

# GATHERING RECORDS

*Deborah Grey, LCSW*

# RECORDS

## WHY AND HOW

- Assist in garnering plea
- Snapshots in time
- Present charge: reflective of lifetime patterns or aberration? Expert opinion
- Enhance memory of witnesses
- Prompt witnesses as to things forgotten or misplaced in time
- Supply critical information about your client
- Support your theory of defense

# EASY RECORDS

- School records
  - Transcript versus cumulative file
  - Disciplinary
  - Exceptional children's
- Social Security Wage and Earnings Statement
  - How many jobs per year
  - Annual income

# EASY RECORDS

- Employment
  - Application
  - Performance appraisals
  - Raises/demotions
  - Conditions of employment termination

# EASY RECORDS

- Hospital records
  - Dates of treatment
  - Emergency room visits
  - Diagnoses
  - Specify collateral records
- Out-patient treatment records
- DOC records
  - Health/mental health
  - Record disciplinary/infraction records
- Jail records

# RECORDS REQUIRING COURT ORDER

- Social services for child protective services (CPS)
  - Locating record
  - How to read it
- Records for individuals unwilling to sign release
- Department of Corrections- entire file
  - Individualized write ups for infractions
  - Performance appraisals for jobs
  - Evaluation for changes in custody level

# What Records Can Show



# WHAT RECORDS CAN SHOW

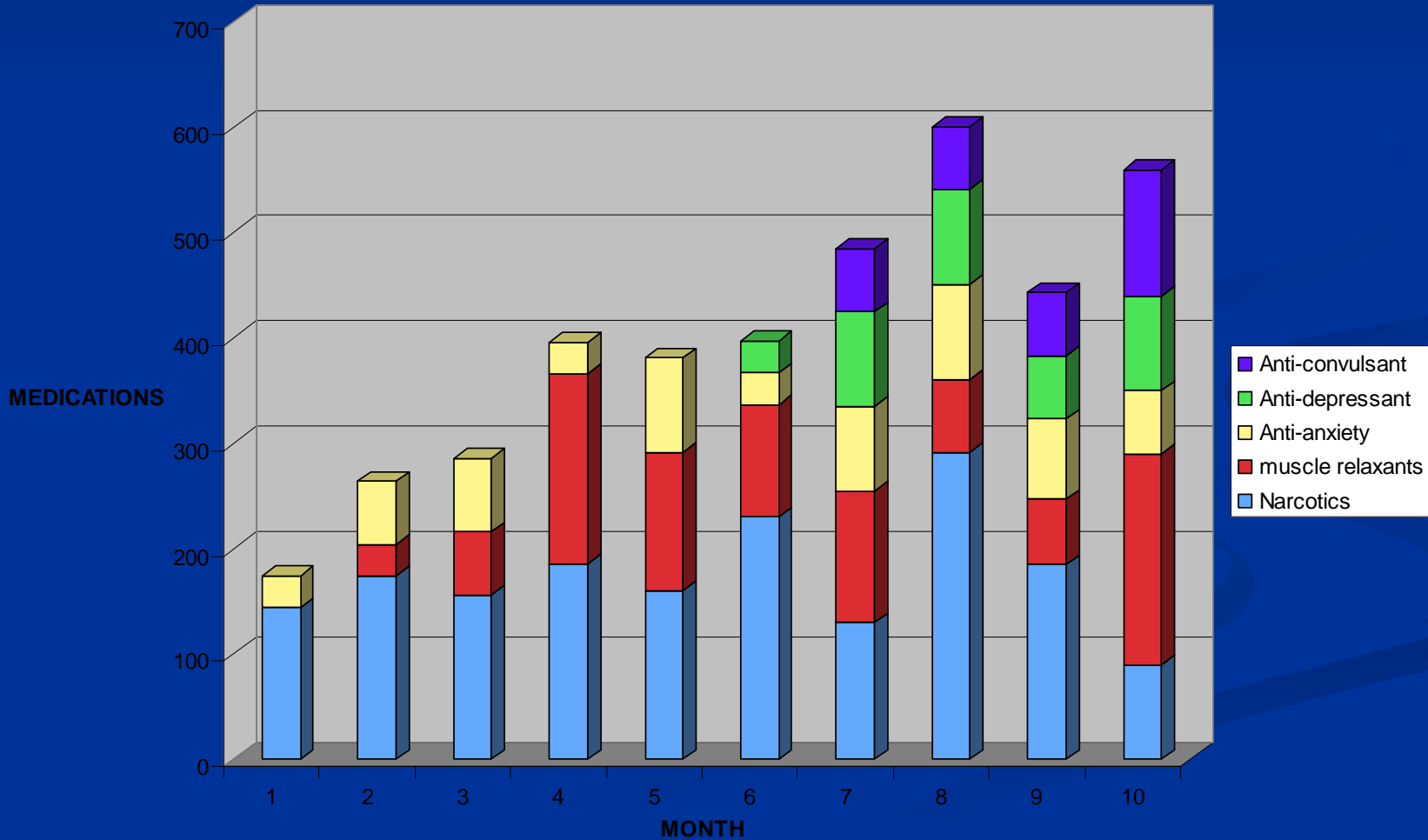
- School records
  - EC record (IQ; presence mental disturbance)
  - Disciplinary records
  - Testing scores
    - Grade equivalent
    - National ranking
  - List of schools- stability early life

# Looking in different places



# CREATIVE WAYS TO USE RECORDS

MEDICATION USAGE 2002



# NON TRADITIONAL RECORDS

- Records used as part of expert testimony to document opinion
- Illustration to testimony
- Family records to document pattern
  - Addiction
  - Mental illness

# Things are not always what they seem....

