

ALLIANT INTERNATIONAL UNIVERSITY
CSPP
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COURSE INFORMATION FORM

Course Title: Court Consultation and Expert Witnessing
Course Number: PSY8565
Units: 2
School: California School of Professional Psychology
Term & Year: Fall 2006-2007
Day/Time: Monday 6:10 – 8:00 p.m.
Room: TBD
Instructor: Karen Franklin, Ph.D.
Contact: mail@karenfranklin.com, (510) 232-1920
Office Hours: By appointment
Grading: Letter grades
Year Level: G-3

I. RATIONALE:

This course is part of the Forensic Family/Child Track program. It is designed for PsyD students whose career goals are to specialize in forensic and clinical work with children, adolescents, and their families. In this course, students will build upon knowledge and skills obtained in the first two years of the track. This course helps to fulfill the following program outcomes:

- The ability to identify assessment tools appropriate to the clinical questions presented and to administer or arrange for the administration of an assessment battery tailored to these specific needs. (B.2.c)
- The ability to understand the effects of race, class, culture and gender on assessment procedures and outcomes. (B.2.e)
- The ability to apply research on psychopathology to clinical diagnosis and case formulation, taking into account the effects of race, class, culture and other social/cultural factors. (B.3.d-e)
- The ability to read and critically review psychological literature, to synthesize and integrate research findings, and to pose theoretical, clinical or predictive questions and draw conclusions. (B.4.a,c)
- The ability to critically assess the application of research findings to diverse ethnic and cultural groups. (B.4.e)
- An understanding of the role of the psychologist in complex systems. (B.5.a)
- The ability to recognize their own attitudes about age, gender and ethnically, culturally, sexually diverse, or handicapped populations and to understand concepts of power and privilege as they apply to interventions with these populations. (C.1)
- The ability to understand clinical phenomenon within social and cultural context. (c.2)
- The ability to recognize and describe an appropriate course of action for the legal and ethical issues associated with psychological practice. (E.1)

II. COURSE DESCRIPTION, PURPOSE, STUDENT LEARNING OUTCOMES and ASSESSMENT:

A. COURSE DESCRIPTION:

This is a Supervision/Consultation course required of third-year Forensic Family Child Track students. It surveys common ethical, professional, and practical issues in contracting for and providing forensic psychology services. Topics include forensic data organizing, report writing, court testimony, applied research skills, and diagnosis and testing within the forensic context. It is assumed that students enter this class with some knowledge of basic forensic theory and practice. Students who wish to review or learn more about forensic topics are encouraged to do extra reading. The instructor is available for consultation in this regard. The primary emphasis in this course is on navigating an ethical path and not losing one's moral bearing in these often-treacherous waters. A secondary emphasis is to assist students in developing their critical reading and thinking skills. Prerequisites: Completion of P540 or consent of instructor.

B. PURPOSE OF THE COURSE:

Upon completion of this overview course, students will have a basic understanding of the functions of psychologists as experts in legal matters, especially those pertaining to children and families. They will be aware of some of the common ethical and moral pitfalls facing psychologists who practice in legal contexts. This overview will help students decide how to tailor their further education, training, internships, postdoctoral training, and supervision so that they may later qualify to practice in the forensic specialty area(s) of their choosing.

C. SPECIFIC LEARNING OUTCOMES:

Specifically, upon completion of the course, students should:

1. Have a greater understanding of psychologists' role in the legal system, and an awareness of some of the common ethical and moral conflicts facing psychologists in this field.
2. Understand the social and cultural context of forensic psychology practice, including the dynamics of power, privilege, injustice, economic class, and race.
3. Know the procedure for formulating case hypotheses based on multiple sources of data, including interviews, psychological testing, records review, collateral interviews, and other sources.
4. Be able to identify assessment tools appropriate to specific forensic questions and to administer or arrange for the administration of an assessment battery tailored to these specific circumstances.
5. Realize the importance of critically assessing relevant research, and synthesizing and integrating reliable research findings into their forensic reports and court testimony.
6. Be able to recognize the limits of their own forensic and clinical competence and to identify appropriate referral resources and or case consultation resources when needed.

