

Expert Psychological Testimony

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Abstract

Psychologists serve as expert witnesses in criminal and civil cases and testify about a wide range of clinical, cognitive, developmental, industrial-organizational, biological, and social psychological topics. We review the topics about which psychologists offer testimony, the rules governing the admissibility of expert testimony, and contemporary research on expert testimony. With respect to the latter, we review research concerning the need for, appropriateness of, and effect of expert testimony. We discuss research pertaining to admissibility issues, including the effect of changes in admissibility criteria on admissibility decisions and judge and juror sensitivity to the quality of scientific psychological research. Because judges and jurors lack sensitivity to variations in expert evidence quality and common safeguards do not appear to increase sensitivity to research flaws, additional research is needed to identify methods of assisting fact finders who must evaluate expert testimony.

Keywords

expert testimony, psychology and law, forensic psychology

Expert psychological testimony refers to the offering of expert psychological knowledge and opinions in court hearings and trials. The range of expert domains in which psychologists testify is vast. Clinical psychologists testify about past and present mental states that arise in cases in which competence (e.g., competence to stand trial, to consent to treatment, to share parenting responsibilities) is questioned, risk to oneself or to others must be assessed, the insanity defense is raised, or disabilities or damages must be assessed. Neuropsychologists testify about assessment and treatment of traumatic brain injury in cases involving injury assessment. Social and cognitive psychologists testify in court about such issues as the reliability of and factors affecting eyewitness memory and the impact of pre-trial publicity on jury decision making. Developmental psychologists testify about memory and suggestibility of child witnesses. Industrial and organizational psychologists testify about adverse impact in employment discrimination cases and hostile work environments in sexual harassment cases. The purpose of this article is to provide an overview of the wide range of issues associated with expert psychological testimony and to provide examples of the empirical research addressing these issues.

Psychologists who testify as experts are normally retained by a party to the case (plaintiff, prosecution, defense), but sometimes the judge, rather than one of the adversaries in the case, appoints the expert. In all cases, the expert's role is to provide assistance to the triers of fact—either the judge or a

jury—in the form of an opinion based on some type of specialized knowledge, education, or training. Prior to testifying in court, the expert may have been required to submit a report for review by both parties and the judge and may have testified under oath in a less formal setting to inform the parties of the expert's conclusions and opinions (i.e., deposed). If admissibility of the expert testimony is challenged, the psychologist might testify in an admissibility hearing and thus preview the proffered testimony for the judge who must make an admissibility decision. After a hearing to establish his or her qualifications to testify as an expert witness, the expert testifies under oath in response to questions on direct and cross-examination and may also take questions from the judge.

Some forms of expert testimony allow the expert to give an opinion about a party to the case. For example, a forensic clinical psychologist may offer an opinion about whether a defendant is competent to stand trial. In other expert domains, the expert's sole responsibility is to educate the judge and jury about the content area and is not expected or sometimes not

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Psychological Evaluations And Expert Testimony

Daniela Niemeyer



Psychological Evaluations And Expert Testimony:

Psychological Evaluations And Expert Testimony: Bestsellers in 2023 The year 2023 has witnessed a remarkable surge in literary brilliance, with numerous compelling novels captivating the hearts of readers worldwide. Lets delve into the realm of top-selling books, exploring the fascinating narratives that have captivated audiences this year. Psychological Evaluations And Expert Testimony : Colleen Hoover's "It Ends with Us" This heartfelt tale of love, loss, and resilience has captivated readers with its raw and emotional exploration of domestic abuse. Hoover masterfully weaves a story of hope and healing, reminding us that even in the darkest of times, the human spirit can prevail. Uncover the Best : Taylor Jenkins Reids "The Seven Husbands of Evelyn Hugo" This captivating historical fiction novel unravels the life of Evelyn Hugo, a Hollywood icon who defies expectations and societal norms to pursue her dreams. Reids captivating storytelling and compelling characters transport readers to a bygone era, immersing them in a world of glamour, ambition, and self-discovery. Psychological Evaluations And Expert Testimony : Delia Owens "Where the Crawdads Sing" This captivating coming-of-age story follows Kya Clark, a young woman who grows up alone in the marshes of North Carolina. Owens crafts a tale of resilience, survival, and the transformative power of nature, captivating readers with its evocative prose and mesmerizing setting. These popular novels represent just a fraction of the literary treasures that have emerged in 2023. Whether you seek tales of romance, adventure, or personal growth, the world of literature offers an abundance of compelling stories waiting to be discovered. The novel begins with Richard Papen, a bright but troubled young man, arriving at Hampden College. Richard is immediately drawn to the group of students who call themselves the Classics Club. The club is led by Henry Winter, a brilliant and charismatic young man. Henry is obsessed with Greek mythology and philosophy, and he quickly draws Richard into his world. The other members of the Classics Club are equally as fascinating. Bunny Corcoran is a wealthy and spoiled young man who is always looking for a good time. Charles Tavis is a quiet and reserved young man who is deeply in love with Henry. Camilla Macaulay is a beautiful and intelligent young woman who is drawn to the power and danger of the Classics Club. The students are all deeply in love with Morrow, and they are willing to do anything to please him. Morrow is a complex and mysterious figure, and he seems to be manipulating the students for his own purposes. As the students become more involved with Morrow, they begin to commit increasingly dangerous acts. The Secret History is a masterful and gripping novel that will keep you wondering until the very end. The novel is a cautionary tale about the dangers of obsession and the power of evil.

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