

Richard L. Wiener  
Brian H. Bornstein *Editors*

# Handbook of Trial Consulting



Springer

# Handbook Of Trial Consulting Handbook Of Trial Consulting

**AN Whitehead**



## **Handbook Of Trial Consulting Handbook Of Trial Consulting:**

*Handbook of Trial Consulting* Richard L. Wiener, Brian H. Bornstein, 2011-05-06 This volume will be a handbook that treats trial consulting as applied psychology. The purpose of the volume will be to collect the viewpoints of leaders in the field of psychology and law who apply the discipline's theoretical models, methods, and ethics to assist litigators to try cases in the most effective way possible. As a whole, the collection of chapters will describe the theory, business, and mechanics of trial consulting for those interested in learning and practicing the profession. However, it will do so from the perspective of organized theories of jury decision making. In other words, the work of juror researchers will inform the recommendations and suggestions in the handbook. The volume consists of six sections, each pertaining to a different topic. Multiple chapters with different authors will cover each topic. The topics and corresponding seven sections will be: 1. An Introduction to the Theory and Psychology of Jury Decision Making; 2. Applied Research Methodologies for Trial Consultants; 3. Education and Ethical Considerations for Trial Consultants; 4. Preparing and Cross Examining Witnesses; 5. Technology and Demonstrative Evidence at Trial; and 6. Special Topics in Trial Consulting. Each section will begin with the editors' short introduction reviewing that section and explaining its goals, objectives, and content. Separate individuals recognized as leaders in their areas will write the remaining chapters in each section. These individuals come from the fields of both psychology and law and represent viewpoints on these topics from a practice-oriented perspective but a perspective that is emerges from research results. They are affiliated with a number of academic institutions including University of Nebraska, John Jay College of Criminal Justice, University of Texas, University of Chicago, Simon Fraser University, and private law firms. *Trial Consulting* Amy J. Posey, Lawrence S. Wrightsman, 2005-07-07 In its roughly 25 years of existence, the trial consulting profession has grown dramatically in membership, recognition, and breadth of practice. What began as a small activist group of social scientists volunteering their expertise to assist in the defense of Vietnam War protestors has evolved into a diverse set of professionals from a range of educational and professional backgrounds. In spite of such enormous growth, the work of trial consultants has gone largely unexamined. *Trial Consulting* takes an in-depth look at the primary activities of trial consultants, including witness preparation, focus groups, and mock trials; jury selection; change of venue; surveys; and attorney presentation style. It also examines the profession's struggle to define itself, resisting certification and licensure requirements and settling instead for a set of practice standards. The authors draw upon empirical and other scholarly work in the social sciences, recommended best practices from trial lawyers, and the written and spoken recommendations and reflections of the trial consultants themselves. Addressing a broad spectrum of topics ranging from handwriting analysis to medical malpractice cases, they also suggest reforms for improving the profession and the efficacy of the trial consultant in the courtroom. The result is a critical analysis of what trial consulting truly adds to and detracts from the administration of justice. This book is an indispensable guide for practicing and aspiring trial consultants as well as the judges, attorneys, and psychologists who

