A Developmental History of the American Psychology–Law Society

Thomas Grisso*

The American Psychology–Law Society, now in its 22nd year, began in 1969 after an organizational meeting in 1968. It played a role in the creation of Division 41 (Psychology and Law) of the American Psychological Association in 1981. The Division became the American Psychology–Law Society/Division 41 with the merger of the two organizations in 1984. The present narrative history of the Society’s development is based on information from newsletters, documents of Society business, and recollections communicated to the author by individuals who played critical roles in the Society’s development. The history is organized according to five stages, with special attention to competitive and cooperative efforts of subgroups as they sought to define the directions and purposes of the Society.

In September of 1968, the American Psychological Association held its annual convention at San Francisco. Two psychologists came to that meeting with a special purpose: to find others who wanted to establish “some kind of psychology and law association” (Staff, 1968). Neither of the two psychologists knew the

* This article is based on my address to the American Psychology–Law Society/Division 41 at the convention of the American Psychological Association in Boston (August 12, 1990) at the conclusion of my presidency of AP–LS/Division 41. I wish to thank several people who contributed to this history by offering me their memories, their files, and/or their reflections on earlier drafts of this paper: Gordon Bermant, Donald Bersoff, Stanley Brodsky, Shari Diamond, Sheila Dietz, Robert Howell, Felice Levine, Paul Lipsitt, Gary Melton, John Monahan, Stephen Morse, Michael Nash, Steven Penrod, Michael Saks, Bruce Sales, Saleem Shah, June Louin Tapp, and Jay Ziskin. The scholarship and organizational support of many well-known colleagues who are not mentioned in the course of this narrative history significantly influenced the development of the Society and the field of psychology and law during the past two decades. In my early drafts, however, I found that a narrative that attempted to mention the majority of them would produce a fragmented work through which the flow of events in the Society’s history would not be discerned easily. In selecting who to identify, I focused primarily on individuals who contributed to the organization as visible leaders and who, therefore, would form a cast of characters that would provide the best medium for telling the story of the Society. I have developed and am maintaining a cumulative archival repository (which will be the possession of AP–LS/Division 41) for documents and “oral communications” related to the history and business of AP–LS/Division 41. Anyone having pre-1988 copies of newsletters of
other's intentions until they had arrived at the convention and discovered each other, at which point they merged their plans.

They soon found 13 interested people, with whom they met in a room at the Mark Hopkins Hotel on September 1. Together they resolved to form a society for psychology and law, and within a month they had a newsletter. On the first page of Volume 1, Number 1, of the newsletter, its editor wrote the following:

While only the future can reveal the significance of a present event, I feel that [our meeting] in San Francisco will prove to be an event of historic significance... It may not prove grandiose to compare the potential impact of the creation of this society in its area with that of the Royal Academy of Science in Britain and the Academie des Sciences in France... We can perceive that we have taken on a precious responsibility, for there are few interdisciplinary areas with so much potential [as psychology and law] for improving the human condition and for acquiring and utilizing greater understanding of man.

Clearly the group had lofty aspirations, but it was practical, too. The newsletter item immediately following this historical proclamation was titled “Dues”: they would be $2.

This article offers a history of the subsequent development of the American Psychology-Law Society (AP-LS), which is now in its 22nd year. It is, in part, a narrative account of the major events in the Society’s history. A chronology of these events is important and interesting in itself, but I have used it as a linear framework for organizing my thoughts related to a further purpose: to understand what we have been as a Society, so that we might better understand what we are now and what we want to be.

For this, we need a narrative history of our collective identity. Describing the identity of an organization such as AP-LS poses special problems. It is (and has been) a diverse group representing disparate interests. Basic research academicians who study the law from the perspective of social science belong to AP-LS. So do private practitioners who use psychology to inform the court about the legally relevant characteristics of an individual, and policy activists who seek to modify law in response to psychological realities. What synthesizing concept can create a sense of collective identity into which all of these psychologists can fit? How can we define, at any given time, what we wanted and what we believed as a group?

Thomas Bender, a literary historian, has said that these are the wrong questions. They presume that there is a common, collective purpose to be found in a group such as ours at a given time in history. With organizations comprising diverse subgroups, however, any attempt to define a common identity is likely to
fail to recognize the motives and ideals of minority subgroups within the organization.

As an alternative, Bender suggests that the identity of many organizations should be viewed as a process. At any given time, various subgroups with differing motives and aspirations are in competition for what Bender (1989) calls "the power to define [the organization's] culture" (p. 198). The history of that competition itself is the organization's identity.

This historical narrative of the meaning of AP–LS takes this approach. It examines the competitive and cooperative strivings of those who interpreted, influenced, and used AP–LS as a medium for fulfilling their personal and collective aspirations. This may provide our best definition of what AP–LS is and has been.

In search of a structure for the narrative, I found that our history rather naturally divides into five periods. I defined these periods by points in time at which the Society seemed to experience major shifts in its functions, motivations, or organizational structure. After arriving at these, I discovered to my amusement that the five periods in our history bore an uncanny parallel to traditional age markers that are used by developmental psychologists to identify stages of human growth. I will refer to these periods, therefore, as the Society's stages of development.


The first stage began with our conception at that first San Francisco meeting in September of 1968, and it ended with our birth, which I take as the ratification of our first constitution and by-laws in June of 1969. This period was exactly nine months.

Our parents, of course, were those two psychologists who came to the San Francisco convention in 1968 with the intention of conceiving "some type of psychology and law association."