D. INSTRUCTIONAL STRATEGY:

This course utilizes a combination of lecture, discussion, class exercises, films, and quizzes. Discussions focus on the assigned readings for each week, supplemented with in-class vignettes.

E. Class Component on Multicultural Issues:

An understanding of how culture interacts with the law is absolutely essential to competence as a forensic psychologist. Issues of culture, race, economic class, power, and justice are an integral aspect of every topic in this course. The readings and lectures heavily focus on these issues.

F. DESCRIPTION OF COURSE REQUIREMENTS AND ASSESSMENT METHODS:

Weekly Readings and Class Participation

Intellectual discussion is central to this small-group seminar course. Your main obligation is to read and critically evaluate the weekly readings and be prepared to participate in didactic discussion. You are encouraged to come to class with written questions or discussion prompts to help you better understand the readings or to stimulate class discussion. Your active participation in class discussions will demonstrate your mastery of the readings and of the broader objectives of the course. Participation will be evaluated based on the following criteria:

- **Preparation:** The student demonstrates that he or she has read the article, is familiar with its content, and is prepared to discuss it;
- **Quality of contribution:** The student demonstrates an understanding of the readings, and is able to synthesize concepts, explore and question meaning, and apply the theoretical concepts from the readings to forensic cases;
- **Motivation:** The student's willingness to contribute to class discussion.

Quizzes

We are all busy people, and it is easy to get behind and to skip a week's readings. To ensure that this does not happen to you in my course, I administer frequent unannounced quizzes at the beginning of class. These quizzes are typically five items in length, and take less than five minutes to complete. If you have carefully and thoroughly read the assigned readings, you will do well. If you have only skimmed the readings (as opposed to actively studying them), or if you have skipped them altogether, you will do poorly. The average reading per week is 40 pages, with a range of 19 to 59 pages. The quizzes are in substitution for a final exam, and make up a significant portion of your final grade.

Attendance and punctuality

Attendance is mandatory, and is reflected in your final grade. Class starts punctually at 6:10 p.m., and I expect you to be in your seat and ready to go by that time. We only have 110 minutes together each week, and we will use them all. There is no break in the middle of class.

Missing two full classes (missing more than 15 minutes counts as an absence) will not be penalized, but each additional missed class will result in a 10-point deduction from your final grade. Each partially missed class (defined as missing 5-15 minutes of a particular class) will result in a 2-point grade deduction. (The first two partial misses will not result in a grade penalty if there are no full misses; the first partial miss will not result in a grade penalty if there is only one full miss.) If more than two classes are missed due to physical illness and/or religious holidays, there will be no grade penalties under the following conditions: (1) a physician verifies that the illness or medical condition precludes class attendance, and (2) the student notifies the instructor of the religious holidays at least one month in advance. Students with either of these approved absences are eligible to make up missed exams. Other exceptions will be allowed at the discretion of the instructor, on the basis of extraordinary circumstances. Each student is responsible for all academic work missed during absences. Missing more than three classes (for any reason) will result in a grade of F or an "incomplete".

Legal Observation Assignment – Written and Oral Component

This assignment allows you to explore the practical, real-world applications of the theoretical issues raised in this course. You will conduct an observational analysis of the functioning of your local courthouse. Ideally, you will approach the observation from an anthropological or sociological stance, as if you are a cultural outsider, approaching the court as an embodiment of modern American legal culture. You are to spend a minimum of four hours observing court procedures. This can be broken up into two separate days if necessary. This four-hour requirement does not include any time in which you are waiting for proceedings to begin. In your paper, you will synthesize and analyze your observations. Reflect on the deeper meanings of what you saw. How do you expect that what you saw affected the participants, and the rest of society? How did your observations fit in with what you learned in this course? What did you observe about cultural, socioeconomic, ethnic, and gender issues? What about justice or injustice? How did what you observed differ from any preconceived expectations you may have had? Extra-credit points accrue for briefly interviewing the participants to obtain their perspectives or to clarify the issues.

