Forensic Briefs

Terry Kukor - Aspirational Forensic Practice and Consulting Work

In this episode, Terry Kukor explores aspirational forensic practice and the role of consultation in strengthening forensic mental health work. He discusses what it means to “strive” under the Specialty Guidelines, emphasizing humility, curiosity, tolerance for uncertainty, empathy, and critical thinking. The conversation examines common impediments to high-level practice, the value of consultation in reducing bias and improving reasoning, and how thoughtful collaboration can help forensic clinicians continually grow while maintaining ethical and professional integrity.

Dr. Guyton — We are delighted to welcome back our friend and colleague, Doctor Terry Cooper, to the Forensic Briefs podcast. So welcome back, Terry.

Dr. Kukor — Thank you.

Dr. Guyton — Doctor Terry Kuchar is board certified in forensic psychology by the American Board of Professional Psychology. He graduated with a bachelor's degree in psychology from Marquette University, and went on to earn a master's degree and doctorate in clinical psychology from Miami University in Ohio. In late 2023, he retired from his salaried position at Netcare Forensic Center in Columbus, Ohio, where over the course of 20 years he has held a variety of roles, including director of forensic services, senior forensic psychologist and training director for the Postdoctoral fellowship in forensic psychology.

Dr. Guyton — He is now in independent practice. Doctor Kruger has specialized in criminal forensic evaluation for more than 30 years, and has performed or consulted on thousands of criminal forensic psychological evaluation. He currently serves as an associate faculty member in the Department of Psychiatry and Behavioral Health at The Ohio State University. He is a past co-chair for the American Academy of Forensic Psychology Continuing education workshops.

Dr. Guyton — And in 2016, he was presented with the Howard H. Sokolov Forensic Mental Health Leadership Award by the Ohio Department of Mental Health and Addiction Services. In 2019, he was recognized with the Distinguished Contributions to Forensic Psychology Award by RFP.

Passionate about finding ways to improve forensic practice with critical thinking, Doctor Krueger conducts workshops on relevancy focused report writing, teaching, decision making and reasoning, and forensic supervision, sanity evaluations, and critical thinking in forensic assessment.

Dr. Guyton In our last session, we talked with you about a relevancy focused report writing, and we're going to shift gears a little, not to a whole different domain, because I think some of this falls in line with that as well. But we're going to be talking with you today about aspirational forensic mental health practice, as well as consulting, consultation, work in forensic practice, as well.

Dr. Guyton And so I'm wondering how you got interested in these topics and got to the point where you're now working with some really fabulous colleagues and writing about these things.

Dr. Kukor In terms of the aspirational topic, one of the things that, you know, as, as we talked about in the podcast on relevancy, focused report writing, was the importance of having a firm foundation and respected sources of authority. And, certainly a core such source for forensic psychologist are the specialty guidelines for forensic psychology. The number of times that the word strive is used in the current iteration of that document, I think it's something like 27 different times.

Dr. Kukor And I thought that's a pretty important word to be noted that many times. What does that word mean? And I, I just started thinking on my own about that question, kind of carrying it around with me in my back pocket and pulling it out every now and then to think about it some more. And I was wondering, that led me to a second question.

Dr. Kukor Even if I don't have a great definition of it, how can I know when I'm striving? How can I know when I am moving in the right direction? The specialty guidelines still tell us, but I began to wonder if it might be useful to think about an analogy. Physically striving. So, for example, how do you know when you for for the runners in their audience, when you've run farther and faster than you ever have before?

Dr. Kukor How do you know it? When they're at the gym and you're doing more? If you're doing strength training, more repetitions of a higher weight? Well, the answer is our body tells us you generally feel it. I don't know about everybody else. I sure feel it the next day when I'm thinking, oh, why did

I do that? I feel awful today, but our muscles tell us are sweat tells us when we are striving and working.

Dr. Kukor And I thought maybe there's something of value there. Maybe, maybe if I'm breaking a sweat on a new set of knowledge, on a new competency I'm developing on us, something, a novel way of doing something that I've never done before. That takes work, that takes effort. And I'm going to feel that in some way, so that if something has become too familiar and it allows me to coast without exerting effort, I have to wonder if I'm really striving.

Dr. Kukor That's how I got interested in the topic. In terms of the particular paper, which I was a coauthor with Julie Goals and Center, and Stan Brodsky, who were fantastic to work with. Julie had actually reached out to me. She had attended a, a workshop I gave on forensic mistakes and what we can learn from them. And Julie and I struck up a kind of a professional relationship that has evolved into a friendship.