One of these two was Eric Dreikurs of Van Nuys, California. He described himself in an early directory (Ziskin, 1969) as a "clinical and legal psychologist" with primary interests in expert testimony and other applications of psychology to legal processes. Dreikurs had been involved, along with Saleem Shah and Paul Lipsitt, in other psychology and law committees of the 1960s.¹

¹ Organized psychology began to manifest a special interest in issues in psychology and law at about the time of the federal court decision in Jenkins v. U.S. (1962), which recognized that courts may qualify psychologists as experts in diagnosing mental disorder based on evidence of their relevant training and experience. At about that time, Division 12 (Clinical Psychology) of the American Psychological Association appointed a Committee on Clinical Psychology and the Law and charged it with the task of producing a review of critical legal issues relevant for clinical psychologists. The Committee was chaired by Saleem Shah and included Eric Dreikurs, Bernard Levy, and John Mariano. It produced a lengthy report, subsequently published in three parts in Professional Psychology in 1969 and 1970 (Shah, 1969–70). According to Saleem Shah (Personal Communication, July 9, 1990), two other efforts by organized psychology in the 1960s were not as fruitful. The APA formed
Early documents, however, seem to identify the other psychologist as our primary parent. He bore the major responsibility for nurturing the Society through gestation and guiding it in its first two formative years. If we need to identify one founder of the Society, it would be Jay Ziskin.

Ziskin was a practicing forensic clinician and a professor at California State University, Los Angeles. He had been thinking about the development of a psychology and law organization for about a year prior to the San Francisco meeting. After the meeting, he began publishing a bimonthly newsletter for the Society. In the first few months after the Society's conception, the newsletter was the primary medium with which the fetal Society was nurtured and fed in bringing it to full term. In subsequent years the newsletter served as the infant's playground for exploring its capacities in the world into which it had been born.

For the newsletter's first issue in October of 1968, Ziskin wrote the editorial, which I quoted earlier, on the historical significance of the meeting in San Francisco. In the second issue in December, he commented on the expanding membership list under the headline, "The Baby is Healthy and Growing." He also issued a call for biographical information to use in a membership directory, which was published early in 1969 and mailed to all members. He chaired the committee that drafted the Society's first by-laws, he set the first business meeting for the next APA convention (1969) in Washington, D.C., and he was elected the first president of AP-LS.

In the first newsletter, Ziskin expressed his hope that the membership would grow to about 30 or 40 within a year. By January of 1969, however, only five months after the original gathering, he was able to report already having signed on 77 members, and the directory that was distributed before the September, 1969, APA convention listed 101 charter members. Most of them were trained in clinical psychology, but about half were in private practice and half were based in academic settings. They represented 28 states. Two had law degrees, and there was one M.D. and one sociologist. Nine of the 101 were women.

Only 3 of the original 101 members are at the center of AP-LS affairs today. They are Stanley Brodsky, Paul Lipsitt, and Saleem Shah. The AP-LS presidents who are taking the Society into the 1990s were still years away from becoming involved in the Society. For example, in 1969 I was defending my Ph.D. dissertation and would be relatively unaware of the field of psychology and law for another seven years. Gary Melton, the Society's president for 1990-91, had just started his junior year in high school.

Our original constitution announced the Society's intentions to promote the psychological study of law, to influence legislation and public policy, and to

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a Committee on Psychology and Law in 1962, naming Fred Strodbeck as its chair and Paul Meehl and Saleem Shah as members. The Committee, however, was never given instructions for an initial meeting or an agenda, so it was never convened. Also early in the 1960s, the Board of Professional Affairs of the APA appointed a task force to investigate the role of psychologists in the courtroom. Saleem Shah and Paul Lipsitt were asked to be a part of this effort. The task force issued no product, however, because of the BPA's failure to finance the legal research that would have been necessary for the review.
promote the effective use of psychology in the legal process. Informational exchange and education of the members were primary objectives.

The charter members seemed to be united in their belief that psychiatry for too long had been identified as the law's primary consultant on human behavior. The Society was convinced that psychology had something different, and something better, to offer the law than it was getting from its present consultants.

There were at least three variations on this theme, however. One was best represented by the interests of June Louin Tapp and Alice Padawar-Singer. Tapp had begun her work on legal socialization, and both she and Padawar-Singer were beginning to apply basic psychology to the study of such issues as eyewitness identification and jury decision making. The subgroup that they represented hoped that the Society could become a source of stimulation for research on the law and legal process.

Judging from the content of the newsletter, however, this was not the dominant motivation for the majority of the charter members. Most of them were trained in clinical psychology and were interested especially in its application in the courtroom or in clinical service to the legal system. Ziskin and Dreikurs were in accord on this motive, and both believed that it was time to show the world that psychology had something more, and often better, to offer than did psychiatry. But they had different visions about how this potential was to be achieved and the role that AP-LS might play in achieving it. Their views represented the other two variations on the common theme.

Dreikurs, who was in private practice, apparently believed that psychologists were already better prepared than psychiatrists to address the matters of human behavior about which the law typically was concerned. His main interest in a psychology and law society was as a source of information exchange and education. He hoped to promote the proper use of psychology in the courtroom, including appropriate recognition of the limits of our expertise.

Ziskin, while also engaged in some professional practice, was in an academic setting where he was teaching psychology to lawyers. He was not happy with the current testimony of psychiatrists, but he also believed that psychology itself had much work to do in order to fulfill its potential in the courtroom. He hoped that the Society would become the organizing force for the development of an applied forensic science. He believed that rigorous applied research might someday provide a type of empirically based psychological testimony that psychiatry was not providing, but which psychology was prepared to develop.

