

# Forensic Psychology Essentials

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# Agenda

- Why involve a forensic psychologist?
- What makes for a good forensic psychologist?
- How can one get a qualified psychologist?
- How can one get a good examination?
- What are characteristics of good examinations?
- What are characteristics of good reports and testimony?

# Why Involve a Forensic Psychologist?

- Litigating a complicated legal matter in which some aspect of the person's emotional, behavioral, or cognitive functioning is relevant
- Using his/her specialized knowledge, the psychologist can help the attorney, judge and jury better understand how the person's functioning affected the psycholegal matter in dispute

# What Makes for a Good Forensic Psychologist?

- Knowledge
  - Legal system (substantive law of case at hand, rules of evidence, rules of procedure)
  - Clinical matters in case at hand
  - How forensic practice differs from therapeutic work
- Skills
  - Assessment
  - Presentation of work and opinions (report writing and testimony)

# How to Hire a Good Psychologist

- Ask your colleagues
- Interview the psychologist
  - Knowledge of the legal issue and the law
  - Knowledge of the relevant clinical matters
  - Evaluation approach and information sources
  - Experience in court and in these matter specifically
- Ask for and review a report summarizing an evaluation the psychologist completed

# How to Hire a Good Psychologist

- Licensure
- Board Certification
  - American Board of Forensic Psychology  
([www.abfp.com](http://www.abfp.com))
  - American Board of Professional Psychology  
([www.abpp.org](http://www.abpp.org))

# What Happens When You Do Not Practice Due Diligence

## **Tampa man charged with faking credentials, testifying for the accused in child sex cases**



BY Dan Sullivan, Tony Marrero, Tampa Bay Times staff writers September 22, 2016 1:38 pm  
<http://www.tampabay.com/news/publicsafety/crime/tampa-man-faces-charges-he-pretended-to-be-expert-court-witness/2294771>

# How to Get a Good Examination

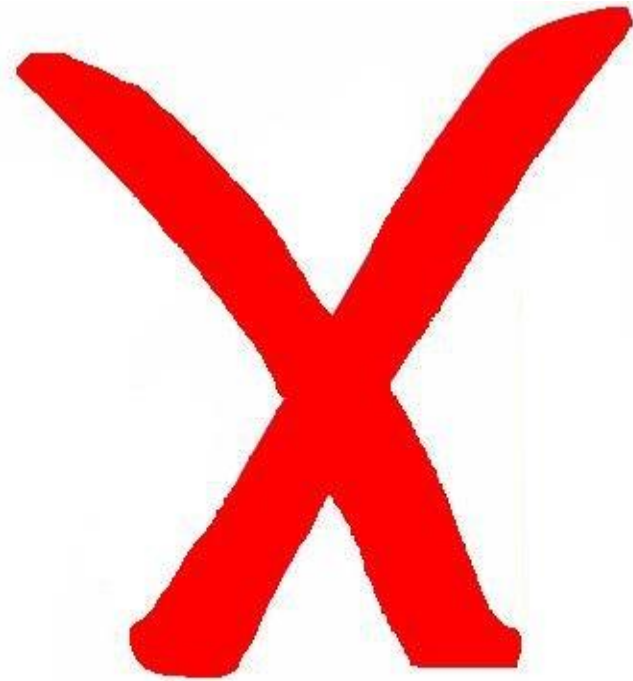
- Get a qualified psychologist
- Be as specific as possible with your referral question(s)
- Obtain and provide collateral information you consider important and that the psychologist also identifies as important



# How to Get a Good Examination

- Consider sitting in on or recording the examination conducted by the expert you retain (or opposing counsel retains)
  - The law may or may not permit this
  - There will often be resistance to this, particularly when the psychologist is administering psychological testing

# Characteristics of Good Evaluations, Reports & Testimony



# Good Evaluations

- Are focused on the psycholegal issue in dispute
- Include multiple sources of information and rely on more than the self-report of the examinee/litigant
- Only employ tests that assess relevant abilities or functioning
- Incorporate an approach whereby the examiner seeks data then confirm and disconfirm preconceived notions and hypotheses

# Good Reports/Testimony

- Describe when and where the evaluation took place
- Identify how long the examiner spent with the examinee
- Identify all sources of information provided, obtained and considered, along with all sources of information that were sought but not available

# Good Reports/Testimony

- Only include relevant data
- Identify the source of information for any important data that are offered as facts
- Richly describe relevant aspects of the examinee's history and current physical, emotional, behavioral, and cognitive functioning
- Richly describe how any of the above is relevant to the psycholegal issue in dispute

# Good Reports/Testimony

- Exclude medical or mental health jargon, or explain it, *e.g.*,
  - Do not provide medication names without purposes
  - Do not provide diagnoses without listing symptoms
  - Do not list tests without describing functions
- “Discomplicate” complicated matters

# Good Reports/Testimony

- Only include expert opinions, *i.e.*, opinions based on specialized knowledge, training or experience
- Provide the factual basis for any opinions that are offered
- Provide data that are contrary to or inconsistent with one's opinions
- Make the psychologist's reasoning and logic obvious

# A Report Checklist

- Time spent with the examinee is reported
- Psycholegal question is referenced
- Sources of information are adequate
- Factual basis for all important opinions is provided
- Jargon is either absent or explained
- Reasoning is explicit and transparent
- All opinions are truly expert opinions
- Data that are contrary to opinions are included



# Questions?