20 A Oh, several years. I can't remember the last time.
21 Four years, five years.

22 Q So in the courses you are currently teaching, are
23 there any texts that have chapters or sections that
24 describe instruments to be used to assess suicide?

1 A I believe our one-to-one introduction course does
2 address that issue, but I'd have to check specifically.

3 Q Do you know what text you use there?

4 A Yes, it's the Suppis and Welles, S-u-p-p-i-s
5 W-e-l-l-e-s, and those are the authors.

6 Q Okay.

7 A But I can't remember the -- the exact title of --
8 *Introduction to the Social Work Profession*, I believe is
9 the title of it.

10 Q Any other text that you're -- any course you're
11 currently teaching --

12 A No.

13 Q -- that would involve that --

14 A No.

15 Q -- assessment issue?

16 A No.

17 Q Are there -- is there any particular course taught
18 at the University of Findlay that deals strictly with
19 crisis intervention or --

20 A No.

21 Q -- crisis management?

22 A No.

23 Q That would be part of this Social Work in Mental
24 Health course?

1 A Right.

2 Q And then it might touch it in the Suppis and Welles
3 work?

4 A Right. Well, in -- let me think about that. All
5 social work crisis intervention to some degree, suicide
6 specifically is dealt with in those -- in the courses that
7 we talked about.

8 Q I understand. Does the University of Findlay have
9 a -- I guess for lack of a better term, a crisis program
10 to assist students who are having -- undergoing some sort
11 of a crisis?

12 A Yes. The depth of it I think deals with in-student
13 services.

14 Q And have you had any involvement in that particular
15 program?

16 A I -- I'm aware of it, and I have referred students
17 to it, and talked to the -- to the people that work there,
18 but as far as directly working with them, I don't do the
19 field placements.

20 We've had students placed there in their field
21 placements studying, learning to be social workers, but
22 that part is taken care of by another professor in the
23 program.

24 Q So you don't work in that program?

1 A No.

2 Q So you've been in Findlay since '92?

3 A Right.

4 Q Okay. And since you've been at Findlay University,
5 have you worked in any mental health facility?

6 A No.

7 Q Prior to coming to Findlay, looks like you were at
8 Wartburg College in Waverly, Iowa?

9 A Right. Right.

10 Q Is that a full-time position?

11 A Yes.

12 Q And you've been full time here since?

13 A At Findlay, '92.

14 Q Okay. And you were at Wartburg from '89 to '92?

15 A Right.

16 Q What courses did you teach there?

17 A Similar to the ones that I taught here at the
18 University of Findlay with the addition of supervising
19 some of the students in their field placements.

20 Q You don't do the supervisor field placements here,
21 do you?

22 A No, not here at Findlay.

23 Q I thought you said that. I wanted to make sure.
24 When you were at Wartburg, did you work in any mental

1 health facilities?

2 A No.

3 Q About how many students did you supervise in the
4 field placements while you were at Wartburg?

5 A Probably. Let me think, 10 to 15 a year.

6 Q And was there a particular place where the work
7 force students were placed?

8 A We had them placed in mental health -- students in
9 hospitals and Child Welfare agencies and religious
10 affiliated work agencies and other non-governmental
11 organizations. Just a variety of -- of places.

12 Q And what did your supervision consist of?

13 A First of all, setting up the placement and then
14 supervised talking with the students and the social
15 workers on the staff at the agencies; and make sure that
16 the students' needs were met at that time; the curriculum
17 was being follow; and that they were being primed to be
18 common entry social workers upon graduation.

19 Q Did you actually go with the students to the
20 various facilities they worked at?

21 A Yes.

22 Q And how often did you do that?

23 A At Wartburg we had it set up, I want to say, at
24 least three times a semester where I would actually go and

1 talk to the students and the supervisor in a
2 supervisory-type conference.

3 Q You weren't involved in supervising students or
4 providing any services, were you? Let me back up. Did
5 the student provide services as social -- back up.

6 Did the student provide services in the field
7 placement at Wartburg?

8 A Yes.

9 Q And did you do on-site supervision of them
10 or was that done generally by the supervisor?

11 A That was done generally by the supervisor at the
12 agency where the students were placed.

13 Q Okay. When you were there at Wartburg, were you a
14 licensed social worker?

15 A Yes, in Ohio and with the -- I also had my ACSW
16 with the National Association of Social Workers.

17 Q You got your Ohio license in '94, according to your
18 CV.

19 A Let me -- yeah, I think if that's what it says on
20 the resume.

21 Q Right.

22 A Yeah.

23 Q I'm just trying to --

24 A No, I'm sorry. Let me backtrack. I was licensed

1 in the state of Mississippi originally. When I moved to
2 Ohio I continued my Mississippi licensure because I was
3 still in the process of getting my social work license
4 going when I moved to Iowa. When we came to Ohio, I went
5 ahead and changed my licensure from Mississippi to Ohio.
6 I think that's how it goes.

7 Q Okay. So when you were in Iowa, they didn't have
8 their own state licensure?

9 A Right. They are in the process of getting
10 licensure.

11 Q And before Wartburg you were at Delta State
12 University in Mississippi?

13 A Right.

14 Q For about ten years?

15 A Right.

16 Q Was that a full-time job?

17 A That was full time.

18 Q And what did you teach there?

19 A There I was coordinator of field instruction for
20 the entire program, and I also taught the introductory
21 course, the Child Welfare course, also -- let me think.
22 The group course, Human Behavior, Community Organization,
23 Social Policy, similar to the ones that I taught at
24 Wartburg and here at Findlay.

1 Q And as a coordinator field instructor, is that sort
2 of an administrator position?

3 A Yes, it was a quarter-time administrator position.

4 Q And that completes your background or your
5 experience at the college level regarding social work?

6 A With regard to social work, yes.

7 Q Looking at the next page of your CV, am I correct
8 in understanding your professional experience, the last
9 time you had a full-time job in the area of social work
10 outside of a university is 1979?

11 A Right.

12 Q And that was at Arkansas Social Services?

13 A Yes.

14 Q And you were a supervisor there, regional.
15 supervisor?

16 A Yes.

17 Q Did you have any direct contact with clients or
18 were you --

19 A At times I did.

20 Q Okay.

21 A If a social worker went on vacation or was sick,
22 something of that nature, then I would take over for them
23 during their absence.

24 Q And during that -- at that job about what percent

1 of your time did you -- was spent dealing with clients
2 versus doing administrative or other duties?

3 A This would be a guesstimate. Are guesstimates
4 okay?

5 Q That's fine.

6 A Okay. Probably ten percent. Five to ten percent.

7 Q And before that you had a full-time job at
8 Sebastian County Social Services in Fort Smith, Arkansas?

9 A Right.

10 Q And again you were a supervisor there?

11 A Yes.

12 Q Okay. I noticed there's a break between your
13 employment at Arkansas Social Services in Sebastian
14 County, about a two-year break.

15 A That was when I was in graduate school.

16 Q I see. Between '75 and '77?

17 A '75 and '77.

18 Q Did you have to write a thesis for graduate school?

19 A No.

20 Q Did you concentrate in any particular area?

21 A General social work practice.

22 Q And your job as a supervisor at Sebastian County,
23 again, can you give me an estimate of about how much your
24 time was spent with clients versus supervisory or

1 administrative duties?

2 A There -- there it was probably 25 percent of my
3 time, because I had a -- carried an active case load as
4 well as supervising the current county office.

5 Q Okay. When you were at Sebastian County, the
6 clients you dealt with, were they adult children, teenage,
7 one or both or --

8 A All of them.

9 Q All?

10 A All of them. All ages, all ranges.

11 Q Okay. And then it looks like that your first
12 full-time job as a social worker was Polk County in Mena,
13 Arkansas?

14 A Yes.

15 Q That is a two-year stint?

16 A Yes.

17 Q And that was, I take it, as a caseworker, your Job
18 was primarily face-to-face contact --

19 A Face -- correct.

20 Q -- with clients?

21 A Right.

22 Q And was there a particular type of client you dealt
23 with at Polk County?

24 A Probably 70 percent of it was children and

1 adolescents with children of all ages, but I also did
2 adults and the elderly. I was the only social worker in
3 the county, so.

4 Q Would that have been your most extensive experience
5 dealing with adolescents in the social work area when you
6 were at Polk County?

7 A Most of it. Most extensive --

8 Q Right.

9 A -- with regards to time and the actual number of
10 clients, yes.

11 Q Right.

12 A Yeah. Yeah.

13 Q During that two-year period of time you were at
14 Polk County, did you ever assess an adolescent for suicide
15 risk?

16 A I don't believe I did.

17 Q And while at Sebastian County, did you ever assess
18 an adolescent for suicide risk?

19 A Yes, I did.

20 Q Do you know how many adolescents you assessed for
21 suicide risk while at Sebastian County?

22 A I believe just one.

23 Q Did that child end up committing suicide?

24 A No.

1 Q What did your assessment involve in that case?

2 A I was the initial social worker called out on the
3 scene that I can remember. Trying to decide whether to
4 put that child in a foster home or some type of treatment
5 facility.

6 Q And I know it's going back a number of years, but
7 you were requested to go out to see this adolescent?

8 A Yes.

9 Q Is that how you provided services at Sebastian
10 County, is that people called in and requested services?

11 A Yes.

12 Q While you were at Arkansas Social Services in Pine
13 Bluff/Monticello, did you ever assess an adolescent for
14 suicidal risk?

15 A No, I did not.

16 Q And then the second page references some part-time
17 positions. For about a year, you were at Catholic
18 Charities in Jackson, Mississippi?

19 A Right.

20 Q And it references social worker. What did you do
21 in that position?

22 A Part-time social worker who did the original -- or
23 the initial home studies for couples that were
24 contemplating adoption, and then the second follow up in

1 homes if a child was placed with them.

2 Q Did you ever assess an adolescent for suicide risk
3 in that position?

4 A No.

5 Q You were at Oakland Children's Home in Cleveland,
6 Mississippi?

7 A Right.

8 Q You were a consultant in that position?

9 A Right.

10 Q And what did you do in that position?

11 A That was a children's home for abused and neglected
12 children, and I worked with the foster family who lived in
13 the home and took care of the child while they were there.
14 And with the board of directors that was in charge of the
15 home.

16 Q Did that job involve assessing adolescents for
17 suicide risk?

18 A No.

19 Q And it looks like those jobs were part time while
20 you were teaching at Delta State?

21 A Right.

22 Q It looks like you had a number of jobs while you
23 were at Delta State. Our Lady of Victories Catholic
24 Church, Mississippi. Mississippi Department of

1 Corrections. Hubbell Achievement House.

2 A Right.

3 Q Any of those jobs, did any of them involve
4 assessing adolescent suicidal risk?

5 A No.

6 Q The job with Mississippi Department of Corrections,
7 you worked the Pre-Release Center?

8 A Right.

9 Q Was that for adults?

10 A Yes, for generally young adults.

11 Q Okay. And Our Lady of Victories Catholic Church,
12 what did you do there?

13 A This was the church we belonged to at the time.
14 That was just a committee that the church had started with
15 an amount of money that was donated to the church, and we
16 dispensed it to people who were in need.

17 Q The Hubbell Achievement House you were a consultant
18 to the board of directors?

19 A Yes.

20 Q What did you do there?

21 A That's another like Oakland Children's Home. It
22 was a home for neglected and abused children, and I
23 consulted with the foster homes and with the board of
24 directors to make sure that the services were provided as

1 they should be.

2 Q Those various part-time jobs, give me an idea how
3 many hours a week or month you spent on them?

4 A Oh, five or ten. They were not -- there wasn't a
5 great deal of time involved.

6 Q Five or ten hours?

7 A A month.

8 Q Per month. Okay. And I take it your job in France
9 had nothing to do with social work?

10 A Well, it did. The first -- the second camp I
11 worked at was a camp for underprivileged and neglected and
12 abused children, but it was run by the French government.
13 And the first camp that I worked at was just a -- it was a
14 summer camp, but I would call it social work being a camp
15 counselor. They're comparable.

16 Q Sure. And at that time you -- when you were in
17 those positions, you didn't have any training as a social
18 worker, did you?

19 A No. No, I did not.

20 Q Okay. Have you ever written any papers or made any
21 presentations on the issue of suicide?

22 A No, sir.

23 Q Have you ever published any books on suicide?

24 A No.

1 Q I see you currently have your LISW in Ohio, but you
2 don't currently use it?

3 A Right. I'm not currently in private practice.

4 Q In fact, you've never used it in Ohio, have you?

5 A I use it to the extent that I classify myself as a
6 licensed social worker and am able to use it should the
7 occasion arise.

8 Q But have you ever practiced as a social worker --

9 A No.

10 Q -- in Ohio?

11 A No.

12 Q The last time you actually practiced as a social
13 worker was 1979 in Arkansas, and you practiced as a social
14 worker?

15 A No. I practiced as a social worker with the
16 Catholic Charities.

17 Q Okay. In adoptions?

18 A In adoptions.

19 Q You practiced social work in Catholic Charities?

20 A '87 to '88. '87 to '88.

21 Q Part time, 80 hours a month?

22 A Right.

23 Q And, again, did you practice as a social worker in
24 any other part-time jobs?

1 A At the Department of Corrections from '82 to '84.

2 Q Okay. Okay. So as a social worker, the last time
3 you were employed full time was '79?

4 A Right.

5 Q And the last time you did part time was -- was '88
6 when you worked at Catholic Charities --

7 A Right.

8 Q -- involving adoptions?

9 A Right.

10 Q Have you ever provided -- put on any training
11 perhaps for social workers in private practice that dealt
12 with assessing adolescents for suicide?

13 A No.

14 Q When you were at Wartburg College in Iowa, did they
15 have a similar and I guess crisis program for students
16 like you have here in Findlay?

17 A I'm sure they did.

18 Q Were you involved in that at all?

19 A Not -- not specifically.

20 Q Were you involved in any such program at Delta
21 State?

22 A No.

23 Q You've told me that you recall evaluating one
24 adolescent for suicide risk during your career. Have you

1 ever assessed any adults for suicide risk during your
2 career?

3 A Yes.

4 Q How many times have you done that?

5 A That I can remember, one specifically.

6 Q Where was that at?

7 A That was when I was at Fort Smith.

8 Q And did that person commit suicide?

9 A No.

10 Q What was your involvement?

11 A I was the social worker that was called out to --
12 actually it was a woman, and she had a child, and she had
13 attempted -- she had actually attempted suicide. By the
14 time I got there, it was an unsuccessful attempt, and so I
15 talked with her and she was hospitalized and we put the
16 child in the foster care.

17 Q The adolescent that you had assessed you mentioned
18 earlier the one time in Sebastian County, was that child
19 hospitalized?

20 A Yes.

21 Q And whose decision was it to hospitalize the child?

22 A Based upon my recommendation, it was the doctor,
23 the psychiatrist.

24 Q Okay. During your career as a social worker, was

1 it understood that the decision to actually hospitalize a
2 child if there's a suicide risk is a physician's call?

3 A Yes.

4 Q You as a social worker make the recommendation, but
5 it's up to the physician?

6 A Yes.

7 Q Was your -- was the Polk County Social Services,
8 was that a community-based mental health center?

9 A No, it's a public welfare agency.

10 Q Okay. Sebastian County Social Services, is that a
11 community-based mental health agency?

12 A No.

13 Q Arkansas Social Services?

14 A No.

15 Q Have you ever worked in a community-based mental
16 health center?

17 A No.

18 Q Have you ever worked as a crisis counselor?

19 A Define crisis counselor.

20 Q Have you ever held the title of crisis counselor?

21 A No.

22 Q You have been identified in this case as expert for
23 the plaintiff, have you ever been an expert in any other
24 lawsuits?

1 A No.

2 Q You were retained by Mr. Conway in this case?

3 A Yes.

4 Q How did -- do you know how Mr. Conway found out
5 about you?

6 A His -- I don't know if she's a legal assistant.
7 Anyway, someone from his office called me and I believe
8 they got their -- my name, it was either out of the Ohio
9 Counselor and Social Workers' board records or NASW
10 records where I'm listed and identified as a case social
11 worker.

12 Q Do you advertise in any of those directories?

13 A No. Well, excuse me. Define advertising.

14 Q Well, other than just having a listing?

15 A No, my name is listed.

16 Q Right.

17 A But I don't make it a point to solicit employment.

18 Q Were you recommended by anybody for --

19 A As far as I know, no.

20 Q Have you ever put any presentations on for lawyers?

21 A Not specifically, no.

22 Q Did you know Mr. Conway before you got a call from
23 his legal assistant?

24 A No.

1 Q Know anybody in his office?

2 A No.

3 Q Do you have your file with you? Is that your file
4 in front of you?

5 A Yes.

6 Q That's everything you've looked at and reviewed?

7 A Right.

8 Q Can I look at it, please?

9 A Mm-hmm.

10 - - -

11 (Recess taken at 2:51 p.m.)

12 - - -

13 (Deposition resumed at 3:11.)

14 - - -

15 (Defendants' Exhibit Nos. 3 through 6
16 were marked for purposes of identification.)

17 - - -

18 BY MR. STOFFERS:

19 Q Mr. Mickey, I'm going to hand you what's been
20 marked as 3 through 6. And my question is: Do they
21 reference all the documents you reviewed in this case?

22 A I believe they do.

23 Q They do. Okay. Are there any documents that
24 you've asked to be provided with that you have not been

1 provided with?

2 A No. Do I put these here?

3 Q Yeah. Now, if you look at Exhibit 3, that is, I
4 guess for a lack of a better term, your engagement letter?

5 MR. CONWAY: March --

6 MS. WISTNER: March 12?

7 MR. STOFERS: I'm sorry.

8 MS. WISTNER: I didn't know

9 which one.

10 MR. STOFERS: This is off the
11 record.

12 - - -

13 (Discussion held off the record.)

14 - - -

15 BY MR. STOFERS:

16 Q Is Exhibit 3 that is marked your engagement letter
17 from Mr. Conway?

18 A Yes.

19 Q Did you have a telephone conversation before that
20 engagement letter?

21 A I'm sorry, did I have --

22 Q A telephone conversation before that letter?

23 A Yes. I forget if it was with him or his assistant,
24 but it was with someone in the office.

1 Q Do you recall the substance of that initial
2 conversation?

3 A Asking me if I would be willing to serve as expert
4 witness. Asking me what my qualifications were. Those
5 kind of things.

6 Q Were you given any information on the case at that
7 time?

8 A Just the general overview of the case.

9 Q Now, what I'm looking at in Exhibit 3 in the third
10 paragraph. It appears that you're instructed to
11 concentrate on and review Bill Tiedemann?

12 A Yes.

13 Q Did you review --

14 MR. CONWAY: And/or Mental
15 Health Services, Inc.

16 BY MR. STOFEEERS:

17 Q And/or Mental Health Services. Thank you.

18 A Thank you.

19 Q Did you review the conclusions of any other persons
20 involved in this case?

21 A No.

22 Q Have you offered any opinions in this case in
23 regard to Fran McIntyre?

24 A No.

1 Q Have you offered any opinions in regard to
2 Dr. Lightbody?

3 A No.

4 Q Have you offered any opinions in regard to any
5 personnel at the Cleveland Municipal School District?

6 A No.

7 Q Have you offered any opinions in regard to the
8 conduct or actions of Gerry Beard-Chaney?

9 A No.

10 Q Have you offered any opinions in regard to the
11 actions or conduct of Mrs. Morrison/Atkins?

12 A No.

13 Q Have you been asked to offer any opinions in regard
14 to any other person other than Mr. Tiedemann and Mental
15 Health Services?