Therefore, at the Society's birth, there were, on the one hand, those who saw it as a way to promote professional practice (Dreikurs's motive) and, on the other hand, those whose main hope was that the Society would be a forum for research—be it social research to study and improve the legal system, or the research that Ziskin hoped would improve the services that clinicians could provide to courts.

Dreikurs and Ziskin also had different opinions on matters of parenting the infant Society. Dreikurs was the more "permissive" parent. He believed that the establishment of rules and regulations this early in the process would be too constraining, not allowing the infant to evolve and become whatever it was to be.
He preferred no formal organization at all, suggesting that the charter members should constitute an informal interest group. Dreikurs's views were published in an early issue of the newsletter, along with Ziskin's contrary position. Ziskin argued that an organizational structure and by-laws were needed in order to establish a sense of permanence and to make group decisions responsibly. He favored providing the infant Society the security of some initial limits and structure, all of which it could modify after it developed its own identity and ego strengths.

Dreikurs countered that if psychology and law needed the structure of an organization, it could find it in the Law and Society Association. Ziskin replied that LSA was too interdisciplinary to provide a proper forum for the development of psychology's unique potential contributions to law. The members' sentiments were clearly with Ziskin. A committee consisting of Tapp, Melvin Rudoff, and Ziskin drafted our first constitution and by-laws, which were published and ratified (45 to 2) during the summer of 1969.

Naming the new baby was tricky. There were six entries on the ballot: Three contained the word law or legal, and three, the word forensic. If the Society had gone with the name that received the most votes, we would now be called the "Society for Forensic Psychology." However, there was nearly a 50/50 split between the total votes for the "legal" titles and those for "forensic" titles. At the first business meeting in September of 1969, therefore, the group decided to vote again in the future when membership growth stabilized. In the meantime, they would operate as the "American Psychology-Law Society," the newsletter name Ziskin had been using for the past year. There is no evidence that another vote was ever taken, so this is still unfinished business on the Society's agenda.

Several other matters were discussed and decided at that first business meeting. One was an agreement that recruitment should especially target lawyers. The prevailing image of the Society emphasized the interchange between psychologists and lawyers in furthering all other goals.

Someone asked whether we should publish a journal. Not yet, they concluded; there are not enough of us to support it financially. Shall we affiliate with APA? Perhaps someday. Shall we establish a diplomate in forensic psychology? No one could think of a compelling need for it.

2 In 1969, Robert Schulman of the Menninger Foundation (one of the original members of AP-LS) informed Ziskin of his discovery of another newly established group, the International Academy of Forensic Psychology (IAFP). In a May, 1969, inquiry to the IAFP president, Robert Gordon, Ziskin found that the IAFP had been formed during the past year, claimed to be experiencing considerable growth, and had started the Journal of Forensic Psychology. In his initial inquiry, Ziskin asked Gordon whether some consideration should be given to "joining under one roof" (J. Ziskin, letter to R. Gordon, May 6, 1990). Additional information about the IAFP, however, raised too many questions. The IAFP was affiliated in some way with Paul Quinn College, an unaccredited institution in Waco, Texas, operated under the auspices of a particular religious denomination. Benefits for dues-paying members included an IAFP diploma. Ziskin received the impression that the group was broadly interdisciplinary, thus not offering a good forum specifically for psychology and the law. There were no further interactions between AP-LS and IAFP; they went their separate ways and developed without mutual stimulation. The IAFP disbanded about 1976 for lack of significant development and activity.
The election in 1969, which named Ziskin the first president, had produced a tie for president-elect. It was decided that one of the pair, Robert Kaplan, would manage the presidency in the second year, and the other, Edward Shobin, would handle presidential duties in the third year. The first elected executive board consisted of five members: June Louin Tapp (who later was elected our fourth president), Leonard Bellinson (who became the fifth), Irwin Leff, Winifred Nash, and Saleem Shah. Elliot Leighton was treasurer, and Alice Padawar-Singer (who later became the sixth AP-LS president) was the first secretary.  


The second stage of the Society extended from its birth until it was about 7 years old. In most cultures, this is a time when children grow rapidly, explore, and work their way toward that point—about age 7—at which their capacities have matured sufficiently to get down to the business of more structured learning activities. This is not a bad characterization of the Society’s first 7 years, up to 1976.

Routine physical checkups for the growing infant during its first few years suggested rapid and robust development. This may be attributed in part to the nurturing efforts of the first membership chair, Bob Howell of Brigham Young University. To the original 101 members, he was able to add 96 new members in the second year and 56 in the third; thus by 1971 the Society had more than doubled, claiming 253 members. Almost all of the original 101 were psychologists, but two thirds of these new members were lawyers. In 1971, lawyers constituted over 40% of the membership. This was largely the result of notices that had been placed in state bar journals.

Growth then slowed, with membership reaching around 350 by the end of this 7-year era, a plateau that continued more or less through the rest of the 1970s. The

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3 The following are some interesting observations concerning the presidents of AP-LS during its first 21 years. Only four women have been AP-LS presidents: two during the first 6 years of our history (June Louin Tapp and Alice Padawar-Singer) and two in the last 6 years (Elizabeth Loftus and Shari Diamond). Only two of the first six presidents of AP-LS are members of it today (June Louin Tapp and Jay Ziskin). All of the presidents but one have had academic affiliations at the times of their presidencies. Half of our presidents were trained in clinical psychology, and half were trained in other areas of specialization in the science of psychology. Half of the presidents have been from east of the Mississippi River and half from west of it. Three individuals have been AP-LS presidents twice, under circumstances explained later in the article.
next dramatic growth spurt would not occur until our collective puberty in the early 1980s.

