



W22 “All Rise”: Successfully Navigating the Judicial System as an Expert Witness

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Learning Overview: After attending this workshop, attendees will be well-versed in the decorum, procedures, expectations, and environment of a modern United States courtroom through active participation in the process.

Impact on the Forensic Science Community: This presentation will impact the forensic science community by offering real-world experience in expert testimony in an environment conducive to productive learning without the stress of an actual trial.

Forensic scientists are trained in the techniques, theory, history, and standards associated with their particular discipline. Often lacking, however, is training in the application of those skills to the courtroom setting and, in particular, the presentation of expert testimony. A forensic expert’s ability to effectively communicate in a courtroom setting is vital if that expert is going to make meaningful contributions to the justice system.

This workshop seeks to improve courtroom communication skills by providing a combination of lectures and hands-on learning that will introduce the basic foundations of the United States court system, the roles of the participants, the types of pre-trial and trial processes that occur, and the opportunity for attendees to practice testifying in a true-to-life courtroom environment with case-based scenarios.

Discussion will include the structure of the judicial system and the expert’s role in it. This brief introduction will be followed by a number of different legal proceedings that may be encountered by an expert witness. Pretrial hearings (such as *Daubert* hearings) and trial testimony are among the topics that will be explored. This workshop will be set up as a traditional courtroom with a judge, jury, court reporter, clerk of the court, and bailiff. Two experienced attorneys will perform direct and cross-examination derived from real-life scenarios. The attorneys will demonstrate common techniques used in court, such as focused direct examination, impeachment based on prior statements, personal interests or biases, and detailed cross-examination about the limitations of the discipline or analysis. Time permitting, the judge and jury will be allowed to ask questions as well (as occurs in many jurisdictions). The cases will all be criminal cases in order to provide the most commonly encountered scenarios in forensic science practice.

The goal of this workshop is to provide as many attendees as possible with a real-life courtroom experience. To that end, registrants will be selected to participate in the “trials,” “hearings,” and other legal proceedings. The jury will be peopled with registrants as well in order to provide real-time feedback, critique, and suggestions. All attendees will be actively engaged in the process in some way, with the end result that all will feel more comfortable and familiar with the courtroom. This workshop is geared toward scientists who have not yet testified, those that have limited experience, and those that have a lot of time at the Bar (the Bar, not the bar ...). This mix of experience will benefit all attendees and provide active, engaging interactions.

Expert Witness, Judicial System, Testimony