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Chandler Exterminators v. Morris (1992)

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Definition

The testimony of neuropsychologists is commonly challenged by defense attorneys in cases relating to inferences of subtle brain changes associated with neurotoxic brain injury. In the case of *Schudel v. General Electric* (1995), plaintiffs accepted neuropsychological evidence for brain damage caused by organic solvents and polychlorinated biphenyls (PCBs). However, the federal appeals court from the Ninth Circuit ruled that neuropsychological testimony is limited only to damages and cannot determine physical causation. The court opined that determination of causation is relegated to medical doctors (MDs) or left to the discretion of the jury to make connections between neurocognitive deficits presented and exposure to toxins. In the case of *Chandler Exterminators v. Morris* (1992), the Georgia Supreme Court ruled in favor of the trial court's

decision to prohibit neuropsychological testimony that proposed a link between neurotoxicants and impaired neuropsychological test scores. In response to this case, Georgia legislature wrote a new law permitting neuropsychologists to provide testimony related to causation of brain injuries in Georgia. Challenges to specific neuropsychological tests and test batteries occur with some degree of frequency, and they should be taken seriously by all parties involved, especially neuropsychologists. These types of challenges question the scientific basis of one or more of the expert's methods, measures, or conclusions. Challenges to specific methods are brought under *Frye v. United States* (1923) and *Daubert v. Merrell Dow* (1993) rulings.

Cross-References

► [Daubert v. Merrell Dow](#)

References and Readings

Chandler Exterminators Inc. v. Morris, 200 Ga. App. 816 (1992).
Schudel v. General Electric, 120 F. 3d 991 (1995).