

Running head: FORENSIC PSYCHOLOGY IN WISCONSIN

Current Practice and Predictions of the Future of Forensic Psychology in the

State of Wisconsin:

A Delphi Survey

By

Deborah Fischer, M.A.

A Dissertation Submitted to the Faculty of the

Graduate School, Marquette University

In Partial Fulfillment of the Requirements for the

Degree of Doctor of Philosophy

Milwaukee, WI

May, 2007

Committee Members:

Todd C. Campbell, Ph.D., Chair

Norman Goldfarb, Ph.D., Second Reader

Timothy Melchert, Ph.D., Third Reader

UMI Number: 3263793

Copyright 2007 by
Fischer, Deborah

All rights reserved.

INFORMATION TO USERS

The quality of this reproduction is dependent upon the quality of the copy submitted. Broken or indistinct print, colored or poor quality illustrations and photographs, print bleed-through, substandard margins, and improper alignment can adversely affect reproduction.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if unauthorized copyright material had to be removed, a note will indicate the deletion.

UMI[®]

UMI Microform 3263793

Copyright 2007 by ProQuest Information and Learning Company.

All rights reserved. This microform edition is protected against unauthorized copying under Title 17, United States Code.

ProQuest Information and Learning Company
300 North Zeeb Road
P.O. Box 1346
Ann Arbor, MI 48106-1346

Dedication Page

I would like to dedicate this dissertation to my husband, Bill and my son Everett. This project took a great deal of time away from each of them, and it was most often time I would have preferred spending with them as opposed to off by myself surrounded by flurries of papers, musty stats books, disorganized journal articles, and an overwhelming data set. However, Bill always remained supportive and helped in any way he could. He was my final editor, envelope stuffer, financial advisor, IT guy, late night snack runner, and biggest supporter, for which I am eternally grateful.

Acknowledgement Page

I would first of all like to acknowledge my participants, without whom this project would not have been possible. I asked a great deal of my study participants, and I am genuinely thankful for the time and energy they invested in this project. I also want to acknowledge my dissertation committee, beginning with the chair Dr. Todd Campbell Ph.D who has so much energy and knowledge that it made this process easier than it otherwise should have been; Dr. Tim Melchert, Ph.D. for his support and encouragement in completing it and finally defending, and Dr. Norman Goldfarb, Ph.D. for his continued mentorship and guidance, even if it is often overwhelmingly cynical at times. I would like to acknowledge the American Psychology – Law Society, Division 41 of the American Psychological Association, for the \$500 grant they awarded, which helped with the financial burden of this massive undertaking. Finally, I want to acknowledge my mom, dad, sister, husband and son for their endless support, encouragement, and faith that I would finally finish.

TABLE OF CONTENTS

Chapter I..... 1

 Introduction to this Study 1

 Discussion of Research Question..... 1

 Statement of the Problem..... 3

 Purpose of the Study 4

 Research Questions 7

 Definition of Terms..... 7

 Importance of the Study 11

Chapter II 14

 What Is Forensic Psychology?..... 14

 Definition of Forensic Psychology and the Problems Associated with Multiple
 Definitions..... 14

 Advantages and Disadvantages of a Broad versus Narrow Definition of Forensic
 Psychology 17

 Epistemological Differences Between Psychology and Law 19

 Differences Between Clinical Psychology and Clinical Forensic Psychology..... 22

 Unique Ethical Issues in Forensic Psychology 26

 Terms Used Throughout Study 31

 History of Forensic Psychology..... 33

 The Early Years 33

 Explosion in the Field 35

 1990s to the Present 36

Discussion of Expert Testimony	37
Forensic Psychological Evaluations and Forensic Assessments	39
Education And Training In Forensic Psychology	41
Villanova Conference	47
Undergraduate Training in Forensic Psychology	49
Graduate Training in Forensic Psychology.....	50
Joint Degree Programs in Psychology and Law	52
Internships in Forensic Psychology	56
Post-Doctoral Positions in Forensic Psychology	57
Credentialing in Forensic Psychology	58
Summary of Forensic Psychology	60
The Delphi Method.....	61
Procedure of the Delphi Method.....	62
Chapter III.....	73
Methodology	73
Identifying Potential Study Participants	73
First Survey Participants.....	78
Second Survey Participants.....	79
Third Survey Participants	79
Demographics	80
Demographics for expert Judges.....	81
Demographics for expert Attorneys.....	81
Demographics for expert Psychologists.....	81