Dr. Kukor And she and Stan at that time were working on a paper that they wanted to focus on, forensic virtuosity, which sounded really intriguing to me. And one of the things that they wanted a fresh perspective on is I think they both felt that keeping that focus and keeping that in the title really came across as arrogant. Were the virtuosos we're going to describe to the rest of you how to become a virtuoso when we didn't want that at all, and with a lot of discussion with Julie and Stan, we decided to take the emphasis off the person and put it more on the process, which that made a very nice landing spot for me and

Dr. Kukor some of my thinking on what it means to strive. And that's how I got interested and involved in that particular writing project.

Dr. Guyton That's a great group of people to start throwing ideas around with, and both Stan and Julie have appeared on the podcast before, and so I love the idea of the three of you kind of rolling these ideas around in your respective heads and coming up with this paper. I just, you know, and I think it's laughable, really, to think about Stan and Julie being arrogant because they're both such humble people who give so much of their expertise away and are just such humble people in their presentation style.

Dr. Guyton So I suspect maybe some people might have thought virtuoso sounded arrogant, but I know it was. With the three of you. It was certainly grounded and and science and good practice it was.

Dr. Kukor And I have to add, there's a lot to be said for, a creative process that indulges playing with ideas and really expanding them, stretching them, turning them upside down, looking at them from different points of view that, I think the result with the three of us achieving some synergy was really, quite something and, very invigorating for me to be a part of.

Dr. Millkey The intellectual playfulness is one of the things that seems like a lot of the greats have you, you know, it's just as you mentioned this, it's interesting to me because you talked about starting in a place of wondering what makes a person a virtuoso, but I think where you ended up was instead of talking about virtuosity, talking about virtues, like sort of the virtues that, are things that a forensic clinician should concentrate on in order to be the best version of an evaluator that they can be.

Dr. Millkey And and then your article with Julie and Stan, you talk about there being four qualities to think about intellectual qualities, dispositional qualities, interpersonal qualities, and practical skills. And if you don't mind me being linear in my thinking, I wonder if we could just start with you talking about the knowledge and skills that you and Julie and Stan discuss in your article together.

Dr. Kukor Sure. Knowledge and skill, I think, particularly, for all of us that went through doctoral programs. When you think back about the things that you learned in graduate school and how, relevant and useful they are still to this day, maybe if you were in graduate school, last year or the year before that, or within the last 4 to 5 years.

Dr. Kukor Pretty on point. But for the rest of us, dinosaurs, much less so. So it raised the question about what is our ethical obligation to maintain competencies. And that's that's another matter of striving. You know, when I think about the things I know now that I was never taught in graduate school, that's what we had in mind. And that that dovetails, I think, with one of the personal attributes, Alex, about humility, about recognizing what you don't know when you hear somebody else talking about it and think, I don't know anything about that.

Dr. Kukor Add to indulge your own curiosity about it. If it's in an area in which you practice, there's an opportunity to strive and to get better, to become more complete, to function at, at a higher level. So I appreciate your linearity, but, these things are kind of recursive. They fall back on themselves in that way too. At least with those two, examples.

Dr. Guyton You know, I, I'm thinking about all the things that I don't know that have come up since graduate school ended for me some time ago, and how much that is, and how much that does continue to evolve. And I think another sort of personal characteristic that relates to that is sort of this openness, this acknowledgment, you know, the humility of acknowledging, I don't know, something and then being open to learning, to being taught, to being vulnerable to I recognize that you still are an expert, but maybe you don't know a whole lot about AI.

Dr. Guyton For example, which is an area you know, is kind of coming up as something that forensic folks need to know about and learn about. And, you know, ideally at a recent RFP meeting, we had a lovely presentation by some psychologists about this, and I was sitting in the back with just like my eyes wide open, thinking like, this is is like another language that these people are speaking to me, and yet I need to know it.

Dr. Guyton Right? Because it's going to come up. It's going to come up in lots of ways that I can anticipate and not anticipate, and that's part of our competencies. Even if I'm not going to use AI to do this work in any kind of way, but still know about it, or it may come up as a feature of a case that we're working on or something like that.

Dr. Guyton And there's just just this openness to that learning over time and, and ways that we can anticipate and perhaps not anticipate.

Dr. Kukor That's a really good way to put that. Michelle. And, I, I, I go back to the Latin roots of the word humility. It comes from the Latin word humiliates, which means low load of you. And I take that to mean that particularly those of us that do forensic evaluations, I think it means staying at or beneath the limits of the data that we have, while also humbly acknowledging the limitations of the data that we have.