16 A No.

17 Q And we've marked earlier your report there, it is
18 Exhibit 2, and this is your report?

19 A Yes.

20 Q Have you offered any other reports in this case?

21 A No.

22 a Does that report contain all of your opinions?

23 A Yes.

24 Q Looking at your report, it states -- your report of

1 March 15, and that was three days after you got the
2 material, right, March 12?

3 A Yes.

4 Q Actually you got the materials on March 13,
5 probably, if it was overnighted to you on the 12th?

6 A I don't recall the specific date they arrived.

7 Q Sometime between March 12 and 15 you came up with
8 your opinions, right?

9 A Right.

10 Q And at that time on March 15 you asked to look at
11 the depositions of school personnel, in particular Fran
12 McIntyre?

13 A Yes.

14 Q And it appears that that deposition was then sent
15 to you on May 1?

16 A Correct.

17 Q And I noticed that you have a pad of notes here,
18 are those the notes that you have taken --

19 A Yes.

20 Q -- in reviewing the records --

21 A Yes.

22 Q -- of the depositions in this case?

23 A Mm-hmm.

24 Q Are those all your notes?

1 A They are not all my notes. I had another page that
2 I used to prepare the document with, and I do not have a
3 clue where they are.

4 Q A draft of your report?

5 A A draft of my report, but it was nothing
6 substantive.

7 Q Okay. But in regard to notes that you took after
8 reviewing records and depo transcripts, those two pages
9 are it?

10 A Yes. Yes, that's it.

11 Q And from looking at those it appears that all those
12 notes concern the deposition transcript of Bill Tiedemann?

13 A Yes.

14 Q Do you have notes for any other deposition
15 transcripts?

16 A No.

17 Q I'll get back to those when we have another break.
18 I'll get those copied.

19 MS. WISTNER: Can I see that?

20 BY MR. STOFFERS:

21 Q In your letter or your report of March 12 you state
22 that in regard to depositions of school personnel and
23 Psychologist McIntyre, you raise the issue whether or not
24 those depositions would -- would help you determine

1 whether or not Mr. Tiedemann had the right to intervene --

2 A Yes.

3 Q -- without the schools overt request?

4 A I was -- yes.

5 Q Okay. And after did you read the McIntyre
6 deposition?

7 A Yes.

8 Q Okay. Do you have any notes on that deposition?

9 A No, I do not.

10 Q Okay. Were you able to answer that question that
11 you had?

12 A Yes.

13 Q What was the answer to that question?

14 A That Mr. Tiedemann did have the right to intervene.

15 Q Had the right to intervene without the school's
16 overt request. Is that what you concluded?

17 A Yes.

18 Q And what do you mean -- I guess I don't understand
19 when you say --

20 A Mr. Tiedemann received a phone call from
21 Mrs. Morrison and then he talked to the -- to Fran
22 McIntyre at some point during his initial contact with
23 Mrs. Morrison on December the 8th, and reviewing the
24 documents that are in the -- in all of the material that

1 the agreement that the arrangement that the school had
2 with Mental Health Services, Incorporate, that the crisis
3 intervention team would -- if they were called, they had
4 the right to come out. And Mr. Tiedemann was called -- I
5 was somewhat confused on who initiated the telephone call.
6 Nonetheless, Mr. Tiedemann talked to Miss McIntyre. So
7 Miss McIntyre knew he was involved.

8 Q Did Miss McIntyre asked Mr. Tiedemann to come to
9 the school that day to see Matthew?

10 A I don't believe she did.

11 Q Did Mrs. Morrison ask Mr. Tiedemann to come to the
12 school that day to see Matthew?

13 A No, she did not, at least not from any of the
14 records that I observed.

15 Q And what was the policy of the Cleveland Municipal
16 School District at that time December of 1998 in regard to
17 seeking services from the mobile crisis unit?

18 A As I understood it, it was that mobile crisis
19 services are the crisis intervention team that would be
20 contacted if there was a crisis.

21 Q And did the school district -- anybody from the
22 school district contact mobile crisis or Mr. Tiedemann?

23 A It was my understanding that through Mrs. Morrison,
24 Miss McIntyre did. That somehow Mr. Mc -- or

1 Mrs. McIntyre and Mr. Tiedemann spoke on the telephone.

2 Q Well, how did that come about?

3 A That -- that I am -- that I am not sure. It seems
4 as if Mrs. Morrison called Mr. Tiedemann.

5 Q It seems as if, but you're not sure?

6 A I'm not sure.

7 Q Okay. And --

8 A But irrespective of how the contact was made,
9 Mr. Tiedemann received a call from the mother of child who
10 was his active client.

11 Q Okay. And so on that date, on December 8 of 1998,
12 did anybody ask Mr. Tiedemann to come to the school to see
13 Matthew Morrison?

14 A No.

15 Q And was there any provision in the policy with the
16 Cleveland Municipal School District that Mr. Tiedemann
17 from the Mobile Crisis Unit come to school and to assess
18 the child and without the request -- maybe meet the
19 parents or somebody at the school district?

20 A It is my understanding that they could.

21 Q And what do you base that understanding on?

22 A That they were the ones that were to provide
23 emergency crisis services.

24 Q And how were they to provide those services?

1 A However they felt it was necessary, whether that
2 would -- you know, by whatever means they felt were
3 necessary.

4 Q Well, did you review the school district policy in
5 regarding suicide intervention?

6 A Yes.

7 Q This is yours too?

8 A Oh, yeah.

9 Q And can you find that for me?

10 A I'm sorry?

11 Q Could you find that policy in there?

12 MR. CONWAY: Have you returned
13 all his stuff? There's at least one other
14 thing here.

15 MR. STOFFERS: I've returned
16 everything.

17 MR. PHILIPP: Notes.

18 MR. STOFFERS: Oh.

19 THE WITNESS: It's under the
20 crisis intervention ---

21 MR. CONWAY: You may not have
22 been sent --

23 THE WITNESS: Maybe -- maybe I
24 did not review it. Maybe I did not review

1 it.

2 BY MR. STOFFERS:

3 Q Because I don't see that referenced in any of the
4 letters that have been marked 3, 4, 5 and 6.

5 A Okay. I think what I'm doing is confusing it with
6 the fact that it's mentioned so many times in the -- in
7 the depositions and the statements.

8 Q So you've not actually reviewed the procedures for
9 student suicide threats or attempts --

10 A No.

11 Q -- as in effect in December 1998?

12 A No.

13 MR. STOFFERS: Off the record.

14 - - -

15 (Discussion held off the record.)

16 - - -

17 MR. STOFFERS: Read back the
18 last question.

19 - - -

20 (Last question propounded by counsel was
21 read back by the court reporter.)

22 - - - -

23 BY MR. STOFFERS:

24 Q Do your notes that you've took from these

1 depositions reflect anywhere that Bill Tiedemann and
2 anybody from the Mobile Crisis Unit had the authority to
3 assess the student at a school without the request or
4 without the consent of the school or a parent?

5 A No.

6 Q In your report, Exhibit No. 2, you state -- you
7 have a statement "Based upon what I have read in this
8 matter, and on my understanding of professional social
9 work practice in general and crisis intervention in
10 particular," what are you referencing there in regard to
11 crisis intervention in particular?

12 A Where -- where are you on mine?

13 Q First page of your report, second paragraph.

14 A Oh, okay. All right. Crisis intervention in this
15 instance would be the immediate work that the social
16 worker -- when the crisis arises and how the social worker
17 responds to it, how they formulate the case plan, what
18 they decide to do as a result of the crisis to either
19 resolve the crisis or make it more manageable for the
20 client.

21 Q Are there particular protocols, guidelines to be
22 followed in addressing the issue of crisis intervention or
23 how to intervene a crisis?

24 A Depending on the severity of the nature of the

1 crisis, time is of essence and the social worker must act
2 with appropriate diligence, speed. So the more the
3 severity of the crisis, the more problematic it might be
4 for the social worker to come up with the correct
5 resolution.

6 Q Any other -- any other protocols that will be
7 followed for crisis intervention other than time is of the
8 essence?

9 A Making sure that enough information is gathered.
10 Making sure that contact is made with all significant
11 others, whether they be the client, the client's family,
12 school personnel. Making sure that the case history is
13 followed or not followed. Excuse me. Making sure that
14 the case history is known by the social worker.

15 Q Anything else other than time is of the essence,
16 getting information, know the case history?

17 A Making sure that follow up is accomplished. If the
18 immediate crisis is resolved, to make sure that the -- any
19 underlying problems can be looked at and possibly
20 diagnosed and worked on as the case evolves.

21 Q Anything else?

22 A I think that's it.

23 Q Now, in Mr. Tiedemann's case, did he act timely on
24 December 8 in contacting Mrs. Morrison?

1 A Initially, yes.

2 Q Now, when you say "initially," that suggests to me
3 that you think not subsequently?

4 A It would have -- let's see. He first talked to
5 Mrs. Morrison at 2:00 the afternoon of the 8th, and then
6 he did not talk to her again until 9:30 -- 10:00. It was
7 late -- late that evening.

8 Q Okay.

9 A And that -- that amount of time concerned me
10 somewhat. The amount of time between the initial contact
11 and the follow up.

12 Q Did anything occur during that time -- that time
13 frame as far as --

14 A No.

15 Q -- as far as Matthew Morrison?

16 A He went home, but as far as what he did when he
17 went home, who he saw, what transpired, I don't know.

18 Q The fact there is no contact with Mr. Tiedemann
19 between two and 9:00 on December 8, did that impact
20 Matthew Morrison at all?

21 A I think it may well have.

22 Q Can you give me an opinion, it did or not?

23 A Yes, it did.

24 Q How did it impact him?

1 A Because in my opinion he had written the suicide
2 note, knowing that the note was there, knowing that the
3 mother was concerned knowing that he was going home,
4 knowing that he had written at least one suicide note in
5 the hospital just three weeks prior to that, knowing that
6 his hospitalization lasted nine days, he was given
7 medication but had received no follow-up treatment,
8 knowing all those things and knowing that Matthew was
9 going home, and then no contact again until 9:30, 10:00
10 that night, that impacted adversely I believe.

11 Q Well, how did it impact him adversely? Do you have
12 any information how it adversely impacted Matthew?

13 A No, I do not. That would be an opinion on my part,
14 but there is nothing in the file.

15 Q There's nothing substantiating your opinion?

16 A No, there's no evidence that's been presented.

17 Q Nothing of any negative impact that you know of?

18 A No.

19 Q Is that correct?

20 A Yes.

21 Q And Mr. Tiedemann, did he -- your second protocol
22 for crisis intervention is get information. He talked to
23 Mrs. Morrison, correct?

24 A Yes.

1 Q He talked -- you think he talked to the school
2 psychologist Fran McIntyre?

3 A It is mentioned that he talked to her. It's in his
4 notes, but what he said, what transpired, what was -- what
5 information was passed between the two, there's no
6 information in his notes as to what it was. Just that
7 there's a notation that he did -- he did talk to her.

8 Q So you don't know what, if anything, McIntyre and
9 Tiedemann said to each other?

10 A No, there's nothing in Tiedemann's notes that
11 indicate that.

12 Q And did Mr. Tiedemann offer services to
13 Mrs. Morrison that day to see Matthew?

14 A I believe he did.

15 Q Did she recline those services?

16 A Yes, she did.

17 Q Is it appropriate for Mr. Tiedemann to go through a
18 parent when you're dealing with an adolescent in regard to
19 asking to provide services?

20 A In this instance, no.

21 Q It's not?

22 A No, it is not.

23 Q And why do you say it wasn't appropriate for
24 Mr. Tiedemann to go through Mrs. Morrison in regard to --

1 A Because --

2 Q -- offering his services to Matthew Morrison?

3 A Because Mrs. Morrison was not the client. Matthew
4 was. Matthew was suicide -- Matthew was ideating suicide
5 just a relatively short period of time before Mr.
6 Tiedemann talked to Mrs. Morrison.

7 Mr. Tiedemann knew the case history; knew Matthew
8 had an open relationship with him; had an open case with
9 him given the fact that that had been a fact; and
10 Mr. Tiedemann knew the history of his history and previous
11 ideations. Mr. Tiedemann should have talked to Matthew.

12 Q He could talk to Matthew without asking
13 Mrs. Morrison, is that what you're saying?

14 A Yes.

15 Q Doesn't need her consent, is that what you're
16 saying?

17 A That's what he should have -- yes.

18 Q And what did the -- Matthew is 12 years old?

19 A Thirteen.

20 Q Thirteen years old, a minor?

21 A Right.

22 Q Okay. Do the policy and procedures at the Mental
23 Health Services allow for a crisis intervention worker
24 such as Mr. Tiedemann to assess a minor without the

1 consent of a parent?

2 A That I do not know.

3 Q Do the social workers' rules for the state of Ohio
4 allow that to be done?

5 A I'm uncertain. I'm almost certain that they do
6 allow that in the case of self-injury or injury to others
7 when there is a severe life threatening crisis.

8 Q Even if the parent doesn't consent, that can take
9 place?

10 A To -- to save -- to assure the safety of the child,
11 yes.

12 Q And are you able to point to me any particular
13 provision of the social workers' rules in Ohio?

14 A No. No, I can't.

15 Q Was there any indication when Mr. Tiedemann talked
16 to Mrs. Morrison at the school that Matthew was not -- was
17 not in a safe environment?

18 A The environment was safe.

19 Q Was there any indication when Mr. Tiedemann talked
20 to Mrs. Morrison on the evening of December 8 that Matthew
21 was not in a safe environment?

22 A Not from Mrs. Morrison's point of view, no. Or
23 rather I should say from her point of view he was in a
24 safe environment.

1 Q And you knew that Fran McIntyre allowed Matthew to
2 go home with his mother right from the school?

3 A I don't know if she allowed it or the school
4 allowed it. I'm not sure how the permission was. I'm not
5 sure how permission was granted or whether Mrs. Morrison
6 took it upon herself to take him home.

7 Q As far as you know, did Miss McIntyre feel that it
8 was safe to take Matthew home that day?

9 A As far as I know, yes.

10 Q Other than Mr. Tiedemann not talking to Matthew,
11 was there any other information that you feel he did not
12 obtain during this crisis intervention involving Matthew
13 on December 8?

14 A Yes, he didn't look at the note. He did not ask to
15 see the note.

16 Q Do you know if the note was made available to him?
17 Did anybody offer it to him?

18 A I -- I do not know that.

19 Q Do you know if it was even made available to
20 Mrs. Morrison?

21 A I do not know that.

22 Q Do you know if anybody saw the note that day other
23 than Matthew Morrison and Miss McIntyre?

24 A I do not know that.

1 Q Any other information that you feel Mr. Tiedemann
2 didn't obtain?

3 A Given the fact that even by his own admission
4 Mr. Tiedemann in his deposition said that had he seen the
5 second note, that he would have done a diagnostic
6 assessment, a complete and new diagnostic assessment.
7 That information would have been invaluable and within the
8 rules of -- of social work practice, should have been
9 done.

10 Q Okay. That's -- that's based upon him being
11 provided with a note?

12 A Or him asking to see the note. I don't think he
13 even asked to see it, at least that's not indicated
14 anywhere in the case records.

15 Q And in order to do an assessment, he would need a
16 consent of the parent?

17 A Yes.

18 Q And on that --

19 A Unless -- now, there I said, yes. Let me
20 backtrack. I'm not sure because of the nature of the --
21 the crisis itself.

22 Q Well, did he or didn't he need the consent of
23 Mrs. Morrison that day to see Matthew and do an
24 assessment?

1 A Ideally I don't think he did, but that's -- I can't
2 answer that emphatically yes or no.

3 Q And as you sit here, you know of no policy of the
4 Mobile Crisis Unit to allow him to see Matthew without
5 consent; isn't that true?

6 A No, that's true.

7 Q And you can't point to any rule governing social
8 workers in Ohio that would allow that to happen; isn't
9 that true?

10 A Yes.

11 Q Did you review the policies for crisis intervention
12 from Mental Health Services?

13 A Yes.

14 Q Did you find any deficiencies in those policies?

15 A As they were written, I can think of none that I
16 found.

17 Q Anything else in regard to obtaining information
18 that you feel Mr. Tiedemann did not do?

19 MR. CONWAY: Other than what's
20 in this report?

21 MR. STOFFERS: Well, this is a
22 question -- I've been going over that, Tom.
23 I'm asking for protocols for crisis
24 intervention. He mentioned various items

1 and I'm going through them.

2 MR. CONWAY: Okay.

3 A I -- I can think of none at this time.

4 Q The third as to the crisis intervention you
5 referenced?

6 A Was getting the case history.

7 Q Did Mr. Tiedemann do that?

8 A Mr. Tiedemann had the case history, but I don't
9 think he asked enough questions about the particular day
10 to adequately make a decision or to help Mrs. Morrison
11 make a decision or to help the school make a decision on
12 what to do with Matthew.

13 Q Well, the school asked for Mr. Tiedemann's input or
14 assistance.

15 A They talked to him.

16 Q Did they ask for his assistance?

17 A During the -- during the conversation that
18 transpired between Mrs. McIntyre and Mr. Tiedemann, I do
19 not know.

20 Q Do you know if anybody else at the school asked for
21 Mr. Tiedemann's assistance or input?

22 A No, I don't.

23 Q You agree with me that Mr. Tiedemann was relying on
24 information he was getting from Mrs. Morrison and from

1 Miss McIntyre and anybody else at the school?

2 A Yes.

3 Q And it's reasonable for him to rely on information;
4 isn't that correct?

5 A To the point that he gathers enough information.
6 One of the intrinsic reasons for a social worker's
7 practice is to make sure that enough information is
8 gathered, and it is my opinion that Mr. Tiedemann did not
9 gather enough information.

10 Q That's not my question. My question was: Was it
11 reasonable for him to rely on information provided to him
12 by Mrs. Morrison and Miss McIntyre and anybody else at the
13 school?

14 A At that point in time, no.

15 Q It's not reasonable for him to rely on
16 information, --

17 A Because --

18 Q -- why not?

19 A Because he did not get the information that was
20 necessary to adequately assess the case. He did not look
21 at the notes. He knew the case history of Matthew. He
22 did not look at the assessments.

23 Q What assessments? The -- the suicidal assessment?
24 The risk assessment that Miss McIntyre did? Was that a

1 proper assessment?

2 A I think she may have erred in interpreting it.

3 Q And did she provide that to Mr. Tiedemann or even
4 tell him that she had it?

5 A I believe she did.

6 Q What did she tell him? I thought you told me two
7 minutes ago you don't remember what they talked about.

8 A There's a lot of information in this case. I
9 apologize. I believe she told him that she did an
10 assessment, but the ranking was either -- it was
11 borderline but he was not suicidal. I believe that was
12 the information she gave him. Or that was the
13 information -- I don't know if she gave it to him or
14 Mrs. Morrison gave it to him, but Mr. Tiedemann knew that
15 an assessment had been completed.