Survey Design.....	82
First Survey.....	82
Second Survey	83
Final Survey.....	85
Procedure	86
Procedure of the First Survey	86
Procedure of the Second Survey	88
Procedure of the Third Survey.....	89
Chapter IV.....	93
Results.....	93
Inter-Item Reliability Coefficient	94
Intraclass Correlation Coefficient.....	101
Analysis of Variance.....	106
Analysis of Variance (ANOVA) between the three professions	109
Top Areas for Judges, Attorneys and Psychologists.....	113
Chapter V.....	114
Discussion.....	114
Overview of the Purpose.....	114
Overview of the Procedures.....	115
Overview of Analysis	116
Research Questions One, Two and Three: Helpfulness of Forensic Psychology to the Legal System and Activities in which Forensic Psychology / Psychologists will Interact in the Future.....	117

Research Question Four: Particular Instances or Situations in which Psychologists and/ or Psychology have been Harmful in Legal Settings in Wisconsin.....	122
Conclusions on the Helpfulness, Future Contributions, Harm and Prevalence of Harm of Psychology / Psychologists to the Legal System in Wisconsin	130
Research Question Five: Statistically Significant Differences between Judges, Attorneys, and Psychologists	131
Conclusions on the Statistically Significant Differences Between Judges, Attorneys, and Psychologists and their Perceptions of Psychology / Psychologists to the Legal System in Wisconsin.....	133
Limitations of this Study.....	134
Important Conclusions.....	138
Implications for the Future.....	142
References.....	147
Appendix A: Recruitment Letter	157
Appendix B: Qualifications of Experts	159
Appendix C: First Survey	162
Appendix D: Participants' Comments	164
Appendix E: Second Survey	168
Appendix F: Third Survey	182
Appendix G: Answer Sheet	230
Appendix H: Welcome Letter	235
Appendix I: Demographic Sheets	236
Appendix J: Consent Form	242

Appendix K: Directions for First Survey	243
Appendix L: First Survey Thank You	244
Appendix M: Directions for the Second Survey	245
Appendix N: Second Survey Thank You.....	249
Appendix O: Final Survey Cover Letter	250
Appendix P: Final Survey Directions	252
Appendix Q: Final Survey Thank You	254
Appendix R: Desperate Plea	255
Appendix S: Final Thank You	256
Appendix T: Final Survey Classification.....	257
Table A: Inter-item reliabilities for the Helpfulness and Future Contributions Scales	267
Table B: Inter-item reliabilities for the Harmfulness and Prevalence of Harm Scales.....	272
Table C: Inter-class coefficients for Helpfulness and Future Contributions Scales	257
Table D: Inter-class coefficients for Harmfulness and Prevalence of Harm Scales.....	281
Table E: Means, Standard Deviations and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the helpfulness of forensic psychology to the legal system	284

Table F: Means, Standard Deviations and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the future contributions of forensic psychology to the legal system.....	288
Table G: Means, Standard Deviations and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the harmfulness of forensic psychology to the legal system.....	292
Table H: Means, Standard Deviations and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the prevalence of harm of forensic psychology to the legal system.....	294
Table I: Top ten Helpfulness scales for Judges, Attorneys, and Psychologists.....	296
Table J: Top ten Future Contributions scales for Judges, Attorneys, and Psychologists.....	297
Table K: Judges, Attorneys, and Psychologists' Ranking of Harm specific to forensic psychology	298

Chapter I

Introduction to this Study

Discussion of Research Question

Forensic psychology—the area where psychology and law intersect (Goldstein, 2003; Hess, 1999a; Hess & Weiner, 1999)—has a long history dating back over 100 years (Loh, 1981; Tapp, 1976), but is still defining itself and its role. As Otto and Heilbrun (2002) noted: “forensic psychology is now at a crossroads, and the specialty must make an effort to respond to current challenges if it is to aid in the administration of justice by assisting legal decision makers” (p. 5). They also stated that “there presently appears to be a gap between a relatively small group of forensic specialists (active in such organizations as the American Psychology-Law Society (APLS) and the American Academy of Forensic Psychology) and a much larger group of psychologists who provide occasional forensic services or provide such services only within a circumscribed area” (Otto & Heilbrun, 2002, p. 15).