Dr. Kukor I've had a couple I can think of one report in particular where my my statement about caveats and limitations was just as long as the rest of my report where I had to confess here, the things that I don't know that I wish I did about this case, that impose some some limits, and I think it's, it's not easy to say, I don't know when you have been acknowledged as an expert, either by a court or by your peers.

Dr. Kukor You know, I, I think that that's one of those growth areas that you can still be very confident in what you do, but yet not have to know everything and not have to pretend that you do.

Dr. Guyton Yeah. And I actually find it as I get older in my practice and more experience, that it is easier to say, I don't know or, you know, to to sort of confidently feel that that's an okay thing. I think earlier in my practice where maybe I was, you know, not feeling so expert or feeling like I if people wanted me to come to an opinion that I needed to do it.

Dr. Guyton And, you know, now I feel like I can shrug a lot and say, yeah, I don't have sufficient data to come to an opinion one way or the other. Here's what I need to be able to do. So whether that's, you know, another interview or additional records or things like that. Right. But I feel like that's something that can come with age, but also with that openness of here's what I know, here's what I don't know, here's what I need to know in order to to come to an opinion in this particular case.

Dr. Kukor Yes. And I like to tell people, you don't have to have an opinion, but you if you don't, you better have an explanation. You better be able to explain why you don't have, an opinion. I can think, I give you a concrete example of all the complications that, methamphetamine use has brought to criminal responsibility or sanity evaluations.

Dr. Kukor And I have written more than once that the person was psychotic at the time of an offense that they're charged with, but I wasn't sure why. I wasn't sure if it was due to a preexisting mental illness. The influence of methamphetamine, or some combination of those things. And sometimes I think we are we feel that we want to eliminate all uncertainty, but yet we can't.

Dr. Kukor Sometimes we can't. And I think our goal ought to be to identify those areas about which, where uncertain, try and then identify some steps that we can take to reduce the uncertainty and say as much as we can, while still staying beneath the limits of the data that we have.

Dr. Millkey That is a personally resonant example that you get, Terry, because I just yesterday wrote a report basically saying that. So I get these math, I don't know, this could be could be this could be that was the data I have. I don't think this is a question that can be answered.

Dr. Kukor Yeah. And it's it's tough, Alex, that there's there's quite a literature. I was just reviewing some of that today for another presentation that I'm involved with about how we manage meth related complications in both competency and sanity cases. And I think staying on top of that literature, knowing, trying to understand what is known about phenomenological differences and symptomatic presentations between

schizophrenia for example, and chronic Matthews the literature can guide us only so far, and I hope we know more next year than we know today.

Dr. Kukor But staying on top of that literature is a really important, I think, aspect of what you mentioned, Michel, in terms of humility.

Dr. Guyton Well, it may be we'll just have to have you back to talk about all things methamphetamine psychosis. After you pulled all of that together.

Dr. Kukor Well, I, I decided to pull it together for myself because I was just I felt kind of under water and uncertainty on those cases. And I really wanted to be guided by meta analytic studies that were current in terms of what we know and what we can say with some confidence. So I did it more out of self-preservation nation, because so many of the what in Ohio we call sanity cases have methamphetamine complications.

Dr. Kukor And I just wanted to bring that uncertainty down as much as I reasonably could.

Dr. Millkey I feel like right now, instead of talking about dispositional characteristics, you're embodying them. Terry, right? No. Like you're here, you're on a podcast, you're saying clickers things. I don't know how. I don't know it. I try to find it out. And that's. That is exactly, isn't that exactly what you talk about in the article?

Dr. Kukor Well, I thank you. I, I hope so. I sometimes jokingly like to tell people you'd be surprised what I don't know. And if it seems like I know a lot, it's just because I've probably made more mistakes than you have, and I've paid attention when I've made them try and learn something from them.

Dr. Millkey There's a physicist. I can't remember his name, but I know he was a physicist. And what he said was that as the islands of knowledge grows, so does the shoreline of ignorance.

Dr. Kukor Beautiful. I wish I could write like that.

Dr. Guyton That's fantastic.

Dr. Millkey You wrote in your article that people need to focus on for aspirational practice or interpersonal qualities. And you also said that there was

some controversy around this, and I'm wondering if you could if you could delve into that.

Dr. Kukor Yeah, I think there, I mean, there there are a number of things that come to mind, like curiosity that I think should go hand in hand with tolerance of ambiguity, and what reasonable steps can be taken to indulge curiosity, while not again trying, thinking that you can slay completely ambiguity. Being able to tolerate some of that is a dispositional characteristic.

