

1 order or the individual raises other issues during
2 my interview, such as testamentary capacity, I may
3 ask those questions at that time as well.

4 Q. So in that evaluation of Mr. Sullivant in
5 January, did you make those determinations or
6 evaluations on testamentary capacity then?

7 A. I did.

8 Q. And what was your opinion about his
9 testamentary capacity?

10 A. That at that time he did -- he did retain
11 the capacity to form testament.

12 Q. And what were the reasons that you went
13 into that with Mr. Sullivant, Sr.?

14 A. So from a forensic psychiatric standpoint,
15 which is where mental health and the law interact,
16 where we have been trained and where I have been
17 taught is the things that we pay attention to is due
18 to mental illness or dementia or any cognitive
19 impairment is there an impairment in the ability to
20 know who ones natural heirs are, what the assets
21 that they hold are, what would happen without a will
22 in place, and who they want to formulate the will.

23 It is less important about the why that
24 they want to formulate the will, as long as they
25 don't have a psychotic disorder that would make
26 their reasonings outside of reality.

27 So it is most important that they have the
28 capacity to know the facts of what a testament or a
29 will would be, and then have -- do they have the