You may conduct your observation at any of the main county courthouses (e.g., Alameda County Superior Courthouse in downtown Oakland; San Francisco Courthouse on Bryant Street, or Contra Costa County Superior Court in Martinez). You may choose from family court or criminal court. (Juvenile court is generally closed to the public, although past students have gotten permission to attend these interesting proceedings, for example in Oakland.) Call ahead to obtain information on when and where to attend. In your writeup, be sure to provide me with the dates, times, courtrooms, judges' names, and exact proceedings that you observed.

The paper is a maximum of six pages, double-spaced, 12-point Times New Roman or equivalent, with one-inch margins. Please do not deviate from these formatting requirements. I enforce stringent writing standards. Poorly organized or written papers will receive low grades. Papers with many errors in spelling, punctuation, or grammar will be severely penalized. Quality writing also includes clarity of wording, overall cohesion and smooth flow, conformity to formal academic grammar, consistent style, and attention to formatting details (e.g., paragraph indentation and location of page breaks). **Write and edit your paper carefully for organization, clear language, correct spelling and punctuation, etc.** Do not rely on spell-checking software as it misses many errors, such as incorrect word choices (e.g., effect vs. affect; than vs. then; it's vs. its; which vs. that) and punctuation misuse (beware the semicolon!).

Your grade on this assignment will be determined by:

- The amount of time and effort put into the project;
- Adherence to assignment guidelines;
- The quality of your argument – your ability to summarize, synthesize, and critically analyze your observations;
- The technical quality of your writing. Errors in spelling, grammar, or punctuation will cost points. Do not rely on your computer's spell-check.
- Punctuality. (Late papers will drop a half grade point per day.)

On the last day of class, students will share their observations and analyses with each other. Each student will present for no more than 10 minutes. Your grade will reflect how well you organize your presentation, articulate your thoughts, and present a well grounded argument.

Course Grading System:

Students will receive a letter grade (See page 50 of the systemwide catalog for the university grade-point system and page 97 for the Academic Standing Status for CSPP Doctoral Students CSPP for CSPP grading standards). Earning 90% of the total possible points for the course will result in an A grade, 80-90% will earn a B grade, and 70-80% is considered a “marginal pass” and will earn a C grade. Less than minimal competency will be reflected in grades of D/F.

Point Distribution:

Discussion participation	45 points
Quizzes	35 points
Written assignment	15 points
Oral presentation	5 points
Attendance:	10-point deduction per missed class after two missed classes (see pages 3-4)

III. COURSE READINGS:

Required Readings

There is no required text. The required readings are listed by week in the course schedule, and are available on-line on the instructor’s website and through the library website. You must download each week’s readings and bring a copy with you to class. Supplemental background readings for each week are also listed on the course website.

Supplemental Texts and Background Readings

Ceci, S. J. & Hembrooke, H. (1998). *Expert Witnesses in Child Abuse Cases: What Can and Should Be Said in Court*. Washington, DC: American Psychological Association.

Heilbrun, K., Marczyk, G. R., & DeMatteo, D. (2002), *Forensic Mental Health Assessment: A Casebook*. New York: Oxford University Press. (ON LIBRARY RESERVE.)

Lilienfeld, S. O., Lynn, S. J., & Lohr, J. M. (2003). *Science and Pseudoscience in Clinical Psychology*. New York: Guilford Press.

Melton, G. B. et al. (1997). *Psychological Evaluations for the Courts: A Handbook for Mental Health Professionals and Lawyers, 2nd Edition*. Guilford. (ON LIBRARY RESERVE.)