Dr. Kukor It's tough that in my experience with post-docs, for example, I've learned the hard way too early on when talking about a case, have a conversation about the aspects of the case about which somebody feels most uncertain. That is a profoundly uncomfortable question for a trainee often to uphold. And I have found that if tolerance cannot be learned for that, sometimes it's, it's managed by fleeing into certainty.

Dr. Kukor So when, Herbert Simon, for example, back in the 50s, an economist coined the term satisficing. What he was talking about was settling for the first good enough explanation, even though it wasn't optimally consistent with all of the data. But it was good enough. And I've seen and I've done it myself on cases, settling for that first good enough explanation, because it reduces that discomfort that is associated with uncertain intake.

Dr. Kukor So rather than fleeing from it, I have tried to both and tried to teach the value of making friends with uncertainty. Maybe not best friends, but certainly, to to not see it as an enemy, but to see it as something that can be held and explored and hopefully minimized. I think the hard part about the dispositional aspects of aspirational forensic practice are, you know, how do you teach somebody to be curious, for example, how do you teach somebody to be humble?

Dr. Kukor Sure, there's a role for some modeling in that, but I often don't know how those things are as teachable as something like critical thinking, which is which is really not dispositional, but it's more of a skill set that can be taught and learned and practiced and improved upon.

Dr. Millkey It's I don't know the answer to that. Let's see there I am demonstrating my comfort with not knowing, but it is. I mean, I can think in my own, in my own life and my own development as a not just as a clinician, but as a human being. I think having, people who mentored me and were able to model these and eventually I was able to interject them, but there

may be some people who just can't get there to I don't know how to engage in instruction with folks like that.

Dr. Kukor I'm not sure either. Alex, and I too have had some mentors that, that did that for me. I hope to become more and more like them with each passing day. But I'm also reminded of what, this was a guy that I read in graduate school in New York, psychoanalyst Sheldon Karp, that famously said, if you have a hero, look, again, you may have diminished yourself in some way.

Dr. Kukor And I think about that, that it's it's a great thing to have a hero, but not if that means you can't begin to see some of that hero in you. And when you mentioned interjecting your heroes, I think finding a way to carry them forward into doubt and uncertainty is a is a wonderful kind of metaphor in a way that both respects them and yourself.

Dr. Guyton You know, another feature that you talk about in the paper is these interpersonal characteristics. And you talk a little bit about empathy, cognitive affective empathy. How does that sort of relate to our aspirational practice?

Dr. Kukor Empathy is such an interesting topic in the context of forensic mental health assessment. I think there's been some really interesting research come out of, Sam Houston on that topic. I think the risk is that we certainly don't want to imply, I'm here to help by, a not have had a artfully timed, or tell me more as a way to express interest.

Dr. Kukor We don't want those things to be misunderstood. That's on one hand. On the other hand, of course, we're interested in maximizing the kind of engagement we have with people so that there's an environment that's been shaped in which accurate self-disclosure can be done. Does everybody do that? Of course not. But I think we want to create the possibility for that to occur.

Dr. Kukor You know, trauma I think is a good example. And I've, I've learned this from, Julian in multiple ways that, it's not unusual in the context of a forensic evaluation when you're inquiring about trauma for somebody to say, nobody's ever asked me about that before. Nobody's ever asked me to explain that. And again, what you hear in the answer may or may not be relevant data to the legal question you're trying to address, but you can't know until you ask.

Dr. Kukor So I think being mindful about how do I promote engagement without trying to imply that I'm here to help somebody is tricky, and it takes a lot of, very deliberate, mindful thinking about how far you want to go and what the limits of that are. I, I'm reminded about a, a study that I had read in the context of forensic mental health assessment that found that examiners that try to extend some empathy, actually, that have more impact on them than it did on the person that they were evaluating.

Dr. Kukor And, that's a fascinating finding. And to me, it suggests if our interest is and is fully and completely understanding somebody, as it pertains to the forensic question under consideration, if that's what we're after. Sure. We we want to do that. We don't want to become jaded, cynical, calloused, to the point that we're acting more as an AI infused automaton than a human being in a difficult, complex conversation with another human, then.

Dr. Guyton Absolutely, absolutely. And I think, you know, the research also shows that we tend to be more empathic towards people who are like us in some obvious ways. Right? And so we have to think about who we are, extending our empathic responses to maybe that affective empathy. But at the other end as well, you know, our ethical principles are clear about avoiding harm and to to act in a callous manner and the sake of being impartial.

