

Handbook Of Trial Consulting

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Now in a revised and updated edition, this useful guide explains how to succeed as an expert witness -- In the 18 million lawsuits filed each year, at least two expert witnesses are needed to explain what happened or what should have happened Veteran expert witness Dan Poynter describes the exact qualifications for the job, what an expert witness does, how to prepare effective testimony, how to answer hard questions, and what to charge clients. Peer-reviewed by more than 30 experts, attorneys, judges, and law professors, the new edition also includes a glossary of legal terms and a resource list of books, periodicals, and organizations.

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 protesters 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.

"A crusading legal scholar exposes the powerful psychological forces that undermine our criminal justice system—and affect us all Our nation is founded on the notion 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 temperature of the courtroom, the camera angle of a defendant's taped confession, or a simple word choice or gesture during a cross-examination. In Unfair, law professor Adam Benforado shines a light on this troubling new 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. In fact, over the last two decades, psychologists and neuroscientists have uncovered many cognitive forces that operate beyond our conscious awareness—and Benforado argues that until we address these hidden biases head-on, the social inequality we see now will only widen, as powerful players and institutions find ways to exploit the weaknesses in 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, convicting the innocent while letting dangerous criminals go free. With clarity and passion, he lays out the scope of the problem and proposes a wealth of reforms that could prevent injustice and help us achieve true fairness and equality before the law"--

This guide will help you understand effective voir dire and jury selection strategies and adapt them to the circumstances you face in your trial jurisdiction.

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.

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