Monahan, J. (1980). *Who is the Client? The Ethics of Psychological Intervention in the Criminal Justice System*. Washington, DC: American Psychological Association.

Tseng, Wen-Shing, Matthews, D., & Elwyn, T. (2004). *Cultural Competence in Forensic Mental Health: A Guide for Psychiatrists, Psychologists, and Attorneys*. New York: Brunner-Routledge.

IV. POLICIES AND PROCEDURES:

1. Class Attendance, Lateness, Missed Exams or Assignments: The University expects regular class attendance by all students. Each student is responsible for all academic work missed during absences. When an absence is necessary, students should contact the instructor as a courtesy and to check for assignments. See the University Catalog for the complete policy on attendance (http://www2.alliant.edu/download/2005/catalog/3_Academic_Policies.pdf). Specific penalties for missed classes or for tardiness are detailed on pages 3 and 4 of this syllabus.
2. Responsibility to Keep Copies: It is good practice to keep copies of ALL major assignments that you turn in. On rare occasions, work may be lost because of computer failure or other mishaps.
3. Respectful Speech and Actions: Alliant International University, by mission and practice, is committed to fair and respectful consideration of all members of our community, and the greater communities surrounding us. All members of the University must treat one another as they would wish to be treated themselves, with dignity and concern. As an institution of higher education, Alliant has the obligation to combat racism, sexism, and other forms of bias and to provide an equal educational opportunity. Professional codes of ethics (i.e., from the APA for psychology students) and the Academic Code shall be the guiding principles in dealing with speech or actions that, when considered objectively, are abusive and insulting.
4. Academic Code of Conduct and Ethics: The University is committed to principles of scholastic honesty. Its members are expected to abide by ethical standards both in their conduct and in their exercise of responsibility towards other members of the community. Each student's conduct is expected to be in accordance with the standards of the University. *The complete Academic Code, which covers acts of misconduct including assistance during examination, fabrication of data, plagiarism, unauthorized collaboration, and assisting other students in acts of misconduct, among others, may be found in the University Catalog.* The University reserves the right to use plagiarism detection software.
5. Evaluation of Students' Professional Development and Functioning: At CSPP, multiple aspects of students' professional development and functioning (e.g., cognitive, emotional, psychological, interpersonal, technical, and ethical) will be evaluated throughout the process of education and training in our professional psychology and MFT programs. This kind of comprehensive evaluation is necessary in order for faculty, staff, and supervisors to appraise the professional development and competence of their students. See the University Catalog for the complete CSPP policy on "Evaluation of Student Competence: A. Student Disclosure of Personal Information" (Appendix B).
6. Disability Accommodations Request: If you need disability-related accommodations in this class, please see me privately. All accommodations must be requested in a timely manner (at least 2 weeks ahead of time) with a letter of support from Alliant's Office of Disability Services. If you have questions about accommodations, please contact the Office of Disability Services.
7. Policy on Course Requirements During Religious Holidays: Alliant does not officially observe any religious holidays. However, in keeping with the institution's commitment to issues of cultural diversity as well as humanitarian considerations, you will not be penalized for missing class due to a religious observance, if you notify me in writing at least one month in advance.
8. Resources for Obtaining Tutoring or Other Student Support Services: Tutors are available to help students with course-based or exam-based needs. Contact the Director of Student Support Services for information on obtaining tutoring – or other student support services – on your campus.
9. Problem Solving Resources: If problems arise with faculty, other students, staff, or student support services, students should use the University Problem Solving Procedures located on the web at http://www.alliant.edu/academic/studentproblemsolving/Student_Grievance_Policy.pdf or contact the University Ombudsperson at rkunard@alliant.edu.

PSY8565
Consulting: Expert Witnessing, Family/Child
K. Franklin, Ph.D., Instructor

WEEKLY COURSE SCHEDULE*

The exact content and schedule of the syllabus is subject to change without prior notice to meet student, faculty, or other needs; the most up-to-date syllabus will be posted on the class website.