Despite the physical appearance of healthy growth, evidence now suggests that during the Society's second and third year it almost became a case of SIDS (Sudden Infant Death Syndrome). There were two causes of our near-demise while still in our crib: parental conflict and parental neglect.

The parental conflict was stimulated by Jay Ziskin's (1970) book, *Coping with Psychiatric and Psychological Testimony*, which was published near the end of his term as president. The Society's second president, Robert Kaplan, declared in an early newsletter editorial that the first sentence of Ziskin's book was "a shocker": "psychiatric and psychological evidence . . . frequently does not meet reasonable criteria of admissibility and should not be admitted in a court of law" (Ziskin, 1970, p. 1). The book proceeded to offer a compendium of rationale and data that challenged the validity or relevance of most psychological and psychiatric evidence in the courtroom.

The charter members, many of whom made their living in the courtroom, had known that Ziskin wanted a forensic psychology that would meet psychology's highest scientific standards. But it now appeared to them that he would accept nothing less, and that he seemed to be advocating total abstinence until this ideal was achieved. In its 21-year history, the AP–LS newsletter never again published anything like the 1971 newsletter debates on the matter. President Kaplan's editorial was livid; Dreikurs's letter dripped blood; Ziskin staunchly defended his position; and before it was over, Joseph Matarazzo and Karl Menninger were in the fray.

Ziskin was surprised at his colleagues' reaction to the book. He believed that he was revealing the weaknesses in psychiatric testimony and unscientific psychological testimony, and was thereby promoting the promise that psychology was especially capable of developing a more scientific and reliable source of information for courts in the future. He wanted to lead attorneys to expect and demand better evidence from experts than they were now getting, and he hoped that their expectations would break the traditional preference for psychiatry in the courtroom. His work, however, was read as a condemnation of both professions in the courtroom and a thorn in the side of his colleagues, who would be faced with attorneys armed with Ziskin's book for cross-examination.

Ziskin experienced rejection by the organization he had founded, and he has never again been at the center of AP–LS activities. He had a heart attack in 1972, made another significant contribution to the Society in 1973 (which will be mentioned later), then ceased active participation in the Society. He has continued, however, to be an active and controversial contributor to the field of psychology and law to the present day (e.g., Faust & Ziskin, 1988).

The other factor that placed the infant Society under near-fatal stress was the third presidency, which by all accounts was simply a bust. The baby was dying from parental neglect, and an emergency meeting was called in May, 1972, to try to save it. The listless child was placed in the custody of Tapp, the president-elect, who nurtured it for one and a half presidential terms.

Two things seem to have revived the infant Society at this time. Ironically,
the divisive reactions to Ziskin's work actually may have energized the Society. Speculating on those events, Stanley Brodsky has suggested to me that the "thunderous explosion of opinions" reported by the newsletter seemed to show AP-LS that it "had a reason to exist, a real reason, not [just] the idea that we could communicate about psychology and law, but that we were truly doing it about a topic that sent the blood fever racing through the Society's veins" (personal communication, July 6, 1990). We may have been strengthened by finding, in the midst of our parental rift, that we had a purpose for survival.

The other factor that brought color back to the cheeks of the neglected infant was June Louin Tapp's presidency. Tapp's vision for AP-LS was somewhat broader than that of many of the forensic charter members. She promoted AP-LS as a way to play out psychology's potential contributions to society in ways that were not confined to clinical expert testimony alone. She saw the full range of scientific psychology as the Society's resource to use in its research about and for the legal system.

Tapp's central role in AP-LS from its beginning, her conceptual views of the new field, and her attention to organization all helped to revive the Society. Tapp successfully restored the functioning of the executive board and the publication of the newsletter, and she worked with the membership chair on the first computerized membership list. She also presided over the development of a special event for the 1973 APA convention in Montreal. Under the organization of program chair Newton Jackson, AP-LS for the first time cosponsored paper sessions with various APA divisions.

At a 1973 executive board meeting, Jay Ziskin urged the Society to consider having its own conferences. They should be independent and separate from those of APA, he suggested, in order to make AP-LS practically meaningful to members and to establish the Society's separate identity. This met with approval, and Ziskin, along with Brodsky, Padawar-Singer, and Michael Nash, became the chairpersons for the first independent AP-LS conference, which was held in San Francisco on June 28-30, 1974. This was the beginning of the AP-LS midyear conference tradition, another of Jay Ziskin's contributions that has endured.

Bruce Sales, a newcomer to the group, offered two papers at that first conference. According to Bruce, the gathering of some 20 to 30 people could best be described as presenters presenting to each other. But the meeting was lively and full of future promise. The program listed about 25 contributions, mostly individual papers on a wide range of topics: the mental health professional as expert witness, the application of social psychology in the voir dire and other courtroom applications, and psychological analyses of juries and judicial and prosecutorial discretion.

Owing perhaps to difficulties in attendance at the first midyear meeting, the group decided that for 1975, Alice Padawar-Singer's presidential year, it would hold the second AP-LS conference on the day just prior to the APA's convention in Chicago. The Society's original plan had been to meet every other year in conjunction with the APA meeting and, because of the large number of lawyers in the Society, to meet on the alternate years at the American Bar Association meetings. Leonard Bellinson (the only AP-LS president who was a lawyer with
no degree in psychology) approached the American Bar Association with this plan, but he did not get a receptive response.