work with them Trial Consulting provides a thought provoking statement on the state of the profession and students and professionals alike will benefit from the challenges it offers      *Legal Nurse Consulting Principles and Practices* Julie Dickinson, Anne Meyer, 2019-09-03 *Legal Nurse Consulting Principles and Practices* Fourth Edition provides foundational knowledge on the specialty nursing practice of legal nurse consulting Legal nurse consulting is defined and essential information about the practice is discussed history certification scope and standards of practice and ethical and liability considerations The essentials of the law and medical records are explored Analysis of the various types of legal cases on which legal nurse consultants work is provided as are other practice areas for legal nurse consultants The various roles and skills of legal nurse consultants are explored and the textbook concludes with discussion of the ways in which legal cases are adjudicated This volume allows nurses to bridge the gap from their clinical experience to the unfamiliar territory of the legal world with practical advice on topics including tactics for being cross examined in the courtroom and investigative and analytical techniques for medical records Individual chapters by subject matter experts focus on the full range of legal medical and business issues that new or experienced legal nurse consultants and nurse experts will encounter in their work A nuanced look at the realities and complexities of toxic torts medical malpractice cases civil rights in correctional healthcare ERISA and HMO litigation and other practice areas is offered Suitable for experienced nurses studying for certification as legal nurse consultants and for expert witnesses practitioners seeking to expand their current legal nurse roles and other healthcare and legal practitioners      *Trial Consulting* Amy J. Posey, Lawrence S. Wrightsman, 2005-07-07 *Trial Consulting* provides an in depth examination of the primary activities of trial consultants including discussion of the empirical support for those activities and ethical issues raised by them The book also discusses the growth of the profession and consequent growing pains it has undergone and recommends reforms that might move trial consulting forward as a respected profession

**Civil Juries and Civil Justice** Brian H. Bornstein, Richard L. Wiener, Robert Schopp, Steven L. Willborn, 2007-12-03 At last here is an empirical volume that addresses head on the thorny issue of tort reform in the US Ongoing policy debates regarding tort reform have led both legal analysts and empirical researchers to reevaluate the civil jury's role in meting out civil justice Some reform advocates have called for removing certain types of more complex cases from the jury's purview yet much of the policy debate has proceeded in the absence of data on what the effects of such reforms would be In addressing these issues this crucial work takes an empirical approach relying on archival and experimental data It stands at the vanguard of the debate and provides information relevant to both state and national civil justice systems      *Unfair* Adam Benforado, 2016-06-14 NEW YORK TIMES BESTSELLER *Unfair* succinctly and persuasively recounts cutting edge research testifying to the faulty and inaccurate procedures that underpin virtually all aspects of our criminal justice system illustrating many with case studies The Boston Globe A child is gunned down by a police officer an investigator ignores critical clues in a case an innocent man confesses to a crime he did not commit a jury acquits a killer The evidence is all around us Our system

of justice is fundamentally broken But it s not for the reasons we tend to think as law professor Adam Benforado argues in this eye opening galvanizing book Even if the system operated exactly as it was designed to we would still end up with wrongful convictions trampled rights and unequal treatment This is because the roots of injustice lie not inside the dark hearts of racist police officers or dishonest prosecutors but within the minds of each and every one of us This is difficult to accept Our nation is founded on the idea that the law is impartial that legal cases are won or lost on the basis of evidence careful reasoning and nuanced argument But they may in fact turn on the camera angle of a defendant s taped confession the number of photos in a mug shot book or a simple word choice during a cross examination In *Unfair* Benforado shines a light on this troubling new field of research showing for example that people with certain facial features receive longer sentences and that judges are far more likely to grant parole first thing in the morning Over the last two decades psychologists and neuroscientists have uncovered many cognitive forces that operate beyond our conscious awareness Until we address these hidden biases head on Benforado argues the social inequality we see now will only widen as powerful players and institutions find ways to exploit the weaknesses of our legal system Weaving together historical examples scientific studies and compelling court cases from the border collie put on trial in Kentucky to the five teenagers who falsely confessed in the Central Park Jogger case Benforado shows how our judicial processes fail to uphold our values and protect society s weakest members With clarity and passion he lays out the scope of the legal system s dysfunction and proposes a wealth of practical reforms that could prevent injustice and help us achieve true fairness and equality before the law

