



## Jurisprudence Section - 2015

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### **F44 Interpreting Gobbledygook — What Lawyers and Forensic Scientists Can Do to Communicate Clearly About Scientific Evidence to a Jury**

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After attending this presentation, attendees will understand the challenges that lawyers and forensic scientists face in trying to effectively communicate scientific evidence to a jury. Attendees will learn what works and does not work when communicating about scientific evidence and will receive practical suggestions as to the most effective means of communicating scientific evidence to a jury.

This presentation will impact the forensic science community by facilitating a discussion on what needs to be done by both lawyers and forensic scientists to increase the effectiveness of forensic science communication to a jury. This will enable juries to be able to use the evidence in a meaningful manner and will promote more informed results.

Lawyers and forensic scientists have all been told how juries give science in the courtroom a great deal of weight. Judges also place great weight on science. Science can be a very powerful tool in a court case; however, to best utilize this tool effectively, both lawyers and forensic scientists must be able to communicate about the science in an effective manner. Lawyers and forensic scientists each face challenges to ensure that the science is communicated clearly in the courtroom setting.

If a lawyer presenting a forensic scientist witness does not understand the language being used by the witness, the lawyer is not going to be able to ensure that the jury is understanding the witness' message. In addition, if a lawyer is cross-examining a forensic scientist witness and does not understand the language being used by the witness, the lawyer is not going to be able properly cross-examine the witness. To properly allow a witness to communicate scientific information, the lawyer must understand the information. The lawyer must be able to clearly communicate the scientific language and work to make sure the jury understands that language.

A forensic scientist's role in the courtroom is to clearly communicate how his or her testing was conducted and the results of his or her testing. Most forensic scientists could easily explain his or her process and results to other scientists without any issues; however, in court, the forensic scientist is not explaining the process and results to other scientists — the forensic scientist is explaining it to a jury. To complicate this further, the forensic scientist does not get to just get up and speak. He or she must answer the questions of the lawyers. This can be a very awkward manner in which to communicate information and often, due to this awkward manner of communication, a forensic scientist is not able to clearly communicate.

Forensic science has an important role in our justice system. This presentation will address what lawyers and forensic scientists need to do to ensure that the information is presented in an understandable manner so it can be used in the most effective way within the courtroom.

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#### **Language, Scientific Evidence, Jury**