16 Q So you believe that Mr. Tiedemann is getting
17 information from either Morrison or McIntyre that Matthew
18 had been assessed at school and he was not suicidal; is
19 that what you're saying he was told?

20 A I believe so.

21 Q Okay. If that information was given to Mr.
22 Tiedemann by Miss McIntyre, why wasn't it reasonable for
23 him to rely on it?

24 A Because he knew Matthew's history. He knew that

1 Matthew had been suicidal as recently as three weeks
2 before; that he was hospitalized for nine days, and the
3 fact that there was a second note. And I believe there
4 was. I know there was a second note when Matthew was in
5 the hospital, but somehow got destroyed.

6 And looking at the notes, as I reviewed the notes,
7 they are so similar in their intent and purpose, that it
8 would be prudent social work practice for Mr. Tiedemann to
9 inquire as to the -- to the note itself, since it was an
10 open case and it was a crisis. Mr. Tiedemann was a crisis
11 specialist. Miss McIntyre was not a crisis specialist.

12 Q You're not aware that Miss McIntyre was
13 specifically trained for the crisis team for the school?
14 You're not aware of that?

15 A It's my understanding that she was a psychologist.

16 Q And she was on the crisis team, were you aware of
17 that?

18 A I saw that in the school records.

19 Q So she was trained to handle crises, right?

20 MR. CONWAY: Objection.

21 A I don't know what her training was.

22 Q Okay. So you don't know if she was trained to
23 handle a crisis or not?

24 A It's -- I know she was a certified school

1 psychologist. I'm not familiar with the training that a
2 school psychologist undergoes or what their qualifications
3 are.

4 Q Was Miss McIntyre qualified to do the assessment
5 that she performed?

6 A I do not know.

7 Q Was there any reason why Mr. Tiedemann wouldn't
8 believe that Miss McIntyre was not qualified to perform
9 the suicide assessment?

10 A I do not know.

11 Q Was Mr. Tiedemann given any information on December
12 8 while Matthew was at the school that his suicide
13 assessment performed by Miss McIntyre was in error or
14 incorrect?

15 MS. WISTNER: Objection.

16 A I do not know.

17 Q So getting back to my question a few minutes ago, I
18 don't think it's been answered.

19 Was it reasonable for Mr. Tiedemann to rely on
20 information provided by Miss McIntyre?

21 MS. WISTNER: Objection.

22 BY MR. STOFFERS:

23 Q Whatever she provided?

24 MR. CONWAY: Objection. Asked

1 and answered.

2 MS. WISTNER: Objection.

3 BY MR. STOFFERS:

4 Q Well, I don't think I got an answer to that. Was
5 it reasonable or not?

6 MR. CONWAY: Objection.

7 BY MR. STOFFERS:

8 Q And if no, why?

9 A Based on the fact that Mr. Tiedemann knew the case
10 history of Matthew; had had no contact with either Miss
11 McIntyre or the school; that he knew Matthew was suicidal;
12 that he knew that he had specific ideations for suicide
13 within three weeks of -- of writing the note; given that
14 Matthew -- he also knew that he wasn't seeing anyone to
15 help him with his problems since his -- subsequent to his
16 discharge from the hospital; given that Mr. Tiedemann knew
17 there was a note; given that the assessment had been done,
18 it would have been in my opinion prudent social work
19 practice for Mr. Tiedemann to do a diagnostic assessment
20 for Matthew.

21 Q That was not my question. The -- my question was:
22 Was it or was it not reasonable for Bill Tiedemann to rely
23 on whatever information he's provided with by Fran
24 McIntyre?

1 MS. WISTNER: Your question
2 wasn't what -- your question was --

3 THE WITNESS: No. No. I just
4 gave you -- no. No, it was not reasonable.

5 MR. STOFFERS: Read back the
6 last answer.

7 - - -

8 (Last answer given by the witness was read
9 back by the court reporter.)

10 - - -

11 BY MR. STOFFERS:

12 Q So I understand from the answer, that you believe
13 that Miss McIntyre's assessment was not accurate; that Mr.
14 Tiedemann shouldn't rely on Mrs. McIntyre's total --

15 MS. WISTNER: Objection.

16 A I know he should have gone a step further.

17 Q Well, my question is: Do you believe that Miss
18 McIntyre's assessment was not accurate; he shouldn't have
19 relied on it?

20 MR. CONWAY: Objection. It's
21 a compound question.

22 BY MR. STOFFERS:

23 Q Okay. Do you believe that the assessment was not
24 accurate by Miss McIntyre?

1 A Yes, I do.

2 Q And you also believe that Mr. Tiedemann therefore
3 should not have relied on the assessment; is that
4 correct, --

5 A He --

6 Q -- based on what you already said?

7 A He should not have relied on the assessment. Not
8 based on the fact that I know now it's inaccurate, but
9 because he knew of Matthew's past. He knew of his
10 history. It's not just the assessment. It's all -- it's
11 the whole thing that goes together.

12 Q And did Matthew have any suicidal thoughts or
13 ideations from the time he left the hospital to December
14 8?

15 A There are none reported, no.

16 Q Did Miss McIntyre ask Mr. Tiedemann to perform an
17 assessment that day?

18 A I'm not aware that she did.

19 Q Did Mrs. Morrison ask him to perform an assessment
20 that day?

21 A I'm not aware that she did.

22 Q So your opinion, Mr. Tiedemann should -- should
23 have just taken it upon himself to perform the assessment
24 without the request or consent of the school or

1 Mrs. Morrison?

2 A Given that Mrs. Morrison called him to apprise him
3 of the -- of the situation; given that he had talked to
4 Mrs. McIntyre, yes.

5 Q And do you know if the policy and procedures with
6 Mobile Crisis Unit allow for assessment to take place?

7 A I'm sorry, would you repeat?

8 Q Do you know if in the policy and procedures it
9 allows for assessment to take place without the request or
10 consent of a parent or somebody at school?

11 A No, I do not.

12 Q Do you know if the school policy allows for that to
13 take place?

14 A No, I do not.

15 Q Do you know if the social workers' rules in Ohio
16 allow that to take place?

17 A No, I do not.

18 Q Mr. Tiedemann made sure that Mrs. Morrison had
19 gotten an appointment with the Applewood facility; isn't
20 that true?

21 A I know she had an appointment. Now, which time are
22 you talking about?

23 Q December 8th. I'm on December 8.

24 A December 8. Okay. That evening or that afternoon

1 she said I think she -- no. I -- they called and, in
2 fact, that night, and said she had an appointment like the
3 30th of December I believe.

4 Q Okay. And that was the -- the plan after the
5 discharge from the hospital was to have Matthew receive
6 aftercare at an outpatient facility such as Applewood,
7 correct?

8 A Correct.

9 Q The discharge plan from the hospital did not
10 include any continuing care by Mobile Crisis; is that
11 correct?

12 A I believe that's correct, yes. I think there's
13 mention on an as-needed basis. I mean if there is a
14 crisis that arises, then they could be called.

15 Q And if they were called, somebody wanted their
16 assistance, they would provide it, correct?

17 A Correct.

18 Q As far as you know, after Matthew was released from
19 the hospital, nobody requested Mobile Crisis to provide
20 any assessment of Matthew after he came out of the
21 hospital up until his death, correct?

22 A Correct.

23 Q In these suicide notes that Matthew wrote, what was
24 the context of the suicide note that he wrote on November

1 10?

2 A The first one was -- both of them were to his
3 father, and the first one he wrote to his dad said that he
4 wanted to know if he loved him. That --

5 MR. CONWAY: You can look at
6 it.

7 BY MR. STOFFERS:

8 Q Go right ahead.

9 A Let see here, do you remember where --

10 MR. CONWAY: Yeah. First one.

11 THE WITNESS: I've got the
12 second one. Okay.

13 BY MR. STOFFERS:

14 Q The second one you just got today, right?

15 A Right. The first one, he wants to know if his
16 father loves him. If he doesn't he's going to kill
17 himself.

18 Q Does he say how he's going to kill himself by the
19 note?

20 A Yes, he does. By shooting myself or run over by a
21 car or take an overdose of pills.

22 a Okay. And the second note, how -- what is the
23 referenced method?

24 A The second note references he's going to kill

1 myself by jumping off -- I believe it's jumping off a
2 building.

3 Q So in your report both notes addresses the use of
4 a shotgun or walking -- or hit by a car?

5 A That's an error. Both notes express specific
6 ideations. He had thoughts about how he wanted to kill
7 himself.

8 Q And it's fair to say when you wrote your report on
9 March 15, you didn't have the second note?

10 A No, I didn't. There was another note that I
11 thought was the second note, but it was a -- it was just I
12 guess, a third note. I don't know where it came from, but
13 it was listed -- it was in the material that I was
14 provided to read.

15 Q So, again, you just got the 12/08 note today?

16 A Yes.

17 Q So you wrote your report on March 15 without the
18 benefit of seeing that March 8 note, correct?

19 A Correct.

20 Q In your report on page two, --

21 A Okay.

22 Q -- paragraph two you state that Mr. Tiedemann did
23 not make any attempt to interview Matthew on 12/08. Do
24 you see that?

1 A Yes.

2 Q Mr. Tiedemann did ask Mrs. Morrison if she wanted
3 him to come out and see Matthew, correct?

4 A To me that is not a full-hearted attempt. The
5 social worker is supposed to be the one that knows, and if
6 I as a social worker ask a mother, can I come out and see
7 Matthew --

8 Q You don't have to talk like that, sir.

9 MR. CONWAY: Wait a second.
10 We'll adjourn for a second. No, Bob, you
11 will settle down.

12 Mr. Mickey, do you want to come
13 with me? Don't address him in this tone.

14 MR. STOFFERS: Well, he doesn't
15 have to talk like that as a child.

16 MR. CONWAY: He wasn't trying
17 to talk like a child. He was trying to give
18 an answer pursuant to your question.

19 - - -

20 (Recess taken at 4:06 p.m.)

21 - - -

22 (Deposition resumed at 4:09 p.m.)

23 - - -

24 BY MR. STOFFERS:

1 Q My question, Mr. Mickey, was: Isn't it true that
2 Mr. Tiedemann offered his services to come out and see
3 Matthew on December 8?

4 A It's my understanding that he offered them, but did
5 not recommend them.

6 Q Did -- what do you mean didn't recommend them? He
7 said to Mrs. Morrison, do you want me to come out and see
8 Matthew?

9 A Yes.

10 Q And didn't she say she declined his services?

11 A Yes, but he did not recommend services.

12 Q What else could he do other than offer to come out
13 and see --

14 A Because I think he should have recommended his
15 professional services be rendered to Matthew due to the
16 gravity of the situation.

17 Q By offering to come out and see Matthew, isn't that
18 what he did?

19 A No. He asked Mrs. Morrison if she felt that he
20 needed to come out and see Matthew. Based on the gravity
21 of the situation, given all the factors that led up to
22 this, Mr. Tiedemann should have recommended that another
23 diagnostic assessment be performed.

24 Q And if he had recommended that a diagnostic

1 assessment be performed, Mrs. Morrison had the right to
2 decline that; isn't that true?

3 A Yes, it is.

4 Q As we sit here today, you don't know if she would
5 have allowed him to come out if he had stated it that way
6 as opposed to, do you want me to come out and see Matthew
7 and do a triage?

8 A No, I do not.

9 Q Mrs. Morrison back in November was able to
10 verbalize to ask Mr. Tiedemann to come out and see
11 Matthew, correct?

12 A Yes.

13 Q Do you know if McIntyre or anybody at the school
14 told Mr. Tiedemann of what was in the suicide note; any
15 circumstances surrounding Matthew writing the suicide
16 note?

17 A No, I do not.

18 Q What were the policies and procedures for the
19 Mobile Crisis Unit in December 1998 concerning an IPS?

20 A The -- the policy was, and I am confused on this
21 because the IPS from their point of view dealt only with
22 finances. That was the way it was explained in the
23 testimony. But I couldn't tell whether an IPS was done
24 for everyone or just with clients that receive financial

1 assistance from crisis -- from the crisis team.

2 Q And do you know what the policies and procedures
3 state in regard to preparing an IPS? You're now being
4 handed by your counsel -- you can look at it.

5 MR. CONWAY: Well, that's --
6 for the record, that's what the original
7 material said.

8 THE WITNESS: It was the
9 original.

10 MR. CONWAY: And letting him
11 review it, I'm not giving you a hard time.

12 A IPS, as best I can remember it, any time there was
13 a change in service plan or a change in the case, a new
14 IPS was to be performed or drawn up.

15 Q And you state in your report that an IPS was
16 crucial information for many therapists and clinicians who
17 have worked on this case at one time or another. Do you
18 see that in paragraph three of your --

19 A Paragraph three, I'm with you.

20 a Who are the therapists and clinicians and your
21 representatives in paragraph three in your report?

22 a There were the people in -- in St. Luke's Hospital.
23 The social workers that were there. Other social workers
24 with the crisis unit, school personnel that might have had

1 access to Matthew's case plan.

2 Q And at the hospital you were aware of the fact,
3 weren't you, that Mr. Tiedemann's assessment of Matthew
4 back in November was given to the hospital upon his
5 admission?

6 A There was an assessment, but there is -- where I
7 got confused, there was an assessment, but not an IPS.
8 Never an IPS done.

9 Q Well, the assessment -- again, are you aware that
10 an assessment that Mr. Tiedemann performed on Matthew in
11 November was given to the hospital?

12 A Yes.

13 Q Okay. And that would be a fairly comprehensive
14 document concerning Matthew Morrison in his condition,
15 correct?

16 A Yes.

17 Q And do you know of any information that would not
18 be in that assessment that would have been in the IPS?

19 A No, I don't.

20 Q Okay. What are the policies of the Mobile Crisis
21 Unit for providing its file to a school such as Cleveland
22 Municipal School District?

23 A That I do not know.

24 Q What is the school's policies for obtaining records

1 for the Mobile Crisis Unit for the student?

2 A I do not know.

3 Q Other than the people at the hospital and people at
4 the school, who are the other clinicians that could have
5 seen the IPS?

6 A Those would be the only ones unless -- and I'm
7 assuming his case report would be forwarded to Applewood,
8 but they never had contact with -- with Matthew. So I
9 don't know that they were even involved.

10 Q And in terms of Applewood, that was something to be
11 set up through St. Luke's, right, the hospital?

12 A Initially, right.

13 Q Yes.

14 A Okay.

15 Q Mr. Tiedemann and the Mobile Crisis Unit didn't
16 have any role in setting up that appointment, did they?

17 A I don't believe they did, other than they may have
18 been conversant with it during the staffings at the
19 hospital.

20 Q And you're aware that Mr. Tiedemann after Matthew
21 was released from the hospital, he followed up with
22 Mrs. Morrison several times to make sure she got that
23 appointment at Applewood, right?

24 A I think -- I think Tiedemann talked with her two

1 times subsequent to his dismissal -- discharge from the
2 hospital.

3 Q And left messages also, right?

4 A Right. He never -- he never -- yeah, the
5 messages -- the messages he left were documented in his
6 case report, but I don't think he talked to Matthew at all
7 subsequent to his discharge.

8 Q I'm talking about Mrs. Morrison?

9 A Right.

10 Q And that was appropriate for him to follow up with
11 Mrs. Morrison, right, to make sure he got his appointment
12 with Applewood?

13 A Right.

14 Q And was that even required under the policies and
15 procedures at the Mobile Crisis Unit for Mr. Tiedemann to
16 do that?

17 A I think it was.

18 Q You think so. Are you sure?

19 A No, I'm not.

20 Q At the time that Mr. Tiedemann closed Matthew's
21 case late in the day on December 8, Matthew had been
22 assessed at the school, correct?

23 A Yes.

24 Q And determined he was not suicidal, correct?

1 A That's what the assessment said, yes.

2 Q Okay. And according to Miss McIntyre at the school
3 and according to Mrs. Morrison, Matthew was safe at home,
4 correct?

5 A Yes.

6 Q And at that time Mrs. Morrison had an appointment
7 with Applewood, correct?

8 A Yes.

9 Q Was there anything else from Mr. -- and at that
10 time Mr. Tiedemann had offered his services to come out
11 and see Matthew and Mrs. Morrison declined them, correct?

12 A Yes.

13 Q Other than your reference to Mr. Tiedemann
14 recommending his services, was there anything else for
15 Mr. Tiedemann to do at that point in time?

16 A Not close the case.

17 Q Okay. If he kept the case opened, what would have
18 happened the next day? What -- what would have happened
19 the next day?

20 A If he had kept the case opened, he would have done
21 a diagnostic -- excuse me. A diagnostic assessment that
22 day.

23 Q That's if Mrs. Morrison allowed him to come out and
24 do that, right?

1 A If the assessment had been done, right.

2 Q If she allowed him to come out?

3 A Right.

4 Q I'm saying, you know, he offered his services, she
5 declined them, okay, and I want you to assume that he
6 recommended his services, as you suggest he should have
7 done, and then she again declines them, was there anything
8 else done at that time?

9 A He could have gone through a supervisor and talked
10 to and said I'm here. I'm not sure what the -- the -- the
11 legal point is about doing another diagnostic assessment,
12 but he should have recommended and kept recommending that
13 another assessment be done.

14 Q And in that regard to whether an assessment was
15 done, that was going to be up to Mrs. Morrison, right,
16 she --

17 A Or -- or even a court of law if need be.

18 Q A court of law, how would that occur?

19 A Mr. Tiedemann could request a court allow an
20 assessment be done.

21 Q And how would he do that?

22 A In Ohio I'm not sure which court it would be
23 through. Could go through Juvenile Court or go through a
24 court of another venue.

1 Q You say that you think Mr. Tiedemann could have
2 recommended an involuntary hospitalization of Matthew
3 Morrison?

4 A Yes, but the fact is, he never talked to Matthew.
5 Or so -- would have been involuntary on Matthew's part, I
6 have no idea, because Matthew said that he would be
7 willing to go back to the hospital when he talked to
8 Mrs. McIntyre.

9 Q And Mrs. McIntyre contacted the hospital in that
10 regard?

11 A I do not know. It's not indicated that she did in
12 the independent deposition.

13 Q Do you know if Matthew would have met the criteria
14 for involuntary hospitalization?

15 A No, I do not. I -- I -- no, I do not.

16 Q What else could Mr. Tiedemann have done other than
17 requesting an involuntary hospitalization?

18 MR. CONWAY: And recommend
19 strongly to the mother that he would be
20 allowed to assess?

21 MR. STOFFERS: Yeah. We've
22 gone beyond that.

23 THE WITNESS: Okay.

24 BY MR. STOFFERS:

1 Q And what else could he have done?

2 A Short of closing the case, wait a few days to see
3 what transpired after the event of December the 8th at
4 school.

5 Q So he keeps the case open. If he called
6 Mrs. Morrison the next day, she would have been told he
7 was doing okay, right?