[American Judicial Process](#) Pamela C. Corley,Artemus Ward,Wendy L. Martinek,2015-09-25 This text is a general introduction to American judicial process The authors cover the major institutions actors and processes that comprise the U S legal system viewed from a political science perspective Grounding their presentation in empirical social science terms the authors identify popular myths about the structure and processes of American law and courts and then contrast those myths with what really takes place Three unique elements of this myth versus reality framework are incorporated into each of the topical chapters 1 Myth versus Reality boxes that lay out the topics each chapter covers using the myths about each topic contrasted with the corresponding realities 2 Pop Culture boxes that provide students with popular examples from film television and music that tie in to chapter topics and engage student interest 3 How Do We Know boxes that discuss the methods of social scientific inquiry and debunk common myths about the judiciary and legal system Unlike other textbooks *American Judicial Process* emphasizes how pop culture portrays and often distorts the judicial process and how social science research is brought to bear to provide an accurate picture of law and courts In addition a rich companion website will include PowerPoint lectures suggested topics for papers and projects a test bank of objective questions for use by instructors and downloadable artwork from the book Students will have access to annotated web links and videos flash cards of key terms and a glossary

**Handbook of Obesity Treatment** Thomas A. Wadden,George A. Bray,2019-11-07 Description The leading clinical

reference work in the field now significantly revised with 85% new material this handbook has given thousands of practitioners and students a comprehensive understanding of the causes consequences and management of adult and childhood obesity In concise extensively referenced chapters from preeminent authorities the Handbook presents foundational knowledge and reviews the state of the science of evidence based psychosocial and lifestyle interventions as well as pharmacological and surgical treatments It provides guidelines for conducting psychosocial and medical assessments and for developing individualized treatment plans The effects of obesity and of weight loss on physical and psychological well being are reviewed as are strategies for helping patients maintain their weight loss Key Words obesity medicine obese overweight weight loss weight management reduction eating disorders binge eating disorder night eating syndrome behavioral therapy behavioural therapies psychosocial treatments medical treatments bariatric surgery nonsurgical pharmacological adults children childhood adolescents assessments lifestyle interventions prevention psychological treatments evidence based treatment programs obesity epidemic Albert J Stunkard severe weight problems chronic weight problems body mass index health psychology clinical psychology behavioral medicine weight loss devices gastric balloons gastric bypass sleeve gastrectomy public health problems medical complications health consequences dietary options weight loss diets bingeing exercise physical activity addictions leptin

*Strategic Communication for Organizations* Sara LaBelle, Jennifer H. Waldeck, 2020-02-11 Strategic Communication for Organizations elucidates the emerging research on strategic communication particularly as it operates in a variety of organizational settings This book appropriate for both students and practitioners emphasizes how theory and research from the field of communication studies can be used to support and advance organizations of all types across a variety of business sectors Grounded in scholarship and organizational cases this textbook focuses on message design provides introductory yet comprehensive coverage of how strategy and message design enable effective organizational and corporate communication explores how theory and research can be synthesized to inform modern communication based campaigns Strategic Communication for Organizations will help readers discuss how to develop implement and evaluate messages that are consistent with an organization's needs mission and vision effectively reaching and influencing internal and external audiences

**Handbook of Psychology, Forensic Psychology** Alan M. Goldstein, 2003-01-07 Includes established theories and cutting edge developments Presents the work of an international group of experts Presents the nature origin implications and future course of major unresolved issues in the area

*The Handbook of Forensic Psychology* Irving B. Weiner, Randy K. Otto, 2013-11-18 A revised new edition of one of the top references for forensic psychologists This top professional and academic reference in forensic psychology is an established presence as both a professional reference and graduate text This Fourth Edition is completely revised and updated for the new and rapidly growing demands of the field to reflect the new tools available to and functions required of present day practitioners The new edition expands coverage of neuropsychological assessment eyewitness testimony and jury