Dr. Guyton When someone is telling you about very difficult things can risk harm. So I agree with you that this line of that we walk between being, you know, being a forensic evaluator who is impartial and gathering data, but also a human being who is being, you know, open and responsive to a a difficult to complex communication is going to look different each time that we work with somebody because, you know, that person's going to be different and their situation is different.

Dr. Kukor Yes. And, I'll tell you, if I may, a quick story about, the power, the words that we use, I was doing a, an evaluation in for probate court regarding somebody's need for a guardian. And this was a person that was wheelchair bound, living in a second story. Second story of a duplex with no elevator.

Dr. Kukor So this person was completely dependent upon the goodwill of others to do things for her. And I was told that, she had basically burned every single bridge that she had with family members and concerned neighbors because she was just so caustic with them all the time. So I

made arrangements to go see her in her apartment, and I knocked on the door.

Dr. Kukor She opened it, and I said, I spoke with you earlier in the phone. I'm here to to have a chat with you. And she invited me in and I said, my name is Doctor Cooker. And she became enraged instantaneously and started trying to ram me out for still open door with her wheelchair. So I said, okay, okay, okay, I'm leaving, I'm leaving.

Dr. Kukor I called her the next day and I said, I'm really not quite sure what happened, but I'm sorry if I said something that got you mad. I don't know what it is, what happened? And she explained that when I introduced myself as Doctor Cooker, she assumed I was there to give her a shot, which I wasn't right. It never occurred to me that that's how somebody might take that.

Dr. Kukor All right, lesson learned. I went back and I said, no shots. It's just you and me were just talking. That's all we're going to do. And went on to explain the rest of the purpose of the evaluation. But it was kind of a humbling kind of example of how somebody can take even a single word. And it wasn't even a word.

Dr. Kukor It was an abbreviation and took that to mean something that I hadn't intended at all.

Dr. Millkey And in your article, you, you talked about the three of you considered the impediments to practicing at the highest level, and I wonder if you could point that you could walk us through those.

Dr. Kukor Or should I even start with that? There's there's just so many things. One, I think, you know, we've already talked a bit about some of the challenges that are about balancing humility and confidence that, that, that can raise. I think there are issues related to the culture in which you work. For example, if you're working in an environment that prizes efficiency and you have productivity quotas, you start to think about your reports and the time you spend on them numerically and quantitatively, rather than qualitatively.

Dr. Kukor That can be an impediment. I think that there can be organizations, or organizational pressures that in the forms of them not being trauma informed in terms of the vicarious trauma or secondary traumatic stress, that can happen when I've just seen a gruesome crime scene video I kind of wish I hadn't seen it. And I've got to think about that.

Dr. Kukor If I've got an intern or a postdoc with me, that might not have the same kind of professional callousness built up for some of that material that I may have, that takes more time. So there's a variety of organizational, challenges as well. I think on the personal side, there is making sure that I've got my ducks as best I can being in a role, and that I'm not allowing emotional reactions that get evoked, whether they're antagonistic, like, I'm, I start to think about somebody as a murderer rather than as somebody charged with murder, or if somebody is accused of doing horrific things to children, that as a father myself, that I'm overly

Dr. Kukor identifying with the victims. There's there's so many ways in which what we can bring in terms of either unprocessed emotional material or even pastoral, not that we have experience that might lead us to not ask those five follow up questions that ought to be asked, but I'm not asking them because they're making me so uncomfortable. So there's there's a host of things I think that can keep us away from practicing at that highest level.

Dr. Guyton Well, Terry, you know, I think we could spend the rest of this session talking with you about aspirational practice and selfishly, me sucking all of that into, you know, in order for me to become an increasingly better clinician over time. But I will just take some time and go read your article in more depth. But maybe we could shift to a related topic, potentially, which is that of consultation.

Dr. Guyton Because you and your fabulous colleagues, Julie Golden San and Stephen Brodsky, have also published in 2025 a paper on consultation and forensic mental health practice that is in the Professional Psychology Research and Practice Journal. And I'm wondering if you might just tell us, you know, maybe it's our Uber basic question here, but what do you what do you mean, consultation?

Dr. Guyton When you think about consultation and forensic practice?

Dr. Kukor Well, Sam Brodsky and I both share a love of, Latin roots of language. And we started the article with that. That, consultation comes from the Latin word Cancellara, which means to take counsel or to deliberate or to think together. So at its core, it's taking something that you are thinking about or puzzled by or uncertain about getting it out of your head, putting it into an interpersonal context with somebody that you've got reason to trust, either because you know them personally or

because they have, a professional competency, in an area and might know more about it than, than you do.

Dr. Kukor So I, I'd say that's probably boiling it down to its fundamentals.

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