8 MR. CONWAY: Objection.

9 MS. WISTNER: Objection.

10 BY MR. STOFFERS:

11 Q Well --

12 A I have no idea.

13 Q Did you read her testimony and find out what -- how
14 she said Matthew was doing the day after?

15 A That I -- I really can't answer that. I mean I
16 don't know what she would have said.

17 Q Did Mrs. Morrison give deposition testimony in this
18 case as to Matthew's condition on December 9?

19 A Yes.

20 Q And what did she say about Matthew?

21 A She said he seemed to be okay.

22 Q Okay. He went to school that day?

23 A Yes.

24 Q Did she say he acted abnormally in any way?

1 A No.

2 Q Okay. And on December 10 prior to the suicide, did
3 she say he was acting normally?

4 A Yes.

5 Q Did she say he was having any problems?

6 A No.

7 Q As far as you know, was he acting normally at
8 school on the ninth and the tenth?

9 A It would appear so from all indications.

10 Q So if Mr. Tiedemann had called Mrs. Morrison or
11 called the school on the ninth or tenth, as far as you
12 know, everybody would have said Matthew was doing okay?

13 A That -- that might be, yes.

14 Q You have no information to the contrary, do you?

15 A No. I have no information to the contrary, no.

16 Q What did you understand were the circumstances that
17 led up to Matthew's suicide?

18 A That he was having trouble at school, and
19 particularly since I read the note, he was very
20 distraught. Nobody liked him. His sister hated him. His
21 father didn't like him. He didn't like any of his
22 friends. He was unhappy in school. He was just a very,
23 very unhappy seemingly unloved child.

24 Q That was a note from?

1 A The second note.

2 Q From December 8?

3 A Right.

4 Q I'm asking what were the circumstances that
5 occurred prior to Matthew's suicide on December 10?

6 A Oh, oh, I'm sorry. Kids at school were making fun
7 of him, I believe is what was explained of what
8 precipitated the event.

9 Q And that was pursuant to Mrs. Morrison. Where did
10 you get that information from?

11 A I believe in Mrs. Morrison -- I believe that's what
12 she said that's what she thought had happened.

13 Q Well, did -- I guess I asked you a few minutes ago
14 whether Mrs. Morrison expressed that Matthew was having
15 problems or difficulties on December 10? You said she
16 didn't give any such testimony, correct?

17 A Prior to his committing suicide, but then
18 subsequent to the suicide, she said that he came home from
19 school -- I believe she said he came home from school that
20 day and was complaining about the kids making fun of him.

21 Q Okay. Well, did she make -- give any such
22 testimony in regard to Matthew on the ninth that he
23 complained about anything?

24 A No, not -- not that I can think of.

1 Q And it's your understanding that she testified on
2 the 10th that Matthew complained that kids were making fun
3 of him; is that what you --

4 A It may not have been on the 10th. It may have been
5 subsequent to the 10th when people were asking her what
6 was going on with Matthew to make him commit suicide on
7 that particular day. She responded by saying -- I think
8 that's how it -- how it transpired.

9 Q Maybe we're just not communicating, and that's --
10 you know, those things happen. I asked you before from
11 your reading of the transcript of Mrs. Morrison's
12 deposition whether or not she noticed any problems of
13 Matthew on December ninth or 10th?

14 A Right.

15 Q And you said, no, he seemed to be acting normally,
16 right?

17 A Right.

18 Q All right. So I'm asking you did Mrs. Morrison
19 testify or provide any information during her deposition
20 of any problems Matthew was having on December 10 just
21 before he committed suicide?

22 A And I think that's where I read that children had
23 been teasing him or he was unhappy with his friends or
24 something had transpired at school that made him commit

1 suicide. That's what she perceived. I believe that's
2 what she testified to or testimony was given to that
3 effect that she said that somewhere along the way, but it
4 was after he had committed suicide. Now, whether it was
5 on the 10th or the 11th or -- I don't know.

6 Q I'm just asking for testimony. I don't care when
7 she came up with this information. You're saying that you
8 believe she testified that Matthew felt kids were making
9 fun of him at school on the 10th?

10 A Right.

11 Q Anything else that she stated that occurred with
12 Matthew on the 10th prior to his suicide?

13 A That's all I can -- that's all I can remember.

14 Q Now, you state in paragraph five of your report
15 that Mr. Tiedemann stated in his deposition that Matthew's
16 mother was unable to properly assess Matthew's suicidal
17 tendencies immediately prior to his hospitalization on
18 November 10th. That's a pretty specific reference.

19 Can you tell me where that is in his testimony of
20 the deposition? Maybe it's in your notes here, I'm not
21 sure.

22 A Okay. Let me read the rest of it, make sure this
23 is the right place. But I'm in the 50s on his deposition.
24 Starting on page 50.

1 MR. CONWAY: Well, just --

2 THE WITNESS: Just wait. Okay.

3 BY MR. STOFFEERS:

4 Q Find it and let me know.

5 A All right. Okay. It's on page 52.

6 Q Page 52?

7 A Page 52 of Mr. Tiedemann's deposition.

8 Q What line are you looking at?

9 A Thirteen. I gather you told Mrs. -- line 13. "I
10 gather you told Mrs. Morrison you thought Matthew should
11 be seen at the hospital for a psychiatric evaluation"?

12 Q And the answer was?

13 A "Yes." And then question: "She had been receptive
14 to that?"

15 Q The answer was?

16 A Answer was "Yes."

17 Q Okay. So where do you --

18 A so --

19 Q That doesn't state that Matthew's mother was unable
20 to assess Matthew's suicidal tendencies on November 8,
21 does it?

22 A It means that she didn't -- she was not -- she was
23 concerned about Matthew, but she didn't know -- she
24 thought he was suicidal but didn't know if he was, so

1 Mr. Tiedemann recommended to Mrs. Morrison that he be
2 assessed at the hospital. That was the result of his --
3 direct result of his diagnostic assessment and his
4 interview with Matthew and with Mrs. Morrison.

5 Then on the eighth, if you can jump to the eighth,
6 Mr. Tiedemann again should have told Mrs. Morrison the
7 same thing; I think he needs to be assessed and, you know,
8 we need to do a full workup on this child.

9 Q Wait a minute. Let's back up here. The assessment
10 Mr. Tiedemann's talking about on page 52 in his deposition
11 was an assessment in a hospital, right?

12 A No. No. This was before he was admitted.

13 Q You -- the question is: "I gather you told
14 Mrs. Morrison you thought Matthew should be seen at a
15 hospital for an evaluation?"

16 A Right. And he said that during the diagnostic
17 assessment while he was at the hospital on November 10.

18 Q Okay. And she understood that, right?

19 A She understood that because she was -- she was
20 unable to properly assess. So she understood that he
21 should be admitted to the hospital because he had written
22 a suicide note because he was disturbed. So he wanted --
23 you know, she wanted him to go to the hospital for a
24 full -- for admittance and treatment.

1 Q And -- and she understood what he was saying?

2 A Yes.

3 Q Well, how do you --

4 A What I'm saying here on line five of my -- of my
5 letter is that she was -- you know, she was unable to
6 assess him.

7 Q That's why she called --

8 A That's why she called.

9 Q -- Mr. Tiedemann in?

10 A Right.

11 Q She thought that an attempt -- that Matthew may be
12 suicidal?

13 A Right.

14 Q Okay. And then because she had a question about
15 that, she had asked Mr. Tiedemann to come out, right?

16 A Right. And he came out and did his assessment and
17 said he needed to be committed.

18 Q And a month later on December 8 when he called her
19 asking her, do you want me to come out and see Matthew,
20 she said, no, right?

21 A Right.

22 Q Right. So on the 10th she's able to determine yet
23 that Matthew is having a problem which she needs Mr.
24 Tiedemann to see him, and then on December 8 she makes a

1 decision, well, you know, I don't think you need to come
2 out and see him, and she --

3 A I'm sorry.

4 Q Let me finish my question. So was there any change
5 in her ability to -- herself to determine whether or not
6 she needed assistance by Tiedemann or by anybody on the
7 eighth versus the loth, a month earlier?

8 MR. CONWAY: Objection. First
9 of all, form of the question. Second
10 objection, you're mischaracterizing what he
11 means by her inability to assess. So it's
12 to the extent you're mis-summarizing his
13 prior testimony, I object to that ground
14 as well.

15 MR. STOFFERS: Well, your
16 objection is noted.

17 BY MR. STOFFERS:

18 Q Was there any -- let me ask you this. Very simple
19 question. Did something happen to Mrs. Morrison between
20 November 10 and December 8 that made her less able to
21 determine whether Matthew needed assessment by Bill
22 Tiedemann or any mental health professional?

23 A I don't think Mrs. Morrison was ever capable of
24 determining whether he needed to be assessed more.

1 Q She made the decision on November 10th, didn't she?

2 A She went along with Mr. Tiedemann's recommendation
3 that he be assessed.

4 Q She asked him to come see him on the 10th?

5 A Right.

6 Q So she made that determination on her own, right?

7 A She asked him to do the assessment, right.

8 Q And a month later when Mr. Tiedemann asked her if
9 she wanted him to come out and perform another assessment,
10 she made the decision, no, right? She said "no"?

11 A No. Mr. Tiedemann didn't offer to do an
12 assessment. He offered to come out and talk to Matthew.
13 That's a big difference.

14 Q Okay. Well, she thought it wasn't necessary for
15 Matthew to see Mr. Tiedemann on the 10th, right?

16 A That's what she verbalized.

17 Q All right. But a month earlier she felt it was
18 necessary for Mr. Tiedemann to come out and see Matthew,
19 right?

20 A Yes.

21 Q Okay. And was there any change in her ability to
22 assess -- do her own motherly assessment of Matthew
23 between November 10th and December 8th?

24 A That I do not know.

1 Q When I look at your report, is it fair to say you
2 wrote the report without reviewing the deposition
3 testimony of Fran McIntyre; --

4 A Yes.

5 Q -- is that correct? And when I look at your report
6 I see -- are there any references in your report to
7 deposition testimony of Mrs. Morrison/Atkins? Seems to me
8 it's all referencing Bill Tiedemann?

9 A Mr. Tiedemann, yes.

10 Q That's fair to say --

11 A Yes.

12 Q -- that your report is based upon the Tiedemann
13 deposition solely?

14 MR. CONWAY: Objection. No,
15 it's not.

16 A No.

17 MR. CONWAY: In review of the
18 depositions in evidence that you sent me in
19 this tragic case. Come on.

20 MR. STOFFERS: I'm trying to
21 find out. I'm looking at his report here.

22 A No. I read Mrs. Morrison's deposition. I read --
23 as I stated in my letter, looked at Mr. Tiedemann's
24 deposition, Ms. Hagesfeld's deposition, and those of Ms.

1 Atkins and Dr. Lightbody and files of evidence that were
2 given to me by the attorney.

3 Q Okay. Well, I guess go through it real simply
4 here, through paragraphs one through five; and all the
5 information in one through five come from the Tiedemann
6 deposition; is that true?

7 A Yes. Yes, given that I read the other material
8 prior to writing this letter.

9 Q You said you perused the depositions of Tiedemann
10 and Hagesfeld, right?

11 A Yes.

12 Q And I don't see any reference to Hagesfeld in your
13 report.

14 A No, because I was not asked to render an opinion on
15 Mrs. Hagesfeld.

16 Q It says you briefly looked at the depositions of
17 Atkins and Lightbody.

18 A Right, because I was not asked to give an opinion.

19 Q You made no reference about their deposition in
20 your report; is that correct?

21 A No -- that's correct.

22 Q You didn't have the testimony of Fran McIntyre up
23 to the time --

24 A Right.

1 Q Did you look at the deposition testimony of any of
2 the other persons who were involved with Matthew Morrison
3 on December 8? Who would those be, people at the school?

4 A No.

5 Q Okay. Did you look at the deposition testimony of
6 one Gerry Beard-Chaney?

7 A No, I did not.

8 Q Do you know who she was?

9 A I only heard a reference to her today, and I'm not
10 sure what her position was when she was working at the
11 time.

12 Q In order to understand what happened to Matthew on
13 December 8, wouldn't it be best to read the testimony of
14 all the persons who had any contact with Matthew that day
15 other than his mother?

16 MR. CONWAY: Objection.

17 BY MR. STOFFERS:

18 Q Wouldn't that be the best thing to do in your
19 information gathering process?

20 A I don't know who Gerry Beard-Chaney was. I
21 wasn't -- I was not made aware of her until today, so I do
22 not know who she was or what role she had in this, if any.

23 Q Based upon reviewing the McIntyre deposition, do
24 you intend to write another report?

1 A No.

2 Q You agree with me that you didn't -- you did not
3 have all the information concerning what was happening to
4 Matthew Morrison's mother on December 8 when you wrote
5 this report? The people, set aside Matthew. The teacher?

6 A I did not have access -- if that information
7 existed, I did not have access.

8 Q And you didn't have access to Mrs. Chaney's
9 deposition, did you?

10 A No, I did not.

11 Q And the McIntyre depo you read afterwards?

12 A Yes.

13 MR. CONWAY: Objection.

14 Meaning as to afterwards he read it? After?

15 MR. STOFFERS: After he wrote
16 the report.

17 MR. CONWAY: Correct. He read
18 it after. Dr. Wills wrote a report
19 criticizing her. He did read the depo.

20 BY MR. STOFFERS:

21 Q Did you read Dr. Wills' report?

22 A I did. I did.

23 Q Do you have any notes on it?

24 A No, I don't.

1 Q Do you know what date that was?

2 MR. CONWAY: Here, I'll find
3 it for you.

4 A Oh, okay. Yes, I did read it, but I do not have
5 notes on it.

6 Q No notes on her report?

7 A No.

8 Q You were given reports of several other experts in
9 this case, Dr. Shaffer, Dr. Mirabito?

10 A Yes.

11 Q Did you review those reports?

12 A Yes, I did.

13 Q Have any notes on them?

14 A No, I don't.

15 Q Dr. DeLuca, did you read his report?

16 A Yes, I did.

17 Q Any notes on that?

18 A No.

19 Q When you say you briefly looked at the depositions
20 of Atkins and Lightbody, does that mean you read the whole
21 thing? What do you mean when you say you briefly looked
22 through them?

23 A I looked through it trying to get an idea of the
24 course of events and how they transpired and Mr.

1 Tiedemann's role with the hospital, St. Luke's with what
2 was going on at that time.

3 Q Does that mean you just scanned over them or
4 briefly looked at them such as like you hadn't looked at
5 the whole thing?

6 A No, I read the entire thing, but not with as
7 much -- I don't know how I want to phrase this. Not as
8 deeply as I did Mr. Tiedemann's, because I was asked to
9 render an opinion on Mr. Tiedemann.

10 Q Is Mr. Tiedemann's deposition the only one you
11 really read thoroughly?

12 A I read Mrs. Hagesfeld's thoroughly. I read
13 Mrs. McIntyre's thoroughly.

14 Q What was Mr. Tiedemann's job title?

15 A I believe crisis intervention specialist.

16 Q What were his duties?

17 A To intervene in crises and take appropriate action.

18 Q Reading through your report, it does not reference
19 Mr. Tiedemann not complying with any of the policies and
20 procedures as a crisis intervention specialist at Mobile
21 Crisis Unit?

22 A I believe you're correct, yes.

23 MR. CONWAY: We'll be asking
24 him at trial, for the record.

1 MR. STOFFERS: I'm going by
2 his report here.

3 MR. CONWAY: I understand.
4 I'm just --

5 MR. STOFFERS: He said this
6 would be all his opinions, so --

7 MR. CONWAY: Regarding
8 deviations and standard of care, correct.
9 Certainly relevant as to whether or not he's
10 following his own company's policies. So I
11 will be asking him those questions.

12 BY MR. STOFFERS:

13 Q Do you have an opinion here at this time, do you,
14 about whether or not he followed or did not follow
15 policies and procedures at Mobile Crisis Unit? Do you
16 have an opinion?

17 A Not at this time.

18 Q Okay. You state -- go back to your report. You
19 have this in front of you?

20 A Yeah.

21 Q On page three you state you feel Mr. Tiedemann
22 violated the Ohio Rules for social workers?

23 A Yes.

24 Q You cite 4757-5-01(B)(7)?

1 A Yes.

2 Q And what is the basis for that opinion?

3 A The basis is that when Mr. Tiedemann was contacted
4 on the eighth as a result of this suicide note; that
5 without interviewing Matthew, without looking at the
6 suicide note, without talking with Matthew even on the
7 telephone, Mr. Tiedemann terminated an active case knowing
8 that Matthew had expressed suicidal ideations very
9 recently in the past; had expressed them again on that
10 same day; had been hospitalized for nine days; and was
11 receiving -- was on psychotropic medication, but was not
12 receiving any current ongoing therapy, although therapy
13 and treatment had been scheduled in the somewhat distant
14 future, in another three weeks; there was no ongoing
15 treatment other than the psychotropic medication.

16 Given all that, he still chose to terminate the
17 case, and in my opinion without due cause.

18 Q And I think you've gone over before what you think
19 he could have done if he had kept the case open, right?
20 We've gone over all that?

21 A Yes. Yes.

22 Q Okay. And at that -- at that time that the case
23 was closed, as you say terminated, Matthew had the linkage
24 of the counseling that was part of his discharge plan of

1 the hospital, right?

2 A But he also had the linkage from the discharge from
3 the hospital three weeks prior to that, but nothing had
4 happened. He was ideating suicide again, so the case
5 should not have been terminated.

6 Q Well, he didn't get the linkage until December 8,
7 right?

8 A No.

9 Q Linkage with Applewood had occurred when?

10 A Initial linkage occurred when he was first
11 discharged from the hospital. They set up an appointment,
12 I think it was with Applewood, when he was first
13 discharged from the hospital.

14 Q Who set up the appointment?

15 A I believe it was the St. Luke's.

16 Q And --

17 A It was.

18 Q When was the appointment set for?

19 A In December. Sometime in mid -- late December, I
20 believe. If I'm remembering the facts correctly, he was
21 given I believe a month's medication with a refill for
22 one -- one more refill and an appointment was set up with
23 Applewood.

24 Q Okay. As of December 8, Mr. Tiedemann knew that

1 Matthew had an appointment with Applewood, right?

2 A And also knew that he had not seen anyone at
3 Applewood; had not seen any other therapists since his
4 discharge; he was only receiving medication.

5 Q Mr. Tiedemann was not providing any ongoing
6 counseling with Matthew that was done with Applewood,
7 right?

8 A Right. There was nothing provided, and Mr.
9 Tiedemann knew that.

10 Q And then did the discharge plan from the hospital
11 state when Matthew needed to start this counseling? Give
12 a particular date or time frame?

13 A It was my understanding that it did. That they --
14 that prior to his discharge, a date was set with Applewood
15 that he would begin counseling at that time.

16 Q And as far as you know, St. Luke's felt that
17 whenever the time lapse was from when Matthew was released
18 from the hospital to the date of Applewood, that was okay
19 with them?

20 A I don't know what the circumstances were; what date
21 would be -- would be picked.

22 a That was part of the discharge plan from the
23 hospital?