Week 1 August 28 COURSE OVERVIEW & INTRODUCTION

Monday, September 4 – Labor Day – No Class

Week 2 September 11 CHOOSING YOUR ROLE

Required readings:

- Pruett, K. & Solnit, A. (1998). Psychological and ethical considerations in the preparation of the mental health professional as expert witness. In: S. Ceci & Helen Hembrooke (Eds.), *Expert Witnesses in Child Abuse Cases* (pp. 123-135). Washington, DC: American Psychological Association.
- Griffith, E.E.H. (2005). Personal narrative and an African-American perspective on medical ethics. *J Am Acad Psychiatry Law* 33, 371–381.
- Melton, G.B. (1994). Doing justice and doing good: Conflicts for mental health professionals. *Future of Children*, 4, 102-118.
- SAMPLE REPORT: Case of Willie Begay (infanticide).

Week 3 September 18 THE POLITICS OF FORENSIC PRACTICE

Required readings:

- American Psychological Association (2003), *Ethical Principles of Psychologists and Code of Conduct*.
- Mayer, J. (2005, July 7 & 11). The Experiment. *New Yorker*.
- Wilks, M. (2005). A stain on medical ethics. *Lancet*, 366, 1263-1264.
- American Psychological Association (2005, July 5). Report of the APA Presidential Task Force on Psychological Ethics and National Security.
- Lewis, N. (2006, June 7). Military alters makeup of interrogation advisers. *New York Times*.

Supplementary readings: See course website.

* ***NOTE: The readings listed under each date must be completed by that date.***

Week 4 September 25 SCIENCE & PSEUDOSCIENCE IN FORENSIC
PSYCHOLOGY

Required readings:

- Tavis, C. (2003). The widening scientist-practitioner gap. In S. Lilienfeld, S. Lynn, & J. Lohr (Eds.), *Science and Pseudoscience in Clinical Psychology* (pp. ix-xviii). New York: Guilford Press.
- McCann, J. T., Shindler, K. L., & Hammond, T. R. (2003). The science and pseudoscience of expert testimony (pp. 77-108). In S. Lilienfeld, S. Lynn, & J. Lohr (Eds.), *Science and Pseudoscience in Clinical Psychology* New York: Guilford Press.
- McCann, J. T. & Ewing, C. P. (2006). The USS Iowa: Equivocating on death. In J. T. McCann & C. P. Ewing, *Minds on Trial: Great Cases in Law and Psychology* (pp. 129-139). Oxford, UK: Oxford University Press.
- SAMPLE REPORT: Case of Andrew Rojas (sleepwalking).

Supplementary readings: See course website.

Week 5 October 2 TESTIFYING IN COURT

Required readings:

- Kennedy, W. A. (1986). The psychologist as expert witness. In W. Curran, A. McGarry, & S. Shah (Eds.), *Forensic Psychiatry and Psychology* (pp. 323-345). Philadelphia, PA F.A. Davis. **NOTE: PAGES 334-345 ONLY.**
- PENDING
- PENDING

Supplementary readings: See course website.

Week 6 October 9 FORENSIC TESTING AND ASSESSMENT

Required readings:

- Dovidio, J.F. On the Nature of Contemporary Prejudice: The Third Wave. *Journal of Social Issues*, 57, 829-850.
- Steele, C.M. Through the Back Door to Theory. *Psychological Inquiry*, 14, 314-317.
- Brodzinsky, D.M. On the use and misuse of psychological testing in child custody evaluations. *Professional Psychology: Research and Practice*, 24, 213-219.
- Lally, S.J. What Tests Are Acceptable for Use in Forensic Evaluations? : A Survey of Experts. *Professional Psychology: Research and Practice*, 34, 491-498.
- SAMPLE REPORT: Case of Henry Golde.

Supplementary readings: See course website.