It is felt that managed care has contributed to an increase of forensic psychologists (Melton, Huss, & Tomkins, 1999; Otto & Heilbrun, 2002). Anecdotal evidence indicates that there is an increase in applicants as well as an increase in the qualifications of applicants to positions that have traditionally been filled by newly trained psychologists or have gone unfilled, such as positions in prisons, jails, forensic hospitals and community mental health centers (Otto & Heilbrun, 2002). In addition, there has been an increase in the number of workshops aimed at helping a practitioner establish a forensic practice, although Otto and Heilbrun (2002) noted that a careful examination of such workshops reveals that they are primarily concerned with billing and

establishing a referral base, as opposed to training in legal issues. "By its very nature, forensic work is likely to be subjected to a greater degree of scrutiny than are other kinds of psychological services, and there is some support for the claim that this is occurring over time" (Otto & Heilbrun, 2002). Given the increase in interest in forensic psychology (Hess, 1999a) coupled with the lack of agreed-upon training standards, specialty guidelines, and mandatory credentialing, one may question the credibility and acceptance of forensic psychologists in the courtroom.

These and many other factors make forensic psychology a unique field. For example, there are epistemological differences between psychology and law (Hess, 1999a) as well as major differences between the practice of clinical psychology and the practice of forensic psychology (Goldstein, 2003; Greenberg & Shuman, 1997; Knapp & VandeCreek, 2001; Reid, 2003). There are also many ethical issues that are unique to forensic psychology (Committee on Ethical Guidelines for Forensic Psychologists, 1991, Knapp & VandeCreek, 2001; Shapiro, 2003; Weissman & DeBow, 2003). In addition, forensic psychologists need to be familiar with the law related to the areas in which they practice. For this reason, special training in the area of forensic psychology is necessary. However, the majority of individuals who are currently practicing clinical forensic psychology have obtained limited specialty training related to this complex field (Bersoff, 1999). All of these issues need to be better recognized and addressed in order for the specialty to continue to define itself. Yet, despite the growing number of researchers in the area, there is still much work to be done in addressing these factors.

Statement of the Problem

Currently in Wisconsin, there is minimal training available at the graduate level in forensic psychology, and there are no specific certifications or licensure required for psychologists who hope to practice forensic psychology. However, researchers in this area agree that specialized knowledge of relevant legal issues is essential and constitutes ethical practice. In addition, as Bersoff (1999) noted:

at this time in the development of the profession, most clinicians who provide forensic services are not trained in graduate school but in weekend or one-day seminars and workshops. Yet, there is very little, if any, regulation of these experiences or scrutiny of the credentials of those who provide them (383).

Anecdotal evidence constantly references unethical forensic practices, such as clinical psychologists who have conducted evaluations for the courts without knowledge of the legal issue in question (Otto & Heilbrun, 2002). However, it is unknown if this is currently the exception or the rule in Wisconsin. Finally, evidence that psychologists in Wisconsin do, in fact, assist the legal process, are qualified in the eyes of legal professionals, and are helpful as opposed to harmful, is lacking. A great deal of psychological research has been and continues to be done on the legal process, as well as factors directly related to legal issues. This research, such as research on malingering, eyewitness testimony, psychopathy, jury selection, etc., could assist attorneys and the trier of fact. However, it is unknown whether this information is helpful to the legal system in the State of Wisconsin.

Overall, no research exists on psychology's impact on and acceptance in the legal profession in the State of Wisconsin. These issues are very important for both new and seasoned psychologists who hope to either practice forensic psychology or conduct research on specific legal issues in Wisconsin. Due to this lack of research, there are many questions concerning how forensic psychology is practiced and studied that need to be answered in order for this profession to develop in a way that is consistent with the direction currently being given by the experts in this field.