So the plan was changed to the midyear, biennial model, which has remained to this day as a treasured AP–LS tradition. Subsequent midyear conferences were held at Snowmass (Colorado) in June of 1977, Baltimore in 1979, Boston in 1981, Chicago in 1983, Tucson in 1986, Miami in 1988, and Williamsburg in 1990.

By the time of the 1975–76 presidency, conditions were ripe for transition to a new stage of development for the Society. Its original emphasis on matters of clinical forensic significance was waning. In addition to dissension among the charter forensic members in the wake of Ziskin’s bombshell, there was growing interest among new members in the broadened perspective of psychology’s potential contributions to law and society, as nurtured by Tapp, Padawar-Singer, Brodsky, Shah, and several others in the original group, and as documented in the Annual Review of Psychology chapter on Psychology and Law that Tapp was writing at that time (Tapp, 1976). Membership growth since the early 1970s had come primarily from the legal and academic sectors. The emphasis on conventions had promoted scholarship and interdisciplinary efforts.

Most importantly, the field of psychology and law was beginning to fire the imaginations of a set of young psychologists who had not been around at the Society’s beginning, but who were about to take it into its next stage. For example, all of the following happened in the year or two prior to Michael Nash’s 1975–76 transition presidency:

- Bruce Sales, his new J.D. and Ph.D. degrees in hand, came to the University of Nebraska, announced the beginning of a joint-degree graduate program (1973), and was elected secretary of the Society. The first of its type in the country, the program became an NIMH-funded training program in 1974, through the Center for Studies of Crime and Delinquency.
- John Monahan took his first academic position at the University of California–Irvine and was about to publish Community Mental Health and the Criminal Justice System (Monahan, 1976).
- Don Bersoff left his faculty position at Ohio State University, went to the University of Georgia, and then started law school.
- Stephen Morse had just completed his Ph.D., after a J.D. at Harvard, and was embarking on his career.
- Shari Diamond published her first articles on jury research and was elected to the Society’s board.
- Felice Levine and June Louin Tapp published a now-classic law review article on the psychology of criminal identification (Levine & Tapp, 1973).
- Michael Saks had received his Ph.D. at Ohio State University in 1975, and his dissertation had won an award from APA’s Division 9 (SPSSI).
- Beth Loftus had just published her first articles on eyewitness identification.
- Stan Brodsky, not a newcomer but still young in his career, had arrived at the University of Alabama to offer a forensic specialty in its Ph.D. pro-
gram, having just published *Psychologists in the Criminal Justice System* (Brodsky, 1973).

As children move to the stage of cognitive and social development for which age 7 is a convenient marker, they do not assume a new identity, but rather attain the capacity for more complex expression and differentiation of the global foundations that were laid in earlier childhood. Similarly, the Society at 7 was ready for a more advanced articulation of its mission.

**Stage 3: The Late Childhood Years (1976–1981)**

The presidents in this preadolescent stage, from the Society’s 8th to 12th years, were Bruce Sales, Paul Lipsitt, John Monahan, Leonard Bickman, and Donald Bersoff. The last year of the previous stage, however, contained a number of singular events that qualify it as a transition year deserving special attention. Michael Nash was president during the transition year (1975–76). He was the first president the Society had elected who had not been a member of the original, 1969 executive board, although he had been with the organization nearly from the beginning. Except for Paul Lipsitt, none of the rest of the presidents in this third stage was in attendance at the Society’s birth. Nash was teaching at Florida State University and doing jury research, but his primary identification was with clinical and forensic issues; he moved to a full-time applied clinical position in Montana in the middle of his presidency.

Nash presided over an executive meeting in February, 1976, that seemed to represent a turning point for the Society. It was held in Minneapolis, where the board met at the Institute of Child Development and was housed at the Gopher Motel ($14.98, single occupancy). According to Nash, the meeting was especially charged with excitement, fresh ideas, and an intense sense of purpose. He recalls board members rushing about excitedly in the hallways of the motel, discussing matters raised in the sessions long after they had ended.4

Nash identified two motives that were energizing the group. The first motive was to institutionalize psychology and law. This had been the intention of the founders, of course, but in a more modest way; as Stanley Brodsky reflected on those earlier days, “We were a little group together out of mutual interest, saying magic words like ‘Munsterberg’ to each other” (personal communication, July 6, 1990).

In the new, more expansive vision, however, AP–LS would be psychology and law. The organization itself would be synonymous with the field it repre-

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4 The group did not know that one of their colleagues was meeting with them for the last time. David Levine, a professor at the University of Nebraska–Lincoln, had been instrumental in bringing Sales onto the University’s faculty, and the two had been collaborating on mutual interests in psychology and law. Levine was very active in the Society and had just accepted its nomination for president at the Minneapolis meeting before he died. An avid jogger and only in the middle years of a professional career, he collapsed on the university athletic track within weeks after the Minneapolis board meeting.
sented. It would organize, structure, summarize, challenge, and direct the future of the field of psychology and law. It would not merely nurture its growth—it would drive it forward. It would be an enterprise.

The second motive was to use AP–LS and the field of psychology and law to change society. AP–LS would use its power to encourage social and policy research that would reduce society's inequities and improve its legal and political institutions. This, too, had always been the objectives of some of the Society's members. The difference now was the elevation of this purpose to a position of primacy for the organization.