24 A Part of the discharge plan.

1 Q Tiedemann and Crisis did not have a plan in that?

2 A Did not.

3 Q So December 8, again, you agree with me that
4 Matthew had a counsel set with Tiedemann?

5 A Right.

6 Q He had medication, right?

7 A Right.

8 Q He was taking the medication, right?

9 A His mother said he was.

10 Q She was verifying that, right?

11 A Right.

12 Q And there's no information to the contrary, is
13 there?

14 A Right.

15 Q And then on December 8 Matthew had been assessed by
16 Miss McIntyre, a school psychologist with the crisis team
17 at the school, right?

18 A Right.

19 Q And Miss McIntyre deemed Matthew was safe to go
20 home, right?

21 A I -- I can't -- I honestly can't remember whether
22 it was Miss McIntyre or the assistant principal or someone
23 who was involved with -- with that team. I don't remember
24 who.

1 Q Well, Miss McIntyre did not object to having
2 Matthew go home with his mom?

3 A No, I don't believe she had.

4 Q And Matthew's mother told Mr. Tiedemann on December
5 8 that he was safe at home and doing okay?

6 A Yes.

7 Q And with all that, with all the circumstances
8 occurring, you still feel that it was improper for
9 Mr. Tiedemann to close the case at that time?

10 A Yes, I do.

11 Q And that's based upon what you told me earlier,
12 right?

13 A Yes.

14 Q The Counselor and Social Workers Board Rules that
15 we've been discussing, they require a consent of service
16 by a social worker, right?

17 A I'm -- for anyone or for --

18 Q Well, I'm looking in the paragraph right above the
19 one you have referenced as paragraph (a), and it says
20 Counselors and social workers provide services to clients
21 only in the context of a professional relationship based
22 upon valid conformed consent.

23 MR. CONWAY: Objection.

24 That's exactly what his statement has been.

1 There's a difference between consent and
2 conformed consent.

3 THE WITNESS: Informed consent
4 is --

5 MR. STOFFERS: Thank you for
6 testifying, Tom. Appreciate that.

7 MR. CONWAY: Well, thank you
8 for misreading -- or taking that out of
9 context.

10 MR. STOFFERS: No, I read that.
11 Informed consent only means that the client
12 gives permission -- the client gives
13 permission and knows what's happening if
14 it's a --

15 MR. CONWAY: Wait a second. I
16 object to your use of that in --

17 MR. STOFFERS: You got your
18 objection noted. Let's move on.

19 MR. CONWAY: I'm not finished
20 with it. I object to your --

21 MR. STOFFERS: Don't make a
22 statement objection. If you would --

23 MR. CONWAY: -- improper use
24 of the legal terminology there.

1 MR. STOFFERS: Well, let's get
2 it straight here. Mr. Mickey has felt that
3 he can give opinions based upon this rule in
4 paragraph (b), and I'm asking him about
5 paragraph (a) above. So I would assume that
6 if he feels comfortable talking about
7 paragraph (b), and he certainly is
8 comfortable talking about paragraph (a)
9 above it, if he's not, he can tell me that.

10 MR. CONWAY: I agree with
11 that, Bob. I have no problems if you ask
12 him questions, but don't -- don't commingle
13 the term "consent" the way you've been using
14 it in the deposition as informed consent,
15 the legal term right there, because they're
16 different. That's all I'm saying.

17 MR. STOFFERS: I'm just reading
18 the statute, Tom. He's talking about the
19 statute. I'm asking about another
20 particular part of the rule.

21 MR. CONWAY: All right.

22 - - -

23 (Changemachine paper.)

24 (Discussion held off the record.)

1 BY MR. STOFFERS:

2 Q Was there a requirement back in '98 that a social
3 worker have valid informed consent to provide services to
4 a client? Simple -- simple question.

5 A That I do not know.

6 Q Okay. After Matthew left school on the eighth, did
7 he as far as you know talk about suicide at all?

8 A As far as I know, no.

9 Q Based upon the information you reviewed, did it
10 appear that when Matthew was having suicidal thoughts he
11 would make that known by writing a note?

12 A Yes.

13 Q You agree with me that Mrs. Morrison/Atkins
14 requested Mr. Tiedemann's services on November 10 but did
15 not do so on December 8, right?

16 MR. CONWAY: Objection. Asked
17 and answered four times.

18 BY MR. STOFFERS:

19 Q Is that correct?

20 A Yes.

21 MR. CONWAY: Five.

22 MR. STOFFERS: I didn't know you
23 were keeping score.

24 MR. CONWAY: Yeah. I'm

1 keeping track of what time it is too.

2 MR. STOFERS: You're a wealth
3 of information, Tom.

4 BY MR. STOFFERS:

5 Q What specific information was given to Mr.
6 Tiedemann on December 8 that indicated that Matthew was
7 suicidal and who gave him that information?

8 A That I am unclear on whether it was Mrs. Morrison
9 or Mrs. McIntyre, but he was given information that he had
10 written a suicide note; that the school had intervened,
11 made the initial intervention. I believe it was a teacher
12 that found the note and that Mrs. Morrison had been called
13 to the school, and so Mrs. Morrison in a sense -- to go
14 back on the question I just answered. She did request
15 services on the eighth even though she called Mr.
16 Tiedemann and asked him -- I don't know what she asked
17 him, but she called Mr. Tiedemann to inform him that
18 Matthew was in a crisis.

19 Q Had written a suicide note?

20 A Right.

21 Q Was Mr. Tiedemann given any other information other
22 than concerning Matthew's suicidal ideations on the
23 eighth?

24 A Other than the assessment that was performed by

1 Miss McIntyre, I believe that was -- that was all the
2 information that he was given.

3 Q Did Mr. Tiedemann -- was he given any information
4 by anybody on the eighth that the medication Matthew was
5 taking was not addressing his problems?

6 A Other than the -- the preliminary medication that
7 he was given had some side effects, and I forget exactly
8 what they were, and they added the second drug, but other
9 than that, that was the case.

10 Q The medication he was taking tried to address the
11 psychiatric feature of Matthew hearing voices?

12 A Yes.

13 Q And to your knowledge, was Matthew stating that he
14 was hearing voices on the eighth?

15 A No, I don't believe that was at issue.

16 Q Was the medication treating any other mental health
17 feature of Matthew?

18 A Depression and anxiety.

19 Q Did Mrs. Morrison ever tell him to -- Mr. Tiedemann
20 that she didn't think the medication was working?

21 A I don't believe so, no.

22 Q Did Mrs. Morrison tell anyone that she felt the
23 medication was not addressing Matthew's mental health
24 concerns?

1 A No.

2 Q You state on the bottom of page two of your report,
3 last paragraph -- do you see what I'm looking at?

4 A Yes.

5 Q It's your opinion that Mr. Tiedemann contributed to
6 the death of Matthew, correct?

7 A Yes.

8 Q How did he contribute to the death of Matthew
9 Morrison?

10 A By not providing a service that a normal prudent
11 social worker would have provided.

12 Q And those services would have been the assessment?

13 A Right. The assessment. Not intervening when
14 intervention was -- was critical. The assessment. The
15 face-to-face contact with Matthew. The reading of the
16 note. The examination of the assessment. The suicide
17 assessment performed by Miss McIntyre, and an actual
18 face-to-face contact with Matthew.

19 Q And to do the assessment Mr. Tiedemann would have
20 been required to -- he had to be requested to see Matthew,
21 right?

22 A Or --

23 MS. WISTNER: Objection.

24 A Or take some other measure to ensure that the

1 assessment was completed.

2 Q And we talked about that at least, right?

3 A Yes.

4 Q Nothing new about your opinions concerning that?

5 A No.

6 Q Do you know if Mr. Tiedemann had done an assessment
7 on the eighth, whether or not he would have been
8 hospitalized on that date? Can you say that for sure?

9 A It is my opinion that he would have been. Given
10 the gravity of the note, the situation that Matthew found
11 himself in, the substance of the note, yes, he would have
12 been hospitalized. Or I would have recommended that he be
13 hospitalized.

14 Q You would have recommended hospitalization?

15 A Yes.

16 Q Do you know how long he would have been
17 hospitalized for?

18 A I can only guess.

19 Q Okay. Do you know if Matthew had been hospitalized
20 and subsequently released from the hospital, do you know
21 if he still would have committed suicide?

22 A I don't think so.

23 Q Can you say that based to a reasonable probability?

24 A Yes.

1 Q And how -- what's that basis?

2 A On the fact that given continued treatment,
3 different medication, ongoing therapy, I don't think
4 Matthew would have committed suicide.

5 Q Before Matthew committed suicide, he was
6 hospitalized, right?

7 A Right.

8 Q He received medication, right?

9 A Right.

10 Q And even though that happened, he still committed
11 suicide, right?

12 A Yes.

13 Q Okay. And he committed the suicide without writing
14 a note?

15 A No, he wrote the note.

16 Q Like he did before?

17 A Two days before.

18 Q But the note he wrote didn't reference anything
19 about how he ended up killing himself, did it?

20 A No, it did.

21 Q Talking about jumping off a bridge, right?

22 A A building.

23 a I can't tell, bridge or building, he didn't do
24 either?

1 A Didn't do either one of those.

2 Q Didn't shoot himself or jump in front of a car?

3 A No.

4 Q He apparently went into his sister's bedroom and
5 hung himself on a door knob?

6 A Right.

7 Q He didn't give any warning when he did that, did
8 he?

9 MR. CONWAY: Objection.

10 BY MR. STOFFERS:

11 Q On the 10th did he give any warning?

12 A On the 10th, I do not know. There was none
13 reported.

14 Q On the ninth did give any warning or indication he
15 was going to commit suicide?

16 A There was none reported.

17 Q And the problems that were bothering him on the
18 eighth, they didn't occur on the ninth, did they, as far
19 as you know, Mrs. Morrison didn't report those problems?

20 MR. CONWAY: Objection. Asked
21 and answered. He's already testified no.

22 A It was not reported. They did -- they apparently
23 happened on the 10th, the same problem with the school,
24 with the friends and school.

1 Q And that's based on Mrs. Morrison's testimony?

2 A Yes.

3 Q You're not aware of something new coming up on the
4 10th --

5 A No.

6 Q -- concerning -- concerning Mrs. Morrison not
7 allowing Matthew to spend a weekend with some friends?

8 A That does ring a bell. I remember that now, that a
9 weekend -- he wanted to go someplace for a weekend or with
10 a friend and she disallowed that.

11 Q And he was upset about that? He was upset about
12 that, and shortly after that he committed suicide, didn't
13 he?

14 A Yes.

15 Q You said that Mr. Tiedemann had not only
16 contributed to Matthew's death, did you -- I think you
17 already told me you didn't consider the action of anybody
18 else other than Tiedemann and Mental Health Services?

19 A Right.

20 Q So when you referenced only contributor, you only
21 reference the Mental Health Services and Mr. Tiedemann,
22 right?

23 A Yes.

24 Q And breakdown in supervisory process at the agency.

1 A Yes.

2 Q And describe for me that breakdown.

3 A In that prudent social work practice when Mr.
4 Tiedemann had -- he was an LSW license social worker. As
5 an LSW, the LSW must be supervised by an LISW director.
6 There were several LISW directors at Mr. Tiedemann's place
7 of employment.

8 There had been -- there was no reference anywhere
9 in any of the testimony that I read with regards to
10 Mrs. Hagesfeld, can't pronounce her name, to having a
11 face-to-face supervisory conference regarding Mr.
12 Tiedemann's work. She always signed off sometime that
13 day, sometime the next day, sometime a couple of days
14 later, and there's some confusion there as to when she
15 actually had signed, who signed, or who the supervisor was
16 or where that Supervisor was located. And prudent social
17 work practice says that there should always be ongoing
18 supervision between the LISW and the LSW to make sure that
19 the practice that's been performed -- or being performed,
20 rather, meet the standards.

21 Q What were the policies and procedures for
22 supervising Mr. Tiedemann on December 8?

23 A I believe it was Mrs. Hagesfeld who was his
24 supervisor, and she was to have periodic supervisory

1 conferences with him.

2 Q How often was that to occur?

3 A I don't remember the exact numbers of conferences
4 that -- that there were supposed to be, but there was no
5 reference in any of the material that they ever had one of
6 those conferences with regard to Matthew.

7 Q Was Mr. Tiedemann suppose to conference with his
8 supervisor on every phone call he had?

9 A No.

10 Q Okay. And do you know what contact he had with Ms.
11 Hagesfeld in regards to Matthew Morrison on December 8?

12 A I don't believe he had any.

13 Q Okay, What contact did he have with a Lisa Bog
14 (Phonetic) on December 8?

15 A Let me look here.

16 MR. CONWAY: Do you have their
17 records?

18 A I cannot remember offhand.

19 Q Her deposition wasn't taken, was it?

20 A I didn't -- I didn't read anything from her. Is
21 she the one that said -- unless was she the one that
22 signed in Miss Hagesfeld's absence?

23 Q She signed a note on the eighth.

24 A Okay. She signed. Okay.

1 Q Signed two notes on the eighth.

2 A The same day?

3 Q Right. You don't know who her contact was?

4 A No, I don't know who the contact was.

5 Q That's fine. Any other -- anything else you can
6 give me concerning this breakdown supervising process?

7 A No.

8 Q You referenced poor communication between the
9 school and the agency. You meant the health services of
10 the Mobile Crisis Unit?

11 A Right. Right.

12 Q Tell me what you mean by that?

13 A It just -- it's in the depositions, it seemed to me
14 that there was some confusion over how referrals should be
15 made, how referrals should be processed, who should call
16 whom.

17 Q Well --

18 A And reading the case records, it wasn't documented,
19 you know, really good documentation as to what transpired
20 during the telephone conversation between Mr. Tiedemann
21 and Miss McIntyre, yeah.

22 Q Do you know if Miss McIntyre had any substantive
23 conversation with Mr. Tiedemann about Matthew Morrison?

24 A Other than that -- that one telephone conversation

1 that they had, that I don't remember. And there was some
2 concern there as to how long it transpired and how long
3 they talked and about what they talked about.

4 Q Okay. As far as who's -- who is to call who and
5 how Mobile Crisis was to go to the school, that would be
6 governed by the school policy, correct?

7 MR. CONWAY: Objection.

8 MS. WISTNER: Objection.

9 BY MR. STOFFERS:

10 Q Is that correct?

11 MS. WISTNER: Objection.

12 A I don't know that. Don't know that it would be
13 governed by the school, the Mobile Crisis. Each one
14 should know exactly what the policy is.

15 Q And you told me you don't know what the school's
16 policies were?

17 A I had trouble following what the policies were when
18 I read the deposition, and when I read the -- the
19 policies, you know, I -- it seemed like there was some
20 disagreement, but I --

21 Q Didn't Mr. Tiedemann testify that -- that Mobile
22 Crisis would go to the school at the request of the
23 school? Isn't that what he testified to?

24 A I believe so, yes.

1 Q And didn't Mrs. McIntyre testify that she as a
2 member of the crisis team of the school, when Mobile
3 Crisis came out, she had made that request?

4 MS. WISTNER: Objection.

5 BY MR. STOFFERS:

6 Q Isn't that what she testified to?

7 MR. CONWAY: Objection.

8 MS. WISTNER: Objection.

9 A I believe so.

10 Q Okay. Did anybody testify differently from that?

11 A I don't think so. I don't remember.

12 Q Anything else about poor communication?

13 A No.

14 Q How about poor communication between the hospital
15 and the agency? What do you mean by that?

16 A In that the agency seemed to always have a
17 representative at the -- when she had a staffing for
18 Matthew, but it was a different representative each time.
19 And that -- that can create problems within an agency when
20 you have three or four or five or however many case
21 workers carrying the same case.

22 Q Did that create a problem in this situation that
23 you can -- that you can point to?

24 A It created a problem that -- that even when Matthew

1 was discharged there was still an active case. Crisis
2 services still had an active case and yet no one was
3 seeing Matthew.

4 Q Mobile Crisis had performed their job when they saw
5 Matthew on the 10th and referred him to the hospital.
6 That's their job, right?

7 A Yes.

8 Q When a person has a crisis, get him to the
9 appropriate facility?

10 A Yes.

11 Q And they did that, right?

12 A Initially, yes.

13 Q Okay. So the fact that he had an open file after
14 he left the hospital, that didn't affect Matthew because
15 they weren't providing any crisis services to him at that
16 time, were they?

17 A Mr. Tiedemann was -- he was calling periodically to
18 check on his process.

19 Q To make sure Mrs. Morrison got her appointment
20 scheduled with Applewood, that's why he was calling,
21 right?

22 A Yes.

23 Q Okay. But he wasn't required to do that by Mobile
24 Crisis Unit policies, was he?

1 MR. CONWAY: Objection.

2 A I don't know.

3 Q Okay. Anything else about the poor communication?

4 A No.

5 Q Did the hospital -- withdraw that. You agree with
6 me, Mr. Mickey, that suicide is not predictable?

7 A No.

8 Q You don't agree with me?

9 A No.

10 Q You can predict suicide?

11 A Some.

12 Q Have you ever predicted a suicide in an individual?

13 A No, I haven't.

14 Q Have you ever had a client commit suicide?

15 A Success -- I'm assuming by commit you mean
16 successful?

17 Q Have you ever had your client attempt suicide?

18 A Yes.

19 Q And would that be after you had contact with the
20 client?

21 El Probably. I don't know of any specific, but --

22 Q And after you had his contact with the client and
23 before he or she attempted suicide, did you have any idea
24 that person was going to attempt suicide?

1 A Yes.

2 Q And did you do anything about it?

3 A Yes.

4 Q What did you do?

5 A Recommended hospitalization.

6 Q Was the person hospitalized?

7 A Yes.

8 Q And then they were discharged?

9 A Yes.

10 Q Any attempt of suicide after discharge from the
11 hospital?

12 A No.

13 Q Okay.

14 MR. CONWAY: You guys are on a
15 different page.

16 MR. STOFFERS: We're missing,
17 that's okay.

18 MR. CONWAY: He said at the
19 beginning of his deposition he never had a
20 person commit suicide.

21 BY MR. STOFFERS:

22 Q Well, you talked about one person that I think
23 attempted suicide.

24 A Right.

1 Q Okay. Did you have any contact with that person
2 before he or she attempted suicide?

3 A No.

4 Q Okay. Okay.

5 A No.

6 Q Can you refer me to any, oh, text or authoritative
7 materials that would state that suicide is predictable as
8 you just testified to?

9 A No, not offhand.

10 Q And you agree with me Matthew never attempted
11 suicide before he actually committed it, correct?

12 A No, I don't know that.

13 Q You don't know if he did?

14 A No, I don't know that. I don't know that's
15 mentioned anywhere.

16 Q As far as he never attempted suicide?

17 A There's nothing in the record that indicates that,
18 whether he did or not. I really don't know.

19 Q What do you know about Matthew's history before
20 December 8? I didn't see any kind of chronology of his
21 history in your report. Can you tell me what you knew
22 about his history from your review of the records in the
23 depositions?

24 A That he was a product of a broken home. That he

1 had been living in West Virginia. He hadn't seen his
2 father, his birth father I think since he was one or two
3 years old. His birth father just kind of disappeared and
4 his mother had entered into another relationship or a
5 different relationship with another man, and his sister I
6 believe was a result of that union.