Purpose of the Study

The purpose of this study was to obtain an understanding of the impact of forensic psychology and psychological research in the State of Wisconsin, and its acceptance by the legal profession. Further, this study sought to help to either confirm or discredit much of the anecdotal information on the unethical practice of untrained psychologists who contribute to the legal system, as well as the notion that psychological research is rarely utilized, or used incorrectly, by the legal profession (Bersoff, 1986; Bringham, 1999; Freeman & Roesch, 1992; Otto & Heilbrun, 2002). It also sought to provide information specific to the success of this field and potentially identify areas of interest for future research as well as educational topics specific to Wisconsin.

This study focused on the State of Wisconsin for several reasons. It is more beneficial to narrow the focus to one specific state, as laws and regulations differ from state to state. By concentrating on one state, a more comprehensive analysis of the contributions of psychology to the legal realm can be determined. For example, the death penalty is not legal in Wisconsin. It is therefore implied that the majority of Wisconsin forensic psychologists do not engage in death penalty proceedings and that this is not an

area in which Wisconsin courts are seeking frequent psychological expertise or assistance. However, Wisconsin does have a sexually violent persons law (Chapter 980), and psychologists in this state frequently perform Chapter 980 evaluations. By focusing on the practices and contributions of forensic psychologists in one state, a more homogenous depiction of current and future forensic psychology practices was sought.

Another reason for focusing specifically on Wisconsin is that, in addition to its two large metropolitan areas, it also has expansive rural areas. In turn, this offers a chance to gather data from a comprehensive cross-section of professionals working in a variety of socio-economic settings. In addition, there are very few well-known researchers in Wisconsin who study the state of the discipline of forensic psychology. Therefore, it is of interest to know how closely forensic psychology practitioners in Wisconsin follow the recommendations of well-known forensic psychology researchers. It is also important to know if the research on matters related to the legal system is being consumed by those in the legal profession, and how helpful this research is to the legal profession.

There is currently a great deal of disagreement as to what constitutes appropriate training in forensic psychology (Bersoff et al. 1997; Otto & Heilbrun, 2002). While it is thought that the recent recognition of forensic psychology as a specialty will assist in the development of agreed-upon training in this highly specialized field (Otto & Heilbrun, 2002), this study sought to further illuminate potential areas that psychologists and/or psychology would contribute to in the future, and areas where psychology is helpful to the legal system. This will assist both in the education of forensic psychologists, as well as improve the quality of assistance to the courts by forensic psychologists in Wisconsin.

in the future, as this information can assist in developing training that is more consonant with the demands of the courts. The results of this study may also prove useful as a starting point in creating formal credentialing guidelines, if there is ever such an undertaking in Wisconsin. Finally, it is of interest to know in which areas experts feel that forensic psychologists will be spending the majority of their future time.

These goals were accomplished through the use of the Delphi Method (Fish & Busby, 1996; Jonassen, Hannum, & Tessmer, 1989; Jonassen, Hannum, & Tessmer, 1998 and Linstone & Turoff, 1975), which utilized the specialized knowledge of experts in the area of forensic psychology in the State of Wisconsin. This methodology is particularly useful in obtaining information on the current status and future trends of forensic psychology. Psychologists who are knowledgeable of Wisconsin law, up-to-date on relevant research, familiar with the practices of their colleagues throughout the state, and are aware of the types of issues for which judges and attorneys seek their assistance, are particularly qualified to provide their expert opinion on the above-mentioned issues. This study went a step further with the inclusion of judges and attorneys. Judges, who hear testimony concerning psychological assessments and research, either allow or exclude such testimony based upon their estimation of its credibility and relevance. Further, attorneys must become intimately familiar with the research and practice of psychologists in order to be effective during direct and cross-examination. By seeking the expert opinions of these three distinct groups, who all have specialized knowledge of this profession, information was obtained that will assist in the future development of this field.