competence and decision making including selection process and authority In addition the new ethics guidelines approved by the American Psychological Association APA are included and interpreted Updated to include reframed content and the introduction of new chapter topics and authors Ideal for professional forensic psychologists and graduate students Written by experts in the field a clinical professor of psychiatry and an associate professor of mental health policy The Oxford Handbook of Cognitive and Behavioral Therapies Christine M. Nezu, Arthur M. Nezu, 2016 The Oxford Handbook of Cognitive and Behavioral Therapies provides a contemporary and comprehensive illustration of the wide range of evidence based psychotherapy tools available to both clinicians and researchers Chapters are written by the most prominent names in cognitive and behavioral theory assessment and treatment and they provide valuable insights concerning the theory development and future directions of cognitive and behavioral interventions Unlike other handbooks that provide a collection of intervention chapters but do not successfully tie these interventions together the editors have designed a volume that not only takes the reader through underlying theory and philosophies inherent to a cognitive and behavioral approach but also includes chapters regarding case formulation requisite professional cognitive and behavioral competencies and integration of multiculturalism into clinical practice The Oxford Handbook of Cognitive and Behavioral Therapies clarifies terms present in the literature regarding cognitive and behavioral interventions and reveals the rich variety similarities and differences among the large number of cognitive and behavioral interventions that can be applied individually or combined to improve the lives of patients

**Decoding the Ethics Code** Celia B. Fisher, 2016-03-24 Revised to reflect the current status of scientific and professional theory practices and debate across all facets of ethical decision making this latest edition of Celia B Fisher s acclaimed Decoding the Ethics Code A Practical Guide for Psychologists demystifies the American Psychological Association s APA Ethical Principles of Psychologists and Code of Conduct The Fourth Edition explains and puts into practical perspective the format choice of wording aspirational principles and enforceability of the code Providing in depth discussions of the foundation and application of each ethical standard to the broad spectrum of scientific teaching and professional roles of psychologists this unique guide helps practitioners effectively use ethical principles and standards to morally conduct their work activities avoid ethical violations and most importantly preserve and protect the fundamental rights and welfare of those whom they serve

*A Medical Educator's Guide to Thinking Critically about Randomised Controlled Trials: Deconstructing the "Gold Standard"* Margaret MacDougall, 2024-05-30 Drawing on the statistical and philosophical expertise of its authors this book is designed to improve understanding and use of randomised controlled trials RCTs among health professionals It is intended for use primarily by medical educators involved in teaching statistics and evidence based medicine EBM to medical students junior doctors and other health professionals However each of the chapters serves a wider range of interests including the practical needs of physicians in interpreting research evidence to support clinical decision making and the teaching needs of philosophers of medicine who want to more fully appreciate how RCTs work in

practice and provide engaging examples for their students Rather than compete with the proliferating methodological literature on RCT designs this book focuses on cultivating a healthy skepticism among developing health professionals to support critical appraisal of their own and published work on RCTs at a fundamental level including through a more informed understanding of the place of subgroup analyses in sound statistical inference Management of the positive predictive value in the statistical analysis of RCT findings is included as an important topic for contemporary medical curricula In comparing RCTs with non randomised studies a search for empirical evidence for the superiority of RCTs is initiated pointing to the need for further work to confirm what form this evidence should take Medical educators will find a wealth of reasons to encourage their students to think more critically about how the RCT operates in practice as a gold standard **Clinical**

**Handbook of Couple Therapy** Jay L. Lebow, Douglas K. Snyder, 2022-11-14 Now in a significantly revised sixth edition with 70% new material this comprehensive handbook has introduced tens of thousands of practitioners and students to the leading forms of couple therapy practiced today Prominent experts present effective ways to reduce couple distress improve overall relationship satisfaction and address specific relational or individual problems Chapters on major approaches follow a consistent format to help readers easily grasp each model s history theoretical underpinnings evidence base and clinical techniques Chapters on applications provide practical guidance for working with particular populations such as stepfamily couples and LGBT couples and clinical problems such as intimate partner violence infidelity and various psychological disorders Instructive case examples are woven throughout New to This Edition Chapters on additional clinical approaches acceptance and commitment therapy mentalization based therapy intergenerational therapy socioculturally attuned therapy and the therapeutic palette approach Chapters on sexuality older adult couples and parents of youth with disruptive behavior problems Chapters on assessment and common factors in couple therapy Chapters on cutting edge special topics relationship enhancement telehealth interventions and ethical issues in couple therapy **Forensic Science** Douglas H.