7 He had been diagnosed as learning disabled. He had
8 some -- some challenges in life. He was unhappy in school
9 in West Virginia. He thought the kids teased him, so his
10 mother moved the entire -- and his stepfather, although I
11 don't know if they're married or not. Anyway, the family
12 moved from proper West Virginia to Cleveland -- to the
13 Cleveland area in the hope that Matthew would enjoy school
14 better and perform better than he did -- than he had. He
15 was in the special education classes.

16 Q And how was Matthew doing in school? How was he
17 doing in Cleveland after they moved up here?

18 A He was doing better in Cleveland than in West
19 Virginia, both academically and they felt initially
20 socially.

21 Q Did Matthew exhibit any problems either in school
22 socially from the time he moved to school and up to
23 Cleveland until the November 10th suicide attempt?

24 A Not in the report, no.

1 Q Okay. And did he exhibit any problems in school or
2 socially or at home when he was discharged from the
3 hospital until December 8?

4 A Not that were reported, no.

5 Q As far as you know, was Matthew respondent to the
6 treatment in the hospital?

7 A While he was in the hospital?

8 Q Yes.

9 A Yes. There were some ups and downs initially as
10 would be expected, but he responded.

11 MR. CONWAY: You're asking him
12 to -- from a social worker's perspective,
13 not a medical doctor's perspective?

14 MR. STOFFERS: I'm just asking
15 him based upon the review of his records. I
16 know he's not a doctor.

17 BY MR. STOFFERS:

18 Q Based upon what you saw?

19 A (Witness nods head.)

20 Q Anything else about Matthew's history prior to
21 December 8?

22 a No.

23 Q You told me about what Mrs. Morrison testified to
24 concerning Matthew on December 10. Anything else about

1 what was happening with Matthew prior to December 10
2 concerning his suicide?

3 A No.

4 Q You will agree with me the obvious way to prevent
5 suicide would be to confine somebody and have a 24 hour
6 watch?

7 A No.

8 Q No. How can you prevent suicide if they're not
9 confined and to watch him?

10 A Ongoing. Treat with medication therapy.

11 Q Matthew was having treatment right from the
12 hospital?

13 A Medication.

14 Q Medication. And he still committed suicide, right?

15 A Yes. He had no treatment.

16 Q And that --

17 A No therapy. Excuse me. No therapy.

18 Q The therapy was to be provided by Applewood, right?

19 A Initially that was the -- the plan, but there was
20 nothing from the time of his discharge until his suicide.

21 Q As far as you know from reviewing your records, did
22 Matthew give any indication on December 10 that he had any
23 suicidal ideations at all?

24 MR. CONWAY: Come on.

1 Objection. He's answered that before a
2 couple of times, Bob. I know you're going
3 through all your notes there, but let's ask
4 stuff that hasn't been asked and answered
5 for the fourth time.

6 A Repeat the question again, excuse me.

7 Q As far as you know, did Matthew exhibit any
8 suicidal ideations on December 10?

9 A There was nothing reported, no.

10 Q You referenced the Social Workers rule.

11 A Right, NASW.

12 Q Okay. The 1998 Social Workers rules?

13 A Right, this is the --

14 MR. CONWAY: Okay.

15 A The one that's in effect now.

16 Q Do those rules state that if someone violates
17 these rules, a person can have a license suspended or
18 revoked?

19 A No, it's a possibility.

20 Q Possibility?

21 A But one has to be a member of the National
22 Association of Social Workers for these rules to be in
23 effect.

24 Q What about the state rules?

1 A I would assume state rules supersedes NASW rules.

2 Q Okay. And the state rules state if you violate one
3 of the code of ethics, you can have a license suspended or
4 revoked?

5 A Right.

6 Q And Mr. Tiedemann was not disciplined at all for
7 his conduct in regard to Matthew Morrison, correct?

8 A I don't know that.

9 Q You don't know that?

10 A I don't know that any complaints were ever brought
11 by anyone, and that would have to happen.

12 Q Mobile Crisis Unit did not provide ongoing consult;
13 isn't that correct?

14 A I believe that's correct, yes.

15 Q The Suicide Risk Scale Miss McIntyre completed, you
16 consider that to be a valid instrument for assessing a
17 person's suicidal tendencies?

18 A Yes.

19 Q And I think you told us before, I know Mr. Tom will
20 object, but Miss McIntyre properly completed that
21 assessment for him?

22 A I would have interpreted it differently in that he
23 had an ideation. He mentioned specifically that he was
24 going to jump off a building, and that to me says I've got

1 a plan and it's there, and let's see, what --

2 Q What would that add to his score?

3 MR. CONWAY: Why don't you
4 show him whatever it is.

5 BY MR STOFFERS:

6 Q This is from a prior deposition, McIntyre
7 deposition, and it's marked as Exhibit 5. Here you go. I
8 think it's in there.

9 A Okay. That would have added four or five to the --
10 I'm sorry. I'm sorry. One or two. I'm sorry. She
11 scored that as a three. Oh, wait a minute. Wait. I'm
12 not -- no. Let me back up, make sure I'm reading this
13 right. Well, to backtrack in part one.

14 Q Sure.

15 A In Part I, Student has a plan, yes.

16 Q Okay. So you think she was in error?

17 A Jumping -- I think she was in error because he says
18 he's going to jump off a building, off a bridge.

19 Q So that would add a point to the score?

20 A Let me go over the whole thing. Method on hand is,
21 yes. They're all kind of buildings in Cleveland, all
22 kinds of bridges in Cleveland. Prior attempts unknown at
23 this time. Suicide note, yes. Previous psychiatric
24 history, yes.

1 Several mutilations, yes. He mutilated himself
2 either while he was in the hospital or prior to his
3 admission to the hospital. I believe there were some
4 references to cutting to scratching to self-mutilation.

5 And there were dependent children at home. Now, I
6 don't know whether this -- that means whether he has
7 dependent children or whether he is a dependent child as
8 his sister. So I'm not familiar with their -- their
9 assessment form.

10 His sense of hopelessness I would have judged as
11 being extreme. His friends don't like him. His father
12 doesn't love him. His father wanted him to kill his
13 mother. His sister doesn't like him. From that note and
14 only from that note he has no friends. He is alone in the
15 world. Sense of worthlessness, somewhere again four and
16 five.

17 Social isolation, I would have put either a two or
18 three. Depression he was obviously depressed. Perhaps
19 not to the extreme. Four I think would be good here.
20 Impulsivity. Hostility. I'm not sure of environmental
21 stress. I would have put two or three.

22 So I would have added one on sense of hopelessness.
23 Maybe one on social isolation, and one or two on
24 environmental stress, because there were a lot of

1 environmental stressors: A recently move to Cleveland;
2 kids don't like him; even though things seem to be going
3 well, he's having -- he's having problems, which would put
4 it to 24 or 25 which would be borderline according to
5 their risks. A low is 24. High is 25. It would be
6 borderline, and that to me would be significant.

7 Q Okay. Make sure in part one if the answer is yes,
8 you add a point?

9 A Yes.

10 Q You would have added a point for plan. A point for
11 method. Point for self-mutilation. A three up in part
12 one?

13 A Right.

14 Q And part two you would have added anywhere from
15 three to five points?

16 A So actually if you add them all up, he would come
17 up with a higher score than 25.

18 Q Anywhere from, 25 to -- well, three and at the
19 bottom that's 28.

20 A Anywhere from -- yeah, no more than 28, but, yeah,
21 it's significant.

22 Q Okay.

23 A Even though it's a low high, it's still a high.

24 Q Do you know what type of training Miss McIntyre had

1 to handle a suicide threat crisis?

2 A If I remember correctly, she had some workshops
3 that she attended with Cleveland Public School System.
4 She did not have any specific training during her
5 education. She had a BA, it was in education and master's
6 degree was in --

7 Q School psychology?

8 A Psychology.

9 Q Do you know what --

10 A She's a member of the crisis team.

11 Q Do you know what the crisis team did?

12 A They were the first line of intervention with
13 crises as they developed in the Cleveland Public School
14 System.

15 Q And the suicide note would be such a crisis?

16 A Yes.

17 MR. STOFFERS: I do want to make
18 copies of these and ask him a few questions
19 on his notes. If we could take a
20 five-minute break and do that.

21 MR. CONWAY: Just ask him a
22 question right off.

23 THE WITNESS: Because I don't
24 know -- what is that you need a copy of?

1 MR. CONWAY: Just ask him
2 questions off of that.

3 MR. STOFFERS: I want to mark
4 that as an exhibit.

5 MR. CONWAY: That's fine.

6 THE WITNESS: I don't know
7 whether there's a copy machine open now.

8 MR. CONWAY: What is that.

9 THE WITNESS: Oh, okay.

10 MR. CONWAY: Who is that?

11 THE WITNESS: That's in the
12 local mental health center. I just called
13 to see whether I could cite ratings. They
14 had to compare it to the one they had.

15 MR. CONWAY: Why don't you ask
16 him questions and after we're done make
17 copies or it would be part of your
18 deposition transcript.

19 MR. STOFERS: What's that?

20 MR. CONWAY: It would be part
21 of your deposition transcript.

22 MR. STOFFERS: Right, but I want
23 to have this marked.

24 MR. CONWAY: Fine. Mark --

1 why don't you mark it. Mark it and it will
2 become a part of your depo.

3 MS. WISTNER: What number is
4 that?

5 MR. STOFFERS: Seven.

6 - - -

7 (Defendants' Exhibit No. 7 was marked for
8 purposes of identification.)

9 - - -

10 BY MR. STOFFERS:

11 Q Mr. Mickey, I have marked as Exhibit 7, it appears
12 to be a Suicide Assessment. One page of the exhibit
13 references a K. Kanel, *A guide to crisis intervention*.
14 And attached to it is a Lethality Assessment Scale, and
15 attached to that is a Suicide Assessment Checklist front,
16 and back James R. Roger 1990.

17 A Mm-hmm.

18 Q Where did you get that from?

19 A I called the mental health center here in town just
20 to see what type of assessment scale they used for suicide
21 to compare it to the one Miss McIntyre in the Cleveland
22 Public School's used. That's --

23 Q Are you familiar with the authors for any of those
24 books?

1 A No, I'm not.

2 Q You've never -- have you ever seen those documents
3 before?

4 A There are so many suicide assessment scales. I
5 have not seen this particular one. I was just curious as
6 to what the local mental health center here used in order
7 to assess suicide.

8 Q Okay. And that wasn't part of your --

9 A No. No. This had nothing to do with my opinion.

10 Q Okay. Put it to rest with the exhibits. The last
11 exhibit I want to have marked is your two pages of notes,
12 and just have you verify them. That's going to be Exhibit
13 8. Those are the only notes you have other than the draft
14 figure that you threw out?

15 A Yes, right.

16 MR. COWAY: He didn't throw
17 out a draft of his report. He made
18 notes --

19 THE WITNESS: I made notes.

20 MR. COWAY: -- prior to his
21 report. There is a difference. He did not
22 draft a report and throw it out.

23 MR. STOFFERS: I'm not accusing
24 him of anything.

1 BY MR. STOFFERS:

2 Q You made notes for your report?

3 A I made notes for my report and they have
4 disappeared.

5 Q They're gone?

6 A They're gone. So if you want, if you want to just
7 copy them.

8 ME. CONWAY: He can make --
9 why don't you have them marked as an
10 exhibit.

11 - - -

12 (Defendants' Exhibit No. 8 was marked for
13 purposes of identification.)

14' - - -

15 MR. STOFFERS: You probably need
16 this for the record. It's already marked
17 and just put this with the exhibits.

18 BY MR. STOFFERS:

19 A Was it your understanding that Miss McIntyre's
20 initial decision was to send Matthew home with his mother
21 before she even did an assessment?

22 MS. WISTNER: Objection.

23 A No, that was not my understanding.

24 Q When did Miss Morrison -- Miss McIntyre make the

1 decision that Matthew should go home with his mother?

2 A I -- I cannot remember, but that's not -- I don't
3 think that was the initial plan.

4 Q That was -- that was her ultimate plan to send
5 Matthew home?

6 A I assume that was the team's plan, that the team
7 would have made that decision.

8 Q And what team made that decision?

9 A Well, they're, you know, at the school, one of
10 their crisis team.

11 Q Do you know who's involved in that team's decision
12 to have Matthew go home with the mother other than Miss
13 McIntyre?

14 A I know there was a teacher. I don't know who
15 exactly was a member of the team. I can't remember that,
16 but the teacher that found the note was involved at some
17 point. Either the principal or the assistant principal
18 was involved at some point, and the -- I don't know if
19 they called the director of public safety or some other
20 individual that tried to arrange for transportation, but
21 other than -- I'm not sure of their names or -- or who
22 they were.

23 Q So either the teacher, a psychologist or principal
24 or assistant principal and McIntyre all came to the

1 decision to have Matthew go home with the mother?

2 A If that was what they were supposed to do, somehow
3 Matthew was allowed to go home.

4 Q I guess my question was: Did Miss McIntyre make
5 the decision to have Matthew go home with his mother? Do
6 you know if she made that decision?

7 A That decision was made, but whether she made it by
8 herself or whether she made it with the other people, I do
9 not know.

10 Q Okay. You're aware when Mr. Tiedemann last spoke
11 with Miss Morrison on the evening of December 8, that he
12 told Mrs. Morrison that, you know, if she wanted to, she
13 could call him at any time?

14 A I believe those were the words to that effect that
15 he said.

16 Q And she never called him back again, did she?

17 A To the best of my knowledge, she didn't.

18 Q Did not?

19 A Did not. Didn't.

20 Q I have no further questions at this time. Thank
21 you, Mr. Mickey.

22 - - - - -

23 CROSS-EXAMINATION

24 BY MR. PHILIPP:

1 Q Mr. Mickey, my name is Jonathan Philipp. I
2 represent Dr. Lightbody. I think I just have a few
3 questions just so everybody is on the same page.

4 You will not be offering any criticism of
5 Dr. Lightbody at the time of trial?

6 A Yes.

7 Q And similarly, you will not be offering any
8 criticism of anybody associated with St. Luke's Hospital,.
9 correct?

10 A That's correct.

11 Q And in your report at the bottom of page two, when
12 you referenced poor communication between the hospital and
13 the agency, did I take your testimony earlier in the
14 deposition to be that the communication was from the
15 agency to the hospital?

16 A Yes.

17 Q And not vice versa?

18 A Yes.

19 Q An so you don't have any criticism of the
20 communication from the hospital?

21 A No -- from the hospital?

22 Q Correct.

23 A Correct.

24 Q That's all I have.

CROSS-EXAMINATION

BY MS. WISTNER:

Q I have some questions. Mr. Mickey, my is Rebecca Wistner. I represent Fran McIntyre. Let me turn to page one of your report. Mr. Stoffers asked you some questions about your opinions in the first paragraph that you had some question about in your report as to whether someone at the school that knew Bill Tiedemann was in contact with Miss McIntyre; is that correct?

MR. STOFFERS: Objection.

BY MS. WISTNER:

Q Since writing this report, you reviewed Fran McIntyre's deposition transcript, correct?

A Yes.

Q And based on your reading of that deposition, your question was answered?

A Yes.

Q Okay. And after reading that deposition, it was clear to you that Fran McIntyre was aware that Mobile Crisis and Bill Tiedemann had already been involved with Matthew's case?

a Yes.

MR. STOFFERS: Objection.

BY MS. WISTNER:

1 Q And that therefore someone in the school knew that
2 Mobile Crisis was involved in Matthew's case?

3 A Yes.

4 Q Okay. You reviewed Bill Tiedemann's deposition,
5 correct?

6 A Yes.

7 Q And you reviewed the Mental Health Services'
8 guidelines, correct?

9 A Yes.

10 MR. STOFFERS: Objection.

11 BY MS. WISTNER:

12 Q In your view of those documents, did you see
13 anything that prohibited Mental Health Services or Bill
14 Tiedemann asking to come to the school to evaluate a
15 child?

16 A No.

17 MR. STOFFERS: Objection. Asked
18 and answered. Move to strike.

19 BY MS. WISTNER:

20 Q Did you see anything in those documents that
21 prohibited the Mental Health Services or Bill Tiedemann
22 from asking to meet with a child at home when she received
23 a call from school about a suicide threat?

24 A No.

1 Q From your review of the documents in this case, did
2 you see any indication that Mr. Tiedemann recommended to
3 Ms. McIntyre that he do an assessment of Matthew either at
4 school or at home later?

5 MR. STOFFERS: Objection.

6 A No.

7 Q Did you see any indication that anyone at the
8 school or Mrs. Morrison herself refused to give consent to
9 Mr. Tiedemann to perform an assessment on Matthew on
10 December 8 upon his recommendation?

11 MR. STOFFERS: Objection.

12 A No.

13 Q Are you familiar with the requirements for
14 obtaining certification as a school psychologist?

15 A No, I'm not.

16 Q Are you familiar at all with the standard of
17 schooling for a school psychologist?

18 A No, I'm not.

19 Q Have you in your professional -- in your career
20 dealt with school psychologists?

21 A Yes, but in Oklahoma.

22 Q You have not dealt with any agency in Ohio?

23 A No, I have not.

24 Q Do you have any idea what the legal standard of

1 care is for any employee in a public school district?

2 A No, I do not.

3 Q Let me have you turn to your opinion in Exhibit 2.
4 Bottom paragraph, you've been asked --

5 A Which page?

6 Q On page two.

7 A Two.

8 Q You've been asked some questions about your
9 statement here that there was poor communication between
10 the school and the agency. Do you see where I'm
11 referring?

12 A Mm-hmm.

13 Q Okay. Are you offering an opinion that the
14 Cleveland Municipal School District was responsible for
15 this poor communication?

16 MR. STOFFERS: Objection.

17 A No.

18 MR. STOFFERS: He's testified
19 that he has no opinion about the school
20 district or any of its employees.

21 BY MS. WISTNER:

22 Q Let me have you pull out the Suicide Risk Scale
23 which was marked as Exhibit 5 in the McIntyre deposition.

24 A The Cleveland Public School?

1 Q Yes. You just testified that if you were to
2 evaluate Matthew Morrison, you would have provided some
3 different responses on this document, correct?

4 A Yes.

5 Q Okay. And this is all based on hindsight, correct?

6 A Correct.

7 Q And based on your complete review of the files,
8 correct?

9 A Correct.

10 Q This was not based on any interview with Matthew?

11 A No.

12 Q You did not interview Matthew on December 8?

13 A No.

14 Q Okay. So, for example, you've testified that in
15 part one, No. 8, self-mutilation, you would have put
16 yes; --

17 A Yes.

18 Q -- is that correct? Do you have any idea whether
19 Fran McIntyre had any knowledge of any self-mutilation at
20 the time she interviewed Matthew?

21 A Not specifically, no. I know she -- she -- Matthew
22 shared with her that he had been hospitalized and had
23 treatment. Whether he mentioned to her specifically that
24 he had self-mutilated, I don't know.

1 Q Okay. Where did you learn that Matthew had some
2 self-mutilation?

3 A It was in his -- I believe in his initial
4 diagnostic assessment that Mr. Tiedemann had performed or
5 at some point when he was in the hospital that that came
6 out.

7 Q It was either in the hospital records or in Mr.
8 Tiedemann's records; --

9 MR. STOFFERS: Objection.

10 Q -- is that correct?

11 A Yes.

12 MR. STOFFERS: Objection. How
13 did Mr. Tiedemann put it in his assessment
14 self-mutilation before he went to the
15 hospital?

