

STATE OF FLORIDA
BOARD OF PSYCHOLOGY

IN RE: THE PETITION FOR DECLARATORY STATEMENT OF
RALPH MORA, Ph.D.

FINAL ORDER

THIS MATTER came before the Board of Psychology ("Board") pursuant to Section 120.565, Florida Statutes, at a duly-noticed public meeting held on December 7, 2001, in Tallahassee, Florida, for the purpose of considering the Petition for Declaratory Statement filed by Ralph Mora, Ph.D. ("Petitioner"). Having considered the petition, the Board makes the following findings and conclusions.

FINDINGS OF FACT

1. Petitioner is a licensed psychologist who was the in-hospital therapist for an adolescent client in the state of Tennessee in 1985. The client was discharged from the hospital against medical advice.
2. In 1987, Petitioner was asked by a court in the state of Missouri to provide information relevant to his former client's petition for parole. Petitioner provided the requested information to the Missouri court.
3. In approximately 1993, Petitioner was contacted by the Missouri Western District Capital Crimes Division. Petitioner's former client had been charged with committing murder in the first degree, and had requested that his defense counsel contact Petitioner in order to seek Petitioner's advice as to whether the former client should accept a sentence of life imprisonment without the possibility of probation or parole.
4. Petitioner interviewed his former client at a maximum security prison in

Jeffersonville, Missouri, and provided the former client with information about his mental condition and the likelihood that he would pose a danger to others if released from prison.

5. The former client chose to accept the life sentence.

6. Petitioner is considering writing a book on sexual homicide and contemplates asking the former client to be the subject of the book, requiring the former client's collaboration by mail and possibly on tape.

7. Petitioner is unclear whether there would be financial considerations to this arrangement.

8. Petitioner asks whether his proposal would constitute a dual relationship under Florida law.

CONCLUSIONS OF LAW

1. The Board has jurisdiction over this matter pursuant to Section 120.565, Florida Statutes.

2. The Board declines to issue a declaratory statement at this time without further information regarding the Petitioner's proposed research.

3. It is the opinion of the Board that the Petitioner's former client is still the Petitioner's client, there having been intermittent contact between them, and the Petitioner having made recommendations to the client.

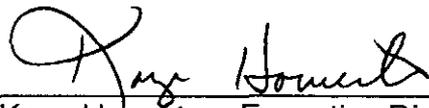
4. It is further the opinion of the Board that, given the limited information that the Petitioner has provided, the potential for violation of the psychologist-client relationship is high.

5. This Order constitutes final agency action and may be appealed by any party

pursuant to Section 120.68, Florida Statutes, and Rules 9.110 and 9.190, Florida Rules of Appellate Procedure, by filing a notice of appeal conforming to the requirements of Rule 9.110(d), Florida Rules of Appellate Procedure, both with the appropriate District Court of Appeal, accompanied by the appropriate filing fee, and with the department's clerk of agency proceedings, within thirty (30) days of rendition of this Order.

DONE AND ORDERED this 19 day of December, 2001.

BOARD OF PSYCHOLOGY



Kaye Howerton, Executive Director
for Herbert Goldstein, Ph.D., Chair

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail to Ralph Mora, Ph.D., PSC 824, Box 392, FPO, AE 09623, this 26 day of December, 2001.



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September 3, 2001

Department of Health
Division of Medical Quality Assurance
Board of Psychology
4052 Bald Cypress Way, BIN CO5
Tallahassee, Florida 32399-3255

Dear Sir/Madam:

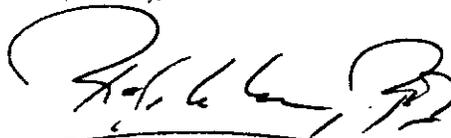
I am petitioning the Board of Psychology with regards to the rule dealing with dual relationships with former clients.

I was the previous in hospital therapist for an adolescent patient in Tennessee in 1985. He was discharged against medical advice. Two years later, I was asked by him to address the courts in Missouri with regard to his petition for parole. I interviewed him, reviewed the relevant paperwork and wrote to the courts involved. Approximately six years later, I was contacted by the State of Missouri Western District Capital Crimes Division. The patient had been charged with first degree murder and was facing a death sentence. He had requested his defense to contact me so that he could seek my counsel as to whether he should take life without the possibility of probation or parole or challenge the court and face a death sentence. I interviewed him at the maximum security prison in Jeffersonville, Missouri provided him information about his mental condition and the likelihood that he would pose a continued danger to others if freed. He later chose to take a life sentence.

At this point, I am considering writing a book on sexual homicide and am contemplating asking him to be the subject of the book. This would require his collaboration by post and possibly on tape. I also have no idea as to whether there would be any financial arrangements that might need to be worked out. I am concerned that this would constitute a dual relationship under the Florida statutes. Would the fact that such a book has potential benefit for practitioners have any bearing? If the proceeds (if any) were to be used for the benefit of the victims would this have any bearing? Would the patient's anonymity be a consideration?

Thank you for your consideration of the above.

Sincerely,



Ralph Mora, Ph.D.
Licensed Clinical Psychologist