Research Questions

This study addressed the following research questions:

- (1) Particular instances or situations in which psychologists and / or psychology are helpful in legal settings in Wisconsin.
- (2) Activities in which psychologists and / or psychology are likely to interact with the legal system in Wisconsin in the future.
- (3) Five areas forensic psychology and / or psychologists will be most helpful in the next five to ten years.
- (4) Particular instances or situations in which psychologists and/ or psychology are harmful in legal settings in Wisconsin and the prevalence of that harm.
- (5) Any statistically significant differences between how judges, attorneys, and forensic psychologists in Wisconsin view the helpfulness, future contributions, harm, and prevalence of that harm of forensic psychologists/ psychology to the legal field.

Definition of Terms

Amicus Curie – “[Latin “friend of the court”] A person who is not a party to a lawsuit but who petitions the court to file a brief in the action because that person has a strong interest in the subject matter. —Often shortened to *amicus*. —Also termed *friend of the court*. Pl. *amici curiae*” (Garner, McDaniel, & Schultz, 1996; p. 32).

Attorney-client privilege – “The client’s right to refuse to disclose and to prevent any other person from disclosing confidential communications between the client and his or

her attorney. —Also termed *client's privilege*" (Garner, McDaniel, & Schultz, 1996; p. 501).

Caselaw – "The collection of reported cases that form the body of jurisprudence within a given jurisdiction. —Also spelled *case law*; *case-law*. —Also termed *decisional law*; *jurisprudence*; *organic law*" (Garner, McDaniel, & Schultz, 1996; p. 84).

Chapter 51 – The chapter of the Wisconsin Statutes that sets forth the State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act. Usage of this term will specifically refer to those provisions dealing with the civil commitment of persons judged a danger to themselves or others due to mental illness, drug dependence, or developmental disability. See Wis. Stat. § 51.20 (2004).

Chapter 980 – The chapter of the Wisconsin Statutes that sets forth the procedure for the involuntary commitment of sexually violent persons. See Wis. Stat. ch. 980 (2004).

Clinical forensic psychology – used to refer to areas that are typically included in the term "clinical psychology" but are specifically dealing with a legal issue.

Competency – "The mental ability to understand problems and make decisions; in the context of a criminal defendant's ability to stand trial, competency includes the capacity to understand the proceedings, to consult meaningfully with counsel, and to assist in the defense. —competent, adj." (Garner, McDaniel, & Schultz, 1996; p. 117).

"Competency" is also used in other related contexts, such as: competency to waive Miranda rights, competency to waive counsel, etc.

Court-ordered Evaluation – A psychological evaluation ordered by the court. This evaluation differs from an evaluation conducted at the behest of the defense attorney.

Doctor-patient privilege – “The statutory right to exclude from evidence in a legal proceeding communications a person made to his or physician unless that person consents to the disclosure. —Also termed physician-client privilege; patient-physician privilege” (Garner, McDaniel, & Schultz, 1996; p. 501). The Wisconsin privilege statute equates this privilege with psychologist-patient privilege. Wis. Stat. § 905.04 (2004).

Expert evidence – “Evidence about a scientific, technical, or professional issue given by a person qualified to testify because of familiarity with the subject or special training in the field. —Also termed *expert testimony*” (Garner, McDaniel, & Schultz, 1996; p. 236).

Expert testimony- See *expert evidence*.

Expert witness – “A witness qualified by knowledge, skill, experience, training, or education to provide scientific, technical, or other specialized opinions about the evidence or a fact issue. Fed. R. Evid. 702-706. —Also termed *skilled witness*” (Garner, McDaniel, & Schultz, 1996; p. 668).

Forensic Assessment – Refers to a psychological assessment that has been designed to provide information related to a specific legal question.

Forensic psychological evaluation – Refers to a psychological evaluation that is conducted for the specific purpose of answering or providing information related to a specific legal question. May or may not use forensic assessments.

Forensic psychology – Used to refer to all areas of psychology that intersect with the legal system. Includes criminal and civil issues as well as practice and research in this area. Throughout this paper, the term *forensic psychology* is synonymous with “psychology and law” and “psycholegal”. It is important to understand that *forensic psychology* does not apply only to evaluations of criminals or issues simply related to the

criminal justice system (Cooke, 1998). Rather, forensic psychology encompasses both civil and criminal contexts (Blackburn, 1996; Otto & Heilbrun, 2002; Heilbrun, 2000), and also includes both clinical and non-clinical issues (Cooke, 1998; Hess, 1999a).