Week 7 October 16 DIAGNOSIS IN THE FORENSIC CONTEXT

Required readings:

- Vedantam, S. (2005, June 26). Patients' diversity is often discounted. *Washington Post*, A1.
- Vedantam, S. (2005, June 27). Social network's healing power is borne out in poor nations. *Washington Post*, A1.
- Vedantam, S. (2005, June 28). Racial disparities found in pinpointing mental illness. *Washington Post*, A1.
- Healy, D. Apr 15, 2006. The myth of 'mood stabilising' drugs. *New Scientist*.
- SAMPLE REPORT: Case of Victor Brown.

Supplementary readings: See course website.


Week 8 October 23 DATA ORGANIZING AND REPORT WRITING

Required readings:

- Weiner, I. B. (1999). Writing forensic reports. In A. K. Hess & I. B. Weiner (Eds.), *The Handbook of Forensic Psychology* (pp. 501-520). New York: John Wiley & Sons. **NOTE: Read only pages 514-519.**
- Karson, M. Ten Things I Learned about Report Writing in Law School (and the Eighth Grade). Unpublished essay.
- SAMPLE REPORT: Robert Storm.

Supplementary readings: See course website.

Week 9 October 30 ISSUES IN FAMILY FORENSIC PSYCHOLOGY

 Video: "Failure to Protect"

Required readings:

- Benjet, C., Azar, S.T., & Kuersten-Hogan, R. Evaluating the parental fitness of psychiatrically diagnosed individuals: Advocating a functional-contextual analysis of parenting. *Journal of Family Psychology*, 17, 238-251.
- Franklin, K. (2003). Practice Opportunities with an Emerging Family Form: The Planned Lesbian and Gay Family. *Journal of Forensic Psychology Practice*, 3, 47-64.
- Oberlander, L. B. (1998). Termination of parental rights evaluation. In K. Heilbrun, G. R. Marczyk, & D. DeMatteo (2002), *Forensic Mental Health Assessment: A Casebook* (pp. 350-375). New York: Oxford University Press.

Supplementary readings: See course website.

Week 10 November 6 JUVENILE DELINQUENCY

 Video: “Juvies” (66 minutes)

Required readings:

- Cornell, D. G. (2000). Juvenile commitment evaluation. In K. Heilbrun, G. R. Marczyk, & D. DeMatteo (2002), *Forensic Mental Health Assessment: A Casebook* (pp. 174-187). New York: Oxford University Press.
- Bridges, G.S., & Steen, S. (1998). Racial disparities in official assessments of juvenile offenders: Attributional stereotypes as mediating mechanisms. *American Sociological Review*, *63*, 554-570.
- SAMPLE REPORT: Jasmine Morgan.

Supplementary readings: See course website.

Monday, November 13 – Veteran's Day – No Class

Week 11 November 20 PRISON NATION

 Video: America’s Brutal Prisons (48 min.)

Required readings:

- Weinberger, L.E., & Sreenivasan, S. (1994). Ethical and professional conflicts in correctional psychology. *Professional Psychology: Research and Practice*, *25*, 161-167.
- Weinstein, H.C. (2002). Ethics issues in security hospitals. *Behavioral Sciences & the Law*, *20*, 443-461.
- Bandura, A. (1990). Mechanisms of moral disengagement. In W. Reich (Ed.), *Origins of Terrorism: Psychologies, Ideologies, Theologies, States of Mind* (pp. 161-191). New York: Cambridge University Press.
- Webster, C. D. “On the Willful Induction of Mental Disorder.”

Supplementary readings: See course website.

Week 12 November 27 ALTERNATIVE MOVEMENTS

 Video: Red Hook Justice (55 min.)

Required readings:

- Stefan, S., & Winick, B.J. (2005). A Dialogue on Mental Health Courts. *Psychology, Public Policy, and Law*, *11*, 507-526.

Supplementary readings: See course website.

Week 13 December 4 STUDENT ORAL PRESENTATIONS