Bruce Sales was clearly in the forefront of these new visions of the Society's mission and purpose, playing a strong leadership role in translating them into concrete plans and action. At the time of the Minneapolis meeting, he was the Society's president-elect and would take office in its 8th year. Observers of the time were amazed at his energy. "He was going 100 miles an hour," as one member put it (M. Nash, personal communication, February 28, 1990); another has said that he "blurred the eyes with his level of activity and ideas" (S. Brodsky, personal communication, January 3, 1990). Sales, however, was much more than an energetic leader of the group. His impact was so significant that prior to this historical narrative, many readers probably have assumed that he founded the Society.

One of Sales' greatest contributions was to provide AP–LS with a structure and purpose that was dramatically more coherent and dynamic than anything it had in its earlier stage. He conceptualized a field of psychology and law that incorporated all of its facets: the law's impact on psychology, psychology's study of the law, and applications in the legislature and the courtroom. The systematic application of this view in his guidance of AP–LS influenced the Society's decisions as it came to represent psychology and law itself.

Some of Sales' greatest contributions to the Society were his efforts to establish AP–LS-affiliated publications, thereby providing considerably more recognition for AP–LS than it otherwise would have had. With the consent of the Society, he contracted with a publishing company to produce *Psychology in the Legal Process* (Sales, 1977), a book that he edited based on the papers at the 1975 Chicago conference, with the royalties going to the Society. He and Paul Lipsitt made the same editorial arrangement for publication of the 1977 Snowmass papers, producing *New Directions in Psycholegal Research* (Lipsitt & Sales, 1980).

Sales negotiated contracts with Plenum Publishing Company for a journal, *Law and Human Behavior*, and a book series, *Perspectives in Law and Psychology*, both of which first appeared in 1977. Edited by Sales, they were published in cooperation with the American Psychology–Law Society. For various reasons, it was considered best to keep the editorship and editorial board independent of the Society until the journal was well established. Subscription was a benefit of membership in the Society, and both the journal and the book series eventually became official publications of AP–LS in the 1980s, with Sales turning over the editorship to the Society.

Sales, together with the support of a "second generation" of young executive board members, had unlocked the potential of the Society and moved it to a new
stage of development, one that would ensure its vitality and influence on psychology and society for many years.

Somewhere in this frenetic surge of preadolescent excitement, however, the clinical forensic expert witness got left out. Michael Nash was presiding over that intense board meeting in Minnesota when the group was articulating its grand plans for the Society. His interests tended toward those of the applied forensic clinician; he was probably the board’s closest representative of the dominant interests of the Society when it was born. What he remembers, however, is a sense of being an observer, one who was sent to the sidelines by the group itself. That which he represented was not regarded as being a primary interest at the center of the Society’s future.

It is typical of the child entering a new stage of development to be full of revolutionary visions. At such times, under the influence of new capacities for thought and action, the child egocentrically imagines a world cast in the child’s own new vision of it, rather than a world that has a reality of its own which the child’s schemes must accommodate. The Society’s new vision, in its 7th year, looked beyond the forensic interests that were predominant in the earliest years, seeing a different and more expansive set of purposes for the Society. In so doing, however, it ignored a reality—the interests of the forensic professional—that it would eventually have to acknowledge and assimilate into its schema for psychology and law.

Some would chastise the Society for this, but it is not deserved. This is the way development happens. Growth is naturally characterized by periods of disequilibrium (in the Piagetian sense) borne of new visions. The natural growth process assures a subsequent time of accommodation to reality which will assure stability and survival.

The Society was almost immediately faced with that reality later in 1976, when Florence Kaslow requested that it consider establishing diplomate certification for psychologists in forensic practice. Kaslow has described the history of this effort in a recent issue of *Forensic Reports* (Kaslow, 1989). Having learned that psychiatry was developing a diplomate process for forensic psychiatrists, Kaslow and several other forensic specialists believed that it was important to establish similar credentialing for forensic psychologists, lest they be perceived by the courts as less qualified.

The executive board of the Society suggested to Kaslow that she set up a committee to study the matter. In her history of the event, however, Kaslow (1989) reports that the board was “ambivalent” and “reluctant to move ahead” (p. 307) when the committee recommended that certification be pursued immediately.

Feeling a sense of urgency about the matter, Kaslow’s group decided to convert from an AP-LS committee to an independent corporation called the American Board of Forensic Psychology (ABFP). She reports that during Paul Lipsitt’s presidency in 1977-78, AP-LS loaned the new group $1,000 for start-up expenses, which was repaid to AP-LS a year later. The group also developed the American Academy of Forensic Psychology (AAFP) as a mechanism for providing continuing education toward improvement in the quality of forensic psycho-
logical services. Fourteen years later, the ABFP and AAFP are still going strong, and the ABFP’s credentialing process is now affiliated with the American Board of Professional Psychology.

We may wonder, in retrospect, why AP-LS did not take on the task of developing a forensic certification project, but it is not clear that it could have managed it even if it had been willing. The Society’s main agenda was to lay a solid organizational structure and scientific foundation for the field of psychology and law and to increase its capacity to influence social policy in ways that were not confined to courtroom testimony. It is doubtful that this would have been accomplished as successfully as it was over the next few years if, in addition, the board had had to direct its energy to the considerable task of developing and managing a system for the quality control of forensic practice. The end result, therefore, was satisfactory, but the decision at that time had the effect of setting forensic practitioners apart from the Society and its leadership, rather than assimilating them and accommodating their needs.

As early as 1977, the Society heard that some psychologists who were not active members of the Society were calling for the development of an APA division of psychology and law. During John Monahan’s presidency (1978–79), the Society decided to take the lead in forming a division, and the process was well underway by the time of the Baltimore biennial conference in 1979. An ad hoc committee composed of Monahan (for AP-LS), Arthur Bodin (for the American Board of Forensic Psychology), and Robert Levinson (for the American Association of Correctional Psychologists) took on the job of developing the new division.

