

MISTAKES WERE MADE: LEARNING FROM BLUNDERS IN FORENSIC PRACTICE

PRESENTATION AT THE SVPA CONFERENCE

05.17.24

MICHELLE DEUBERT, PYSD
SHARON HOWARD, PHD
ELIZABETH MADSEN, ESQ.

INTRODUCTIONS

TYPOS

- Why legally problematic?
- Ways to avoid:
 - (1) Checklists
 - (2) Multiple edits by multiple methods
 - (3) Use of text to speech
- Ways to fix



OVERREACHING/OVER GENERALIZING IN REPORT

- Why legally problematic
- Incriminating/prejudicial statements
- Ways to correct within the same case?

TESTING ERRORS

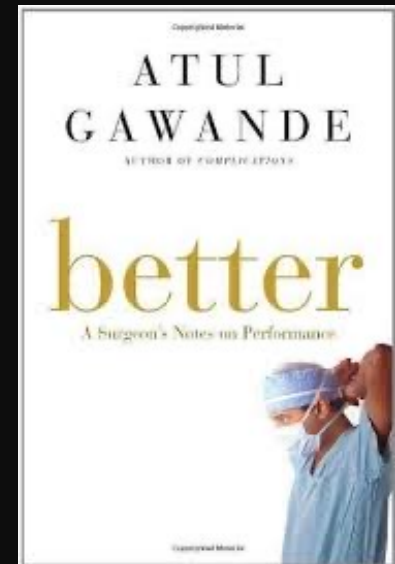
- The need for objective testing
- The art and science of selecting tests
- Interpreting tests
- Example of a mis-scored IQ test

ATTORNEY-DOCTOR RELATIONSHIPS

- Need for attorneys to ask questions; explain the case law
- Records—who controls?
- Boundaries

TESTIMONY

- * Experts are in court to answer questions, evidence is built brick by brick
- * Stress of testifying
- * Practice, prep, debrief



WORKING CROSS CULTURALLY

- Use of interpreters
- Cultural context
- * Testing issues

BUSINESS ISSUES

- Example of Placer brown bag lunches with the mental health judge
- Networking with other psychologists
- Get funding in writing prior to testimony

WAYS TO PREVENT MISTAKES

- * Communicate with attorney & court
- * Use checklists
- * Multiple edits before submission
- * Seek consultation from peers or experts
- * Ongoing training
- * Humility

WAYS TO REMEDIATE

- * Consult with attorneys and court
- * Peer and legal consultation
- * Submit an addendum or letter, if necessary
- * Honesty in testimony

Michelle Deubert, PysD
mmdeubert@gmail.com
(916)469-5803

Sharon Howard, PhD
Sharonphoward@hushmail.com
(916) 251-6587

Elizabeth Madsen, Esq.
(916)644-1159
emadsen@placerpublicdefender.com