

## CAPP STORY: 1987. FEBRUARY, 1990

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Court battles continued throughout 1987, with the California Hospital Association, California Medical Association, and California Psychiatric Association bringing various challenges to the court. Two assaults on the Court of Appeal were dismissed for technical reasons. In November 1987, however, the California Supreme Court transferred the case back to the Court of Appeal with instructions that it be decided on its merits. AP A continue to provide financial assistance. Cynthia Neuman assumed the Presidency of CAPP in February 1988. By March 1988, the organization was able to move its headquarters, rent an office, and look forward to again becoming a "real" organization. Don McCarthy, Ph.D. assumed the role of Executive Director, shouldered the burden of locating and organizing the office and hired an administrative assistant. Board member Bob Karman dubbed CAPP "the Marines of Psychology."

But as usual, the chickens were counted a bit too soon. On 4/20/88, Michele Licht argued CAPP v. Rank before the California Court of Appeal. The court rendered an opinion that recognized the legal right of psychologists to treat our patients in hospitals without physician supervision. However, they imposed conditions that would have been disastrous for psychology. The Court ruled that first, a physician had to rule out an organic cause for the patient's disorders "organic in origin and nature." That decision mobilized the Practice Directorate's formal entry into the CAPP v. Rank case: under the leadership of Executive Director, Bryant Welch, J.D., Ph.D. the Practice Directorate provided financial assistance for taking the case to the California Supreme Court and paid for the legal services of Clifford Stromberg, J.D. of the law firm of Hogan and Hartson, becoming co-counsel for the duration of the lawsuit. Psychologists throughout California, as well as elsewhere in the nation mobilized, writing letters to the California Supreme Court urging the Court to review the Appellate Court decision. The Orange County Psychological Association joined with the California Psychological Association to produce a letter to the Supreme Court. Others rallied to our support, including the-PEC, a city manager, a hospital administrator and many psychologists. Against great odds, and fortunately for psychology, on 8/25/88, the Court granted CAPP's petition for review. CAPP v. Rank reached the State's highest judicial body. The Supreme Court brief, brilliantly written by attorneys Licht and Stromberg, was filed on 10/24/88...and then the waiting began.

Throughout 1989 and into 1990, the financial pressure of a Supreme Court battle which had, by then, consumed nearly six years, forced CAPP into a period of hibernation until the Supreme Court decision became known. It was again necessary to abandon the freestanding office and become home-bound. Hoping to reduce costs by utilizing some of CPA's resources in Northern California, the Van Nuys office was closed and CAPP's headquarters moved to the home of Jan Cunningham in Fremont. As our new Administrative Assistant, Jan has since helped CAPP rise from the ashes of the Court of Appeal decision and the period of limbo which followed it.