Monahan chaired the committee. He coordinated the petitioning, which gathered 604 signatures, as well as the drafting of the proposed by-laws (which the APA’s Administrative Associate for Membership said were “the best I've ever seen”; J. Hildreth, letter to J. Monahan, January 10, 1980). The proposal was offered to the APA’s Council of Representatives in the summer of 1980, and the Council approved the establishment of Division 41 (Psychology and Law) at its September meeting that year by an overwhelming majority vote. The Division’s first business meeting was in September, 1981, and John Monahan was its first president.

When the question of an APA division had first arisen, the Society had been ambivalent and decided to take the lead only reluctantly. It recognized that any APA division of psychology and law would be perceived by the public and organized psychology as representing the field of psychology and law itself. The Society did not want to relinquish this role.

Moreover, those were the early days of the “professionalization” of APA. A division of psychology and law within APA, if left to develop without the involvement of AP-LS, would be likely to focus primarily on forensic practice. This outcome was considered all the more likely because groups such as the American Board of Forensic Psychology and the American Association of Correctional Psychologists might assume the leading role in forming the division.

The Society, therefore, was faced with a dilemma. AP-LS was not willing to incorporate fully the interests of psychologists in forensic practice within its own
agenda. Yet it felt that a new APA division would narrowly define the field of psychology and law as "forensic psychology" if AP-LS had no hand in forming the future division.

There was much controversy about the matter within the AP-LS leadership itself. John Monahan was convinced that AP-LS should be in the forefront of the division's development, while Leonard Bickman, the AP-LS president who succeeded Monahan, was strongly opposed to the Society's involvement. The executive board supported the development of the division, however, especially given John Monahan's convictions and willingness to take the initiative.

AP-LS held two biennial conferences during those years. The conference was in Baltimore in 1979, in recognition of the start of Donald Bersoff's new Ph.D.-J.D. program for training research scholars in psychology and law at Johns Hopkins University/University of Maryland. At that conference, and at the Cambridge biennial conference in 1981, the possibility of merging AP-LS and the future division was a frequent topic of informal discussion. Don Bersoff, who was president during the Cambridge meeting, was an original sponsor of the proposed division, but merger was another matter: "There will never be a Division 41 involving AP-LS while I'm president," he said.

The general sentiment of the Society was with Bersoff, and AP-LS entered its 13th year retaining its separate and independent status, while Division 41 went to the 1981 APA convention for its inaugural meeting.


The early teens are regarded as one of the more fluid and ambivalent stages of identity formation. The child holds onto much of what has been valued in the past, using the familiarity of childhood repertoires as security while exploring new possibilities that are modeled on images of adulthood.

The Society's 13th through 15th years were like that. The Society had been brought successfully to the threshold of adolescence, and we were satisfied in many ways with what we had accomplished. Yet an alternative image of psychology and law was being formed by Division 41. Like a distant adulthood, it was an image about which we were uncertain; it appealed to some of us, and the rest of us could not ignore it.

More than half of Division 41's earliest members were in forensic practice, and the new organization quickly assumed an ecumenical complexion that distinguished it from AP-LS. The Division's first APA convention program (1982) was a balanced menu of clinical, research, and policy-related symposia.

The first executive board of Division 41 included academics who had contributed to the previous stage of AP-LS's development, such as John Monahan and Bruce Sales, as well as Felice Levine, who had played a major role for many years in establishing the science and policy agendas of AP-LS. But it also included leaders in the applied and forensic sector, such as Florence Kaslow, Robert Levinson, and Pat DeLeon (the Division's third president). Several others bridged these identifications, such as David Rosenhan (the Division's second president), Saleem Shah, and Ronald Roesch. Gary Melton, a relative newcomer to the group, edited the first Division 41 newsletter.
Many members of AP–LS spent those 3 years in both worlds, paying dues to both organizations. Like the early adolescent who explores a future while holding onto a past, we participated in the continued traditions of the Society with which we had grown up, while simultaneously enjoying the new Division that grew to about 600 members (over twice the size of the Society) within its first year. We observed and began to believe that the Society’s objectives might not be lost in the size and constituency of the Division. Under the leadership of Stephen Morse and Gordon Bermant, who were the AP–LS presidents in the Society’s early adolescence, everyone waited for what increasingly appeared to be inevitable.

As Bermant noted in a 1983 newsletter message to the Society, “‘We’ are already ‘they’ in considerable measure;”⁵ by some estimates, about 70% of AP–LS members also belonged to Division 41. In addition, the double-membership status of many members was drawing leadership energy from the Society to an extent that seemed likely to threaten its vitality. It fell to a “merged” committee, comprising Gordon Bermant (for AP–LS), Robert Levinson (for Division 41), and Felice Levine (for both organizations), to devise the proposed conditions of a merger. To ensure continuity in this process, the Society extended Bermant’s presidency to a second term, thus making him the first of what would eventually be three “double-dippers” in the Society’s presidential history.