Ubelaker, 2012-11-28 **FORENSIC SCIENCE** Forensic Science Current Issues Future Directions presents a comprehensive international discussion of key issues within the forensic sciences Written by accomplished and respected specialists in distinct areas of the forensic sciences this volume examines central issues within each discipline provides perspective on current debate and explores current and proposed research initiatives The forensic sciences represent dynamic and evolving fields presenting new challenges to a rapidly expanding cohort of international practitioners This book acquaints readers with the complex issues involved and how they are being addressed The academic treatment by experts in the fields ensures comprehensive and thorough understanding of these issues and paves the way for future research and progress Draws on the knowledge and expertise of the prestigious American Academy of Forensic Sciences Written by key experts in the diverse disciplines of forensic science An international approach Each chapter carefully integrated throughout with key themes and issues covered in detail Includes discussion of future directions of forensic science as a discipline **The ^AOxford**



**Handbook of Mood Disorders** Robert J. DeRubeis, Daniel R. Strunk, 2017-04-24 The most comprehensive volume of its kind The Oxford Handbook of Mood Disorders provides detailed coverage of the characterization understanding and treatment of mood disorders

**The Jury Under Fire** Brian H. Bornstein, Edie Greene, 2017-01-23 Although the jury is often referred to as one of the bulwarks of the American justice system it regularly comes under attack Recent changes to trial procedures such as reducing jury size allowing non unanimous verdicts and rewriting jury instructions in plain English were designed to promote greater efficiency and adherence to the law Other changes such as capping damages and replacing jurors with judges as arbiters in complex trials seem designed to restrict the role of laypeople in trial outcomes Whether these innovations are implemented to facilitate the administration of justice or due to the belief that juries have excessive power and make irrational decisions they raise a host of questions about their effects on juries judgments and about justice Policymakers sometimes make incorrect assumptions about jury behavior with the result that some reform efforts have had surprising and unintended consequences The Jury Under Fire reviews a number of controversial beliefs about juries as well as the implications of these views for jury reform It reviews up to date research on both criminal and civil juries that uses a variety of research methodologies simulations archival analyses field studies and juror interviews Each chapter focuses on a mistaken assumption or myth about jurors or juries critiques these myths and then uses social science research findings to suggest appropriate reforms Chapters discuss the experience of serving as a juror jury selection and jury size and the impact of evidence from eyewitnesses experts confessions and juvenile offenders The book also covers the process of deciding damages and punishment and the role of emotions in jurors decision making and it compares jurors and judges decisions Finally it reviews a broad range of efforts to reform the jury including the most promising reforms that have a solid backing in research Featuring highly visible trials to illustrate key points The Jury Under Fire will interest researchers in psychology and the law practicing attorneys and policymakers as well as students and trainees in these areas

*Advances in Psychology and Law* Monica K. Miller, Brian H. Bornstein, 2018-06-11 The latest entry in this noteworthy series continues its focus on psychological issues relating to legal and judicial matters with sound recommendations for situational and system wide improvement Salient concerns are described both in areas where their existence is frequently acknowledged juror impartiality the juvenile justice system and where they are rarely considered Miranda warnings forensic mental health experts Authors describe differences between professional and lay concepts of justice principles and the resulting disconnect between community sentiment and the law Throughout these chapters psychological nuances and their legal implications are made clear as they relate to lawyers jurors suspects and victims Included among the topics From the headlines to the jury room an examination of the impact of pretrial publicity on jurors and juries Victim impact statements in capital sentencing 25 years post Payne Psychology and the Fourth Amendment Examining the presenting characteristics short term effects and long term outcomes associated with system involved youths Indigenous youth crime an international perspective An

empirical analysis of law psychology journals who s publishing and on what As with the others in the series this third volume of Advances in Psychology and Law will interest researchers in legal psychology and related disciplines e g criminal justice as well as practicing attorneys trial consultants and clinical psychologists

**Bennett's Guide to Jury Selection and Trial**

**Dynamics** Cathy E. Bennett, Robert B. Hirschhorn, Jo-Ellan Dimitrius, 1995

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