16 MS. WISTNER: If he told him he
17 did.

18 MR. STOFFERS: What's that?

19 MS. WISTNER: If he told him
20 he did.

21 MR. STOFFERS: He said it was in
22 the hospital.

23 A He said --

24 MR. CONWAY: Wait for a

1 question.

2 BY MS. WISTNER:

3 Q Yeah. In any event, do you know whether Fran
4 McIntyre had either the hospital records or Mr.
5 Tiedemann's initial assessment --

6 A No, I do not.

7 Q -- when she met Matthew on December 8?

8 A No. No, I do not.

9 Q In fact, your -- your assessment of the Suicide
10 Risk Scale is based almost primarily from reading the
11 suicide notes, correct?

12 A Reading the suicide notes and reading the
13 diagnostic assessment, the material in the depositions on
14 the diagnostic assessment that Mr. Tiedemann provided.

15 Q And you don't know whether Ms. McIntyre was told
16 anything different by Matthew Morrison during her
17 interview other than what's on either the suicide notes or
18 the diagnostic scale?

19 A No.

20 ME?. STOFERS: Objection. She
21 did have the notes.

22 a I asked if she was told anything different by
23 Matthew? In other words, do you know whether Matthew
24 contradicted himself --

1 A No.

2 Q -- in the interview? Okay. And your scoring I
3 guess of this Suicide Risk Scale, is that based on what
4 you believe a reasonable and prudent social worker would
5 do?

6 A One who had knowledge of -- of Matthew's behavior,
7 yes.

8 Q Okay. Based on something that -- that a school
9 psychologist -- a reasonable prudent school psychologist
10 would do?

11 MR. STOFFERS: Objection.

12 A That I can't answer because I'm really not familiar:
13 with what training that a school psychologist gets.

14 Q And you're not familiar with what the standard of
15 care for a school psychologist is either?

16 A No, I'm not.

17 Q There was some discussion, if you see at the bottom
18 of this document, of the low score being 24 and below and
19 high score being 25 and above, correct?

20 A Yes.

21 Q You indicated if you had scored this Suicide Risk
22 Scale based on your review of the documents, it would have
23 been a 25 or above; is that correct?

24 A Yes.

1 Q Are you aware that, you know, the policies of the
2 school district is if the score would have been 25 or
3 above, the school psychologist was suppose to contact the
4 Mobile Crisis?

5 A I believe -- I believe I remember reading that in
6 Miss McIntyre's deposition.

7 Q Okay. And in this case, Mobile Crisis was
8 contacted concerning Matthew on December 8, correct?

9 A Yes.

10 ME?.. STOFFERS: Objection.

11 BY MS. WISTNER:

12 Q To the best of your knowledge from your review of
13 the documents, Mr. Tiedemann did not rely on this Suicide
14 Risk Scale in making any determination about what to do
15 with Matthew on December 8, correct?

16 ME?.. STOFFERS: Objection.

17 A Correct.

18 Q And you don't intend to give any opinion at trial
19 that -- that Fran McIntyre contributed to the death of
20 Matthew Morrison, correct?

21 MR. STOFFERS: Objection.

22 A True.

23 Q That's -- I have one more question.

24 ME?.. STOFFERS: I have just --

1 MS. WISTNER: I thought I said
2 one more.

3 MR. STOFFERS: I'm sorry. I get
4 a little anxious.

5 MR. CONWAY: Let the record
6 reflect that we've been here for four hours.
7 I'm not nervous, I'm bored.

8 MS. WISTNER: I have no more
9 questions.

10 MR. STOFFERS: Couple questions.

11 MR. CONWAY: All right.

12 - - -

13 FURTHER CROSS-EXAMINATION

14 BY MR. STOFFERS:

15 Q There was I think a social worker involved in this
16 case, Gerry Beard-Chaney, are you aware of that?

17 A Not until today.

18 Q And you were not asked to give any opinions about
19 her?

20 A No.

21 Q Looking at just a few more questions about the
22 infamous Suicide Risk Scale. Make sure I'm clear here.
23 When you circled yes for student has a plan, that's based
24 upon the note, right?

1 A Yes.

2 Q When you circled yes for method on hand, that's
3 based upon a note, correct?

4 A Yes.

5 Q When you at the bottom, 21, circled two or three
6 for environmental stress, that's based upon a note,
7 correct?

8 A No. That one is based not only on the note, but
9 also on his past history both in West Virginia and the
10 subsequent move to Ohio.

11 Q Okay. How about the sense of worthlessness, based
12 upon the note?

13 A Based upon the note and his previous note.

14 Q Okay. How about the sense of hopelessness?

15 A Based upon the note and the previous note.

16 Q Okay. How about the social isolation?

17 A Both the note and the previous note and his -- the
18 family history.

19 Q And you were asked a question by Miss Wistner as to
20 whether McIntyre contacted Mobile Crisis Services on
21 December 8. She did not contact them, did she?

22 MS. WISTNER: Objection. That
23 wasn't my question. I asked whether they
24 were contacted, not whether McIntyre

1 contacted them.

2 BY MR. STOFFERS:

3 Q Okay. McIntyre didn't contact them, did she?

4 A I -- I do not know who placed the call. I know
5 Mrs. Morrison made the call.

6 Q Okay.

7 A But for her to have make the call, the school knew
8 that she was calling. Now, whether Miss McIntyre dialed
9 the number for her, whether the secretary gave her the
10 phone and dialed the number for her, I don't know.

11 Q You don't know how the phone call --

12 A I don't know how the --

13 Q Phone call took place?

14 A Right.

15 Q Fair enough. No other questions.

16 MR. CONWAY: He'll read.

17 (Deposition concluded at 6:01 p.m.)

18 - - - Signature reserved - - -

19

20

21

22

23

24

BARRY L. MICKEY

C-E-R-T-I-F-I-C-A-T-E

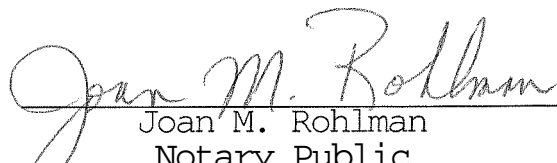
STATE OF OHIO)
) SS
 COUNTY OF LUCAS)

I, Joan M. Rohlman, Court Reporter and Notary public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within-named witness, BARRY L. MICKEY, was first duly sworn by me to testify the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by him was by me reduced to stenotypy in the presence of said witness, afterwards transcribed upon a computer; that the foregoing is a true and correct transcript of the testimony so given by him as aforesaid; that this deposition was taken at the time and place in the foregoing caption specified and was completed without adjournment; that the signature of the said witness to the transcribed copy of his deposition was not waived.

I do further certify that I am not a relative, employee, or attorney of any of the parties in the above-captioned action; I am not a relative or employee of an attorney or counsel employed by the parties in the above-captioned action; I am not financially interested in the action; I am not under a contract as defined in Civil Rule 28 (D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my notarial seal of office at Toledo, Ohio, this 200 day of July 2002.

My commission expires
 August 12, 2003.


 Joan M. Rohlman
 Notary Public
 in and for the State of Ohio.

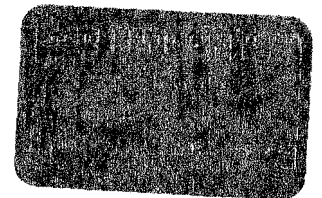
Barry I. Mickey
725 Hawthorne Rd.
Findlay, Ohio 45840

HIGHER EDUCATION

The University of Oklahoma Norman, Oklahoma	Master of Social Work - 1977
Le Ministère de la Jeunesse et des Sports Paris, France	Diplôme de Moniteur de Colonies de Vacances-1968
The University of Mississippi Oxford, Mississippi	Graduate studies in French - 1967/1968
	B.A. in French and Anthropology - 1967

TEACHING EXPERIENCE

<u>Institution</u>	<u>Rank/Title</u>	<u>Dates</u>
The University of Findlay Findlay, OH	Professor (1996), Associate Associate Professor (1992), and Director, Social Work Program	August 1992-present (tenured March, 1995)
Wartburg College Waverly, IA	Associate Professor of Social Work	August 1989-May 1992
Delta State University Cleveland, MS	Associate Professor (1983) Assistant Professor (1980) Instructor (1979) of Social Work and Coordinator of Field Instruction (1979)	August 1979-July 1989
	Acting Director, Social Work Program	July-August 1985 January-May 1985 June-August 1984
Lycée BenMahmoud Guelma, Algeria	Professor of English	Sept. 1970-May 1971
The University of Mississippi Oxford, MS	Instructor in Modern Languages (French)	August 1969-July 1970



PROFESSIONAL PRACTICE EXPERIENCE, FULL-TIME

<u>Agency</u>	<u>Title</u>	<u>Dates</u>
Arkansas Social Services Pine Bluff/Monticello, AR	Regional Services Supervisor	May 1977-June 1979
Sebastian Co. Social Services Ft. Smith, AR	Casework Supervisor for Services	August 1974-July 1975
Polk Co. Social Services Mena, AR	Caseworker (Services)	August 1972-July 1974

PROFESSIONAL PRACTICE EXPERIENCE, PART-TIME

<u>Employer</u>	<u>Title</u>	<u>Dates</u>
Catholic Charities, Inc. Jackson, MS	Social Worker, Adoptions	July 1987-July 1988
Oakland Children's Home Cleveland, MS	Consultant to the Board of Directors	Oct. 1986-May 1987
Our Lady of Victories Catholic Church, Cleveland, MS	Chair, Social Concerns Committee	Jan. 1984-Dec. 1986
Mississippi Department of Corrections, Parchman, MS	Therapist, Therapeutic Pre-Release Center	Dec. 1982-Jan. 1984
Hubbell Achievement House Cleveland, MS	Consultant to the Board of Directors	Feb. 1981-May 1982
Services Sociales de Nancy Nancy, France	Youth Counselor, various summer camps	June-August, 1967 June-August, 1965

FIELD-RELATED EXPERIENCES, PROFESSIONAL DEVELOPMENT AND CIVIC INVOLVEMENT

Awarded initial approval from the Council for International Exchange of Scholars for a Lecturing/Research award under the 2001-2002 Fulbright program with Haiti. In conjunction with this project I have received an invitation from the State University of Haiti to serve as Visiting Professor of Social Work for the academic year 2001-2002. I have also been approved for a year-long sabbatical leave from The University of Findlay so that I may accept the invitation and awards

related to this project.

Initiated and led student annual educational experiences to the Republic of Haiti, 1996-present. Included in these experiences are visits to local social service agencies (hospitals, mental health centers, schools, nutrition centers, etc.), seminars with both social service professionals and governmental personnel, and exchanges with social work faculty and students at the State University of Haiti.

Directed a successful self-study of the Social Work Program to obtain reaffirmation of accreditation by the Council on Social Work Education (CSWE) for the period 2001-2009.

Directed a successful three-year effort to gain initial accreditation of the undergraduate social work program at The University of Findlay by CSWE, 1992-95. This effort involved a restructuring of the curriculum to meet the standards set by CSWE.

Representative of the University of Findlay to the Greater Cincinnati Council on World Affairs Faculty Symposium "Understanding the Arab Middle East" at Hanover College, IN, Fall, 1994.

Board Member, Hancock County, Ohio, Alcohol, Drug Addiction, and Mental Health Services, 1994-1996.

Community Liaison, Hancock County, Ohio, United Way Budget Committee, 1994-1995.

Treasurer of the Hancock County, Ohio, Democratic Party, 1993-1996. Precinct Representative, Hancock County Democratic Party, 1994 and 1996. Delegate to the county, congressional district, and state conventions, Iowa Democratic Party (1992) and Mississippi Democratic Party (1984).

Member, Hancock County, Ohio, Board of Alcohol, Drug Addiction and Mental Health Services Task Force to implement a partial hospitalization program for adolescents, 1993-94.

Principal Instructor for several in-service training programs for children's protective service workers, Iowa Department of Human Services, 1991.

Member, Iowa Conference on Social Work Education sub-committee to study potential changes in job qualifications for social workers hired by the Iowa Department of Human Services, 1990-91.

Member, National Association of Social Workers Task Forces on Social Work Licensure, Iowa Chapter, 1990-92; Mississippi Chapter, 1985-87.

Participant, Human Services Delivery System Study, Mississippi Chapter National Association of Social Workers project, 1988.

Member, Regional Committee, Mississippi Department of Public Welfare Foster Care Review Board, 1985-1987.

Instructor, Social Service Career Development Program, University of Southern Mississippi Graduate School of Social Work, 1986.

Research Associate, Mississippi Governor's Conference on Children and Youth, 1985.

Panelist/discussant in a number of programs dealing with issues in public policy, sponsored by the Mississippi Committee for the Humanities, 1979-1980.

PROFESSIONAL PRESENTATIONS/PUBLICATIONS

Co-author, with Prof. Donald Brubaker, Bluffton College, of a paper presented at the annual Baccalaureate Program Directors Association Conference, November, 1999, entitled *International/Cross-Cultural Education Trips: Issues in Inter-Group Contact*.

Syllabus for the travel study course *Global Problems, Local Solutions: Social Services in Haiti* included in A Collection of Course Outlines on International Aspects of Social Work (Healy & Asamoah, Eds.) Council on Social Work Education, Washington, DC, 1997.

Co-presenter, with Joanne St. Clair, ACSW, and Judge Cindy Lazarus, BSSW, of a continuing education program entitled 'Education for Political Action' sponsored by the Ohio College Association of Social Work Educators, Columbus, Ohio, October, 1997.

Co-presenter, with Prof. Ahmet El-Zyaty, "Islam and Politics". For the Great Decisions/Senior Forum of The University of Findlay, Spring, 1994.

Co-presenter, with Professor Dorothy Stratton of Ashland University, of a workshop entitled "Who's Leaving Our Program? Gatekeeping Issues in Undergraduate Social Work Education" at the fall conference of the Ohio College Association of Social Work Educators; Ashland, Ohio, November, 1993.

HONORS

Selected by The University of Findlay and the Greater Cincinnati Council on World Affairs to participate in a two week seminar on peace and reconciliation in Ireland and Northern Ireland, summer, 1999.

Selected by Arkansas Social Services as the recipient of an all expenses-paid stipend to pursue graduate studies in social work, 1975-1977.

Membership in Phi Alpha (social work honorary), Phi Beta Delta (international scholars); Alpha Delta Mu (social work honorary); Pi Gamma Mu (social science honorary); and Pi Delta Phi (French honorary).

FINDLAY

THE UNIVERSITY OF FINDLAY

Social Work Program

March 15, 2002

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Thomas E. Conway, Esq.
Friedman, Domiano & Smith, L.P.A.
Sixth Floor-Standard Building
1370 Ontario St.
Cleveland, OH 44113-1704

RE: Court of Common Pleas
Cuyahoga County, OH
Case No. 408705

Dear Mr. Conway:

As you requested I have reviewed the depositions and evidence that you sent me in this tragic case. I perused the depositions of both Mr. Tiedeman and Ms. Hagesfeld, and briefly looked at that of Ms. Atkins and Dr. Lightbody. I also looked through the two files of evidence. It might have been useful for me to examine any testimony deposed by school personnel, particularly the school psychologist, Fran McIntyre, to determine whether or not Mr. Tiedeman had the right to intervene without the school's overt request. (This may be a moot point since Mr. Tiedeman called the school and asked to talk with Ms. Atkins. I am inferring that someone at the school gave the phone to Ms. Atkins after Mr. Tiedeman called and introduced himself, which would mean that someone in the school knew of his interest in the matter and that he was involved.)

Based on what I have read in this matter, and on my understanding of professional social work practice in general and crisis intervention in particular, Mr. Tiedeman did not provide the standard of care expected of a social worker in his handling of this case. I base my findings on the following reasoning.

1. In crisis situations the social worker should always interview the primary client if that is possible. If the events of November 10 constituted a crisis, then so did the events of December 8. In this instance the primary client was Matthew Morrison. This has been established by Mr Tiedeman's own testimony throughout his deposition, and the agreement of others in their depositions. It is also quite evident in that Mr. Tiedeman spent a considerable amount of time with Matthew, both individually and with his mother present, during the diagnostic assessment prior to his hospitalization on November 10, 1998, and that he had established a good relationship with him and his family. This case was opened by Mr. Tiedeman on that date, and subsequent case notes reveal that the agency had

every intention of and reason to maintaining it as an open case, both for billing and for rendering services.

2. At no point on December 8, 1998, after the second suicide note was discovered, did Mr. Tiedeman make any attempt to interview Matthew, either at school or at home. Nor did Mr. Tiedeman make any attempt to view the note or ask of its contents. Neither did Mr. Tiedeman attempt to talk to any of the school personnel surrounding the finding of Matthew's suicide note. This is contrary to the standard procedures of data gathering, which are crucial to the problem solving process and the treatment of the mentally ill.
3. At no point during Mr. Tiedeman's work with Matthew or his family, between the dates of November 10, 1998 and December 11, 1998 does it appear that he or any other member of his agency prepared an IPS, or case plan, for Matthew. The preparation of such a document should have been standard procedure and would have provided crucial information for the many therapists and clinicians who worked on this case at one time or another.
4. Mr. Tiedeman terminated Matthew's case abruptly and prematurely, without having talked, either in person or on the phone, with Matthew.
5. Perhaps most egregious, in my mind, is the fact that in Mr. Tiedeman's deposition, he states that Matthew's mother was unable to properly assess Matthew's suicidal tendencies immediately prior to hospitalization on November 10 and subsequent to that date during his stay in the hospital. Unfortunately, however, on December 8, 1998, he decided to take his mother's word that Matthew was "OK" and closes the case. He does this knowing that Matthew is still having suicidal ideations, is still taking psychotropic medication but has not seen a therapist or psychiatrist since his release from the hospital and will not see one for another 3 weeks, even though that was the case plan upon his discharge from the hospital on November 19. At this point (December 8), knowing that he was suicidal and not receiving treatment, the minimum would have been for a face-to-face interview and diagnostic workup to determine his vulnerability.

Based upon my review of the documents, Mr. Tiedeman had indeed opened a case on Matthew on December 8, 1998, and it should have been kept open on December 8, 1998. Also on that date, due to the nature and severity of the case, Mr. Tiedeman should have insured that some type of face-to-face contact be had with the client, and that a full investigation of all the facts and evidence, including review of the second suicide note, should have been undertaken. (My examination of the notes reveals that they are similar in nature and content, and contrary to what both the psychiatrist and Mr. Tiedeman testified to, they do show a suicide plan, although admittedly poorly fleshed out...both address the use of a shotgun or walking into the path of a car.)

I would add that although it is my opinion that Mr. Tiedeman did indeed contribute to Matthew's death, he was not the only cause nor the only contributor. There appear to have been other contributing factors. These include a breakdown in the supervisory process at Mr. Tiedeman's agency, poor communication between the school and his agency, and poor communication between the hospital and the agency. It is indeed

unfortunate that a case as tragic as this would bring this breakdown of communication and policy to light.