AP–LS required several conditions before it would agree to a merger. All of them were successfully negotiated, but four agreements had special significance. One was a change in the title of the Division in order to retain the Society’s name. Another was the agreement by APA that the Division could have a special membership status (members-at-large) that would allow the Society’s non-APA members (mostly lawyers) to continue to be members of the merged organization. AP–LS required that *Law and Human Behavior* become the affiliated journal for AP–LS/Division 41. Finally, AP–LS considered non-negotiable the merged organization’s perpetuation of the Society’s traditional biennial, midyear meetings, which Bermant called “perhaps the most important achievement of AP–LS.”⁶

These agreements having been established, the Society’s members voted to join with the Division. Don Bersoff, who had once drawn the line that was not to be crossed, now supported the merger wholeheartedly, although his position as APA’s legal counsel was to limit his direct involvement in the new organization for several years.

In its early adolescence, the Society had found a way to meet the new de-

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⁵ The quote is taken from the original typewritten draft of a memorandum to the AP–LS membership; it was prepared by Gordon Bermant and mailed to the *AP–LS Newsletter* editor on November 3, 1983 (according to a cover letter provided to me by Bermant). I have not been able to obtain a copy of the issue of the newsletter in which the memorandum was published; it probably appeared in the Winter 1984 issue.

⁶ This quote is from a typed draft of the “Charter for the Merger of the American Psychology–Law Society with Division 41 of the American Psychological Association,” by Gordon Bermant, Felice Levine, and Robert Levinson. It was mailed to the *AP–LS Newsletter* by Bermant along with the document noted in Footnote 5 and apparently appeared with the memorandum in the same newsletter issue for which a copy has not yet been found. Copies of the typed draft are available from the author of the present article.
mands of approaching adulthood while taking with it most of what it had valued in its childhood.

Stage 5: Late Adolescence (1984–1990)

The American Psychology–Law Society/Division 41 of the American Psychological Association began in the Society’s 16th year: the year of the driver’s license, the debutante ball, and other rituals signifying the final approach to adulthood. The event that signaled AP–LS’s arrival at this threshold was the inaugural meeting of AP–LS/Division 41 at the 1984 APA convention in Toronto. Beth Loftus was the first president of the merged organization.

The decision was made to restart the biennial clock (a year had been skipped), setting it to chime in the spring of 1986. I had the privilege of chairing that conference, located conveniently for the next president, Bruce Sales, in his new hometown of Tucson. Attendance at this first biennial conference after the merger was nearly double that of the previous meetings. Nevertheless, we were satisfied and relieved to find that the comaraderie, intellectual integrity, and intimacy of the biennial tradition had been retained.

At that conference, we established a new tradition when we recognized Saleem Shah with the first AP–LS/Division 41 Award for Distinguished Contributions to Psychology and Law. No more fitting recipient could have been found. Shah was working to develop a field of psychology and law for many years before AP–LS began. He had played a central, guiding role within the Society throughout all the years of its development.

The award was established as an honor that the organization was not required to bestow at any regular interval. Nevertheless, the organization honored John Monahan and Laurens Walker at the next biennial conference in Miami (1988), and Justice Harry Blackmun at the biennial conference in Williamsburg (1990).

The creation of a “new AP–LS” provided the organization the opportunity to recycle two previous AP–LS presidents who had played critically important roles in the “old AP–LS.” One was Bruce Sales, whose singular contributions to AP–LS made him a clear choice as the first president actually elected by the merged organization. The other was Stephen Morse, who had been a central figure in all of the Society’s decisions since the mid-1970s. They were succeeded by Shari Seidman Diamond, Michael Saks, and Thomas Grisso, who presided in the Society’s 21st year. The Society embarked on the years of its majority with the presidency of Gary Melton, to be followed by that of Stephen Golding.

Toward Adulthood

In 1990, Melton took the helm of an association that had grown to about 1,400 members. We now face a much more complex array of programs and political concerns than our founders were likely to have envisioned. We manage not only journals and other forums that support the scientific foundation for psychology and law, but also a project that seeks to influence the decisions of our nation’s highest court (Roesch, Golding, Hans, & Reppucci, 1991), and initiatives that will
establish for the first time a set of guidelines for quality in the practice of forensic psychology (Committee on Ethical Guidelines for Forensic Psychologists, 1991). In all of these things, we have been drawn ever closer in our interactions with the central offices of APA, a consequence that has produced new and exciting potentials as well as political tensions.

The most recent years, the stage during which we developed these latest initiatives, are too fresh to submit to proper historical analysis. One needs the perspective of distance from events in order to discern their patterns and a knowledge of their consequences in order to evaluate their significance. In a few years we may be able to assess how well we met a challenge that has faced our organization throughout its history: how to manage a Society to which our scientists, social reformers, and practitioners all claim allegiance, but often for disparate reasons.

From time to time in our history, each of these constituencies has competed with the others to define the identity of our organization. In more recent years, we have watched similar competitions tear at the fabric of the APA. Are we in danger of a process within our own ranks that would parallel APA’s power struggle between the science and practice sectors? At least since the recent presidencies of Sales and Morse, our leadership has seen the danger and has been helping us to steer a course that has avoided direct conflict. Can we continue?

If we have truly reached our adulthood, we can. Adult maturity includes the capacities for increasingly complex differentiation and integration of self in the process of refining one’s identity. As we actualize the potential of the field of psychology and law, we can anticipate no less diversity of interests in the Society than we have had in the past. At the same time, we must hope that our maturity similarly provides us the capacity to continue to find ways to integrate our interests.

Rarely do we feel moments of security and balance in this maturing process. I hope that the tensions of growth, however, will not cause us to fear continued collaboration between our science and practice sectors to define the identity of AP-LS/Division 41. Competition for the power to direct the energies of the Society has kept us vital when tempered with an abiding recognition that our diverse constituents are mutually dependent upon the survival of a unified organization. With these strengths, we have come thus far.

REFERENCES