I don't know if you wanted me to go further, but during my review of this case I have identified two areas of concern, one from the **Ohio Laws and Rules Governing the Practice of Counseling and Social Work** and one from the **National Association of Social Workers Code of Ethics**. As Mr. Tiedeman is licensed by the State of Ohio I know that he is bound to follow the former. If he is a member of the National Association of Social Workers he is also bound to subscribe to the latter. From the **Ohio Rules** I cite section 4757-5-01 (B) (7) of the Ohio Code which states:

Counselors and social workers shall terminate services only after giving careful consideration to factors affecting the relationship and making effort to minimize possible effects. If an interruption or termination of services is anticipated, reasonable notification and appropriate referral for continued services shall be provided to the client/consumer of services.

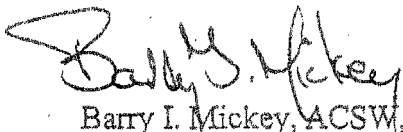
From the **NASW Code of Ethics** I cite Section 1.16, the first parts of which state:

- (a) Social workers should terminate services to clients and professional Relationships with them when such services and relationships are no longer required or no longer serve the clients' needs or interests.*
- (b) Social workers should take reasonable steps to avoid abandoning clients who are still in need of services. Social Workers should withdraw services precipitously only under unusual circumstances, giving careful consideration to all factors in the situation and taking care to minimize possible adverse affects. Social workers should assist in making appropriate arrangements for continuation of services when necessary.*

In my professional opinion Mr. Tiedeman violated both of these principles.

I hope this information is of use to you. The bill for my services follows. Please let me know how I can further help you.

Sincerely,



Barry I. Mickey, ACSW, LISW
Professor of Social Work
Director of the Social Work Program
The University of Findlay

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March 12, 2002

VIA FEDERAL EXPRESS - PRIORITY OVERNIGHT

Barry Mickey
University of Findlay
Department of Social Work
1000 N. Main Street
Findlay, Ohio 45840

Re: E/O Matthew Morrison

Dear Mr. Mickey:

On behalf of my client, Linda Adkins fka Morrison, thank you for agreeing to review this case. I represent Mrs. Adkins, who has filed this medical malpractice lawsuit against Dr. Richard Lightbody, William Tiedemann, and Mental Health Services for the Homeless, Inc.

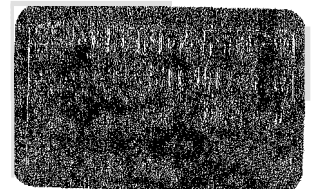
This case involved the suicide death of 13 year-old Matthew Morrison. William Tiedemann was a licensed social worker, with specialized training in crisis intervention, who was involved in the care and treatment of Matthew Morrison prior to Matthew's suicide. Other licensed social workers, who were co-workers of William Tiedemann at Mental Health Services, Inc., were also involved in Matthew's care and treatment.

Please review the conduct of William Tiedemann, and the care which he rendered to Matthew Morrison. From a social work perspective, please evaluate whether or not William Tiedemann, and/or Mental Health Services, Inc., comported with the standard of care applicable to a licensed social worker with training in crisis intervention. If you determine that William Tiedemann and/or Mental Health Services, Inc. fell below the standard of care in this case, please determine whether or not that failure to comport with the standard of care was a cause of Matthew Morrison's suicide on December 10, 1998.

Enclosed for your review are the following:

1. Matthew Morrison's medical records:
2. Matthew Morrison's records from Mental Health Services, Inc.;

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3. Miscellaneous personnel matters regarding William Tiedemann;
4. Mental Health Services, Inc.'s job description for a crisis intervention specialist;
5. Mental Health Services, Inc.'s policies and procedures for responding to the initial service request;
6. Mental Health Services, Inc.'s policies and procedures for crisis intervention and diagnostic assessment services;
7. Mental Health Services, Inc.'s policies and procedures for emergency authorization to treat children;
8. Affiliation Agreement for crisis intervention services;
9. Mental Health Services, Inc.'s client's Consent for Treatment and Notice of Enrollment;
10. Affiliation Agreement by and between St. Luke's medical center and Mental Health Services, Inc.
11. Deposition transcript of Dr. Richard Lightbody;
12. Deposition transcript of William Tiedemann;
13. Deposition transcript of Kirsten Hagesfeld;
14. Deposition Transcript of Linda Adkins fka Morrison.

Even though the issues which I am requesting that you address are extremely direct and specific, I will be glad to provide you with transcripts of other individuals who have been deposed, should you believe it necessary.

Realizing that this review is an imposition upon your professional time, please chart your time, and bill me in a manner most convenient for your record keeping.

Once again, thank you for the expertise, professionalism, and objectivity which you are bringing to the review of this matter. I look forward to hearing from you.

Sincerely yours,

Thomas E. Conway/sla
Thomas E. Conway, Esq.

TEC: sla
Encl.

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April 26, 2002


Barry Mickey
University of Findlay
Department of Social Work
1000 N. Main Street
Findlay, Ohio 45840

Re: Linda G. Morrison, et al. vs. Richard Lightbody, M.D., et al.
Cuyahoga County Court of Common Pleas
Case No.: 408705
Our File No.: 205617

Dear Mr. Mickey:

Enclosed please find the expert report submitted by Dr. Cheryl D. Wills, M.D. on behalf of William Tiedemann and Mental Health Services. I would like for you to review the report and call us with your comments regarding the same.

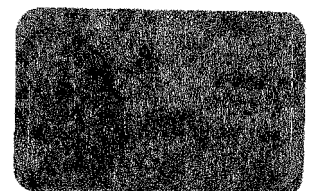
Sincerely yours,


Donna Taylor-Kolis
Thomas E. Conway

DTK/TEC:dms

Enclosure

4



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May 1, 2002

Barry Mickey
University of Findlay
Department of Social Work
1000 N. Main Street
Findlay, Ohio 45840

Re: Linda G. Morrison, et al. vs. Richard Lightbody, M.D., et al.
Cuyahoga County Court of Common Pleas
Case No.: 408705
Our File No.: 205617

Dear Mr. Mickey:

Once again, thank you for the expertise, professionalism, and objectivity which you have brought to the review of this case. Now that you have issued your expert report in this case, I have enclosed for your further review, the expert reports of the other Plaintiff expert witnesses:

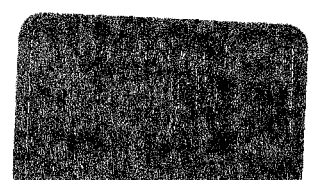
1. David Shaffer, M.D.
2. Dr. Diane Mirabito, D.S.W.

The reports were not sent to you previously so that there would be no issue as to your independent and objective review of this case.

We are also enclosing the deposition transcript of Fran McIntyre (a school psychologist employed by the Cleveland Municipal School District) for your review. Having recently received the expert report of Dr. Cheryl Wills, who is the expert witness for William Tiedemann and Mental Health Services, it is now finally clear as to what specific allegations William Tiedemann and Mental Health Services are making against Fran McIntyre.

As you are aware from your review of Dr. Wills' report, she opined that Fran McIntyre acted recklessly, and disregarded Matthew's rights and safety, and that her actions were a proximate cause

5



Barry Mickey

May 1, 2002

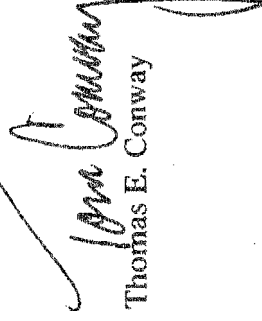
Page Two

of Matthew's death. Dr. Wills also believes that Matthew was at high risk for suicide on December 8, 1998, that Ms. McIntyre should have known that, and had Ms. McIntyre communicated that assessment of Matthew to Mr. Tiedemann, Mr. Tiedemann would have evaluated Matthew, and then would have arranged for Matthew to be hospitalized. Obviously, Dr. Wills' lengthy report details other reasons why she believes that Fran McIntyre negligently caused Matthew's death.

In order for you to objectively evaluate Dr. Wills' allegations against Fran McIntyre, I am enclosing a copy of Fran McIntyre's deposition transcript for your review. Obviously, Dr. Wills believes that Matthew's suicide was preventable, had Fran McIntyre taken certain actions. Thus, Dr. Wills concedes that Matthew's suicide on December 10, 1998 was entirely preventable, although she alleges that it was Fran McIntyre, and not William Tiedemann and/or Mental Health Services, who was negligent in not preventing the suicide. Please feel free to contact me following your review of Fran McIntyre's deposition if her testimony affects the expert opinions which you have previously rendered.

Thank you very much for your time and consideration.

Sincerely yours,



Thomas E. Conway

TEC:dms

Enclosure

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June 11, 2002

Barry Mickey
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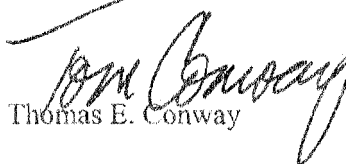
Re: Linda G. Morrison, et al. vs. Richard Lightbody, M.D., et al.
Cuyahoga County Court of Common Pleas
Case No.: 408705
Our File No.: 205617

Dear Mr. Mickey:

Enclosed please find the report of Kenneth A. DeLuca, Ph.D. Dr. DeLuca will be called as an expert witness at trial by Fran McIntyre, a school psychologist who was employed by the Cleveland Public School District. If you have any questions, please do not hesitate to contact either Donna Kolis or myself.

Thank you very much for your time and consideration.

Sincerely yours,


Thomas E. Conway

TEC:alb
Encl.

Wendy 4/12/01

SUICIDE ASSESSMENT*

1. *Ask if the person has thought of killing himself or herself*
How often?
How badly does the person not want to go on living (on a scale from 1 to 10)
Does he or she see suicide as a good solution or bad solution?
Does the person perceive suicide as weak or strong?
2. *Ask family members if they are concerned that the person will commit suicide*
(If family members say they don't believe it would happen, that the person is just acting, this person is at high risk)
3. *Check person's plan for suicide*
Is it detailed? General?
Does the person have materials to carry it out?
Does he or she intend to do it soon?
Has the person given away possessions, said good-bye?
4. *Check person's mental status*
Is the person confused? Intoxicated? On drugs? Hallucinating?
Is the person in control of his or her faculties? Impulsive? Clinically depressed? Emerging from clinical depression?
5. *Check the history of suicide in the person's life*
Has this person made other attempts?
Does the person have friends or family who killed themselves?
6. *Find out what the individual's support system is like by asking these questions:*
"What friends or relatives have you told about your intent?"
"Who do you talk with when you are down?"
"How does the family respond to your concerns?"
7. *How much control does the person have?*
"Can anyone or anything stop you?"
"How have you been able to stop yourself so far?"
"How did you decide to come for help at this time?"
8. *Make a "no suicide contract." Ask the person for a commitment to talk with you, to see you the next day if necessary and the day after that, etc., to make a commitment to stay alive for a set period of time. Have the person tell you how she or he will do that.*

From: Kanel, K. (1999). *A guide to crisis intervention* (pp. 88-89). Pacific Grove, CA: Brooks/Cole Publishing Co.

7. 

TABLE 6.2. LETHALITY ASSESSMENT SCALES: SELF.*

Key to Scale	Danger to Self	Typical Indicators
1	No predictable risk of suicide now	No suicidal ideation or history of attempt, has satisfactory social support system, and is in close contact with significant others
2	Low risk of suicide now	Person has suicidal ideation with low lethal methods, no history of attempts, or recent serious loss. Has satisfactory support network; no alcohol problems; basically wants to live
3	Moderate risk of suicide now	Has suicidal ideation with high lethal method but no specific plan or threats. Or has plan with low lethal method, history of low lethal attempts; e.g., employed female, age 35, divorced, with tumultuous family history and reliance on Valium or other drugs for stress relief; is weighing the odds between life and death
4	High risk of suicide now	Has current high lethal plan, obtainable means, history of previous attempts, is unable to communicate with a significant other; e.g., female, age 50, living alone, with drinking history; or black male, age 29, unemployed, and has lost his lover; depressed and wants to die
5	Very high risk of suicide now	Has current high lethal plan with available means, history of suicide attempts, is cut off from resources; e.g., white male, over 40, physically ill and depressed, wife threatening divorce, is unemployed, or has received promotion and fears failure

SUICIDE ASSESSMENT CHECKLIST

This form is intended to be used to guide and document comprehensive suicide risk assessment. It should be used in conjunction with other interview and historical data as an aid in determining appropriate client disposition. It is not intended as a predictive device and should not be used as such. However, the higher the scores the more concern one should have regarding potential suicidal behaviors.

CLIENT'S NAME: _____ AGE: _____ SEX: MALE FEMALE

PART 1

ASSESSING SUICIDAL RISK: Circle all of the items relating to the client's situation and sum the corresponding scores at the end of PART 1.

CLIENT HAS A DEFINITE PLAN: YES (6) PREVIOUS PSYCHIATRIC HISTORY: YES (4)

METHOD: FIREARM (10) CAR EXHAUST (7) HANGING (9)
DROWNING (6) SUFFOCATING (6) JUMPING (5)
DRUGS/POISON (6) CUTTING (3) OTHER (3): _____

METHOD ON HAND: YES (5) SUICIDE SURVIVOR: YES (6)

MAKING FINAL PLANS: YES (6) DRUG AND/OR ALCOHOL USE: YES (5)

PRIOR ATTEMPT(S): YES (5) MALE 15-35 OR 65 AND OLDER: YES (5)

SUICIDE NOTE: YES (6) DEPENDENT CHILDREN AT HOME: YES (-4)

MARITAL STATUS: SINGLE (3) MARRIED (2) DIVORCED (5) SEPARATED (5) WIDOWED (5)

PART 1 TOTAL^{**}: _____

PART 2

From your interview, rate your impression of the client's status on each of the following items (see back of page for further item explanation). Ratings should be based on initial perceptions of the client's status rather than on changes resulting from any intervention. Sum the corresponding item ratings at the end of PART 2 (minimum score = 9).

	NONE			EXTREME	
SENSE OF HOPELESSNESS:	1	2	3	4	5
SENSE OF WORTHLESSNESS:	1	2	3	4	5
SOCIAL ISOLATION:	1	2	3	4	5
DEPRESSION:	1	2	3	4	5
IMPULSIVITY:	1	2	3	4	5
HOSTILITY:	1	2	3	4	5
INTENT TO DIE:	1	2	3	4	5
ENVIRONMENTAL STRESS [*] :	1	2	3	4	5
FUTURE TIME PERSPECTIVE:	5	4	3	2	1

^{*}The level of stress precipitated by any actual or anticipated events in the client's life, such as loss of a loved one, change in life style, humiliation, etc.

PART 2 TOTAL^{**}: _____

PART 1 TOTAL^{**}: _____

TOTAL SCORE^{**}: _____ (Sum of PART 1 + PART 2)

^{**}Total scores are for research purposes and not intended for use as predictors.

Was the client engaged in a "no suicide" contract?: YES NO NOT APPROPRIATE

Considering all of the information available, indicate the client's level of suicide risk on the following scale:

LOW RISK 1 2 3 4 5 HIGH RISK

Disposition or referral: _____

COUNSELOR'S SIGNATURE: _____ DATE: _____

SUICIDE ASSESSMENT CHECKLIST Terminology Sheet

The following are brief definitions or explanations of the terms used in the Suicide Assessment Checklist.

PART 1

CLIENT HAS A DEFINITE PLAN - Has the client formulated a plan to commit suicide other than a vague "I'm going to kill myself"?

METHOD - If the client does have a concrete plan, which method has she/he chosen?

METHOD ON HAND - Is the method one that is readily available to the client as opposed to one that needs to be obtained?

PREVIOUS PSYCHIATRIC HISTORY - Psychiatric history is used here as a broad term to include the range from inpatient psychiatric care to outpatient psychotherapy.

MAKING FINAL PLANS - Is the client taking care of 'unfinished business' and/or giving away prized possessions?

PRIOR ATTEMPT(S) - Has the client admitted to previously attempted suicide or described situations that may have been "hidden" attempts?

SUICIDE NOTE - Has the client written or is he/she planning to write a suicide note placing blame for the action, leaving instructions to survivors, or saying "good bye"?

SUICIDE SURVIVOR - Has the client had a close friend or relative who has committed suicide?

DRUG/ALCOHOL USE - Does the client use alcohol or drugs at any level.

MALE 15-35 OR 65 AND OLDER - Is the client a male in either of these age categories?

DEPENDENT CHILDREN AT HOME - Does the client have one or more children 18 years or younger living in the household?

MARITAL STATUS - What is the marital status of the client?

PART 2

Ratings of the following items are to be based upon your impression of the client's status or "feelings". For example, how hopeless does the client "seem" to feel as opposed to how hopeless do you think the client "should" feel given the circumstances. Ratings of these items are to be based upon your initial impressions of the client's status rather than on the client's feelings resulting from successful resolution of the presenting situations.

SENSE OF HOPELESSNESS - To what degree does the client "feel" that there is no hope for improvement in his/her situation in the future?

SENSE OF WORTHLESSNESS - To what degree does the client "feel" that she/he has no personal worth or value to him/herself and others?

SOCIAL ISOLATION - To what degree does the client "feel" that he/she has no friends and relatives to whom he/she can turn?

DEPRESSION - To what degree does the client exhibit signs of depression i.e., inactivity, lack of interest, disrupted eating and/or sleeping habits, etc.?

IMPULSIVITY - To what degree does the client exhibit impulsive behavior i.e., acting with little rational thought to outcomes?

HOSTILITY - How much anger does the client seem to have towards him or herself, others, or institutions?

INTENT TO DIE - To what degree does the client seem determined to carry out his/her plans to their conclusion?

ENVIRONMENTAL STRESS - To what degree does the client "feel" that events in his/her life are "overwhelming", painful, humiliating or are providing insurmountable obstacles?

FUTURE TIME PERSPECTIVE - To what extent is the client able to focus on the future or positive future events as opposed to focusing on only the present or negative future events? This item is scored in the opposite direction from the previous Part 2 items. That is, the absence of a positive future time perspective is scored 5.

CRISIS INTERVIEWING & Dx ASSESS. SERVICES

Termination Summary - p. 7.

(8) E) Clients' response to the closing of CIS

NOT PROVIDED - NOT ASKED FOR
asked mother, who is not the client

F) Any clients' comments

NOT PROVIDED - NOT ASKED FOR

(7) (a) (2) New I/Ps are developed in response to the emergence of new problems or needs, & in response to an assessment that interventions currently being offered are not adequately addressing the needs of the client.

NOT DONE

6-13 McIntyre - 1.25
phone conf. 1.25

6-14 review of depts supporting material 1.25

p. 85.86 Mom's eyes were our eyes. Didn't need services
linked to ongoing services

p. 88 Client has recurring suicidal ideations - unresolved!
But is still term written

p. 100 C. dx asses. Is Anxious Face To Face!

p. 101 - No ISP ever developed for Matthew

p. 112 - Did not know what school decided / concluded re Matthew's
vulnerability.

p. 114 - Since mom was taking child home she would watch him

p. 116 - no D. Asses. needed because service plan was in place
He was suicidal!

p. 117 - Applewood event. Dec. 30 - 6 wks after hosp., 3 wks after
first note found

p. 127 He would have Done Another D. Asses. if He Had
Seen Second Note