Insanity defense – See *not guilty by reason of mental disease or defect*.

Joint Degree – Refers to training programs that offer a degree in psychology and a degree in law. Most often it refers to a Ph.D. in psychology and a J.D. in law, however different combinations of degrees may also be indicated with this term, such as a Psy.D. or M.A. in psychology and a J.D. or Masters in Legal Studies (MLS).

NGRI – See *not guilty by reason of mental disease or defect*.

Not guilty by reason of mental disease or defect – “A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect the person lacked substantial capacity either to appreciate the wrongfulness of his or her conduct or conform his or her conduct to the requirements of law.” “The terms “mental disease or defect” do not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct. Wis. Stat. § 971.15(2)-(3) (2004). The Wisconsin criteria for NGRI are more liberal than most other states, which continue to use a McNaughton standard (Resnick, 2002).

Psycholegal – See *forensic psychology*.

Psychologist-patient privilege – See *doctor-patient privilege*.

Sexually violent person – “Means a person who has been convicted of a sexually violent offense, has been adjudicated delinquent for a sexually violent offense, or has been found not guilty of or not responsible for a sexually violent offense by reason of insanity or mental disease, defect or illness, and who is dangerous because he or she suffers from a

mental disorder that makes it substantially probable that the person will engage in acts of sexual violence” Wis. Stat. § 980.01(7) (2004). For this definition, **Mental disorder** – “means a congenital or acquired condition affecting the emotional or volitional capacity that predisposes a person to engage in acts of sexual violence” Wis. Stat. § 980.01(2) (2004).

voir dire – “[Law French ‘to speak the truth’] 1. A preliminary examination of a prospective juror by a judge or lawyer to decide if the prospect is qualified and suitable to serve on a jury” (Garner, McDaniel, & Schultz, 1996; p. 657).

Work product – “Tangible material or its intangible equivalent—in unwritten or oral form—that was either prepared by or for a lawyer or prepared for litigation then in progress or contemplated as soon to be initiated; work product is generally exempt from discovery or other compelled disclosure. Fed. R. Civ. P. 26(b)(3).—Also termed *attorney work product*” (Garner, McDaniel, & Schultz, 1996; 669).

Importance of the Study

As forensic psychology has recently been designated by APA as a Specialty section (Otto & Heilbrun, 2002), and there have been no doctorates obtained in forensic psychology as of the turn of this century (Goldstein, 2003), it seems important to determine if psychology and/or psychologists impact the legal system in a manner the legal system finds helpful and will continue to contribute to in the future. This seems intimately related to appropriate training in this complex discipline. Packer and Borum (2003) recommended that the majority of training in forensic psychology occur after obtaining a Ph.D. Given the specific knowledge that is required of psychologists who consistently work in the legal arena (Otto & Heilbrun, 2002), it is of interest to know how

prepared and knowledgeable Wisconsin psychologists who confront legal issues are of the relevant laws and guidelines governing legal matters.

Another important question is how helpful and qualified forensic psychologists are with regard to providing information that is helpful and relevant to the legal question. Given that: (a) the public (who constitute juries) holds a more negative opinion of psychology compared to other disciplines (Janda, England, Lovejoy & Drury, 1998); (b) one study found that both judges and attorneys prefer forensic mental evaluations to be performed by psychiatrists as opposed to psychologists (Redding, Floyd, & Hawk, 2001); and (c) judges, attorneys, and juries may believe that forensic mental health experts are “hired guns” (Cooper & Neuhaus, 2000; Mossman, 1999), it is of interest to the profession to gain a better understanding of how forensic psychologists in Wisconsin are perceived as assisting (or hindering) the legal process. It has been suggested that courts virtually ignore social science research (Freeman & Roesch, 1992), or use psychological research only when it supports an outcome that the arbiter already endorses, and generally remain skeptical of research-based testimony (Bersoff, 1986; Brigham, 1999). Bersoff (1986) summed up the relationship between social research and the courts:

if that relationship were to be examined by a Freudian, the analyst would no doubt conclude that it is a highly neurotic, conflict-ridden ambivalent affair (I stress affair because it is certainly no marriage). Like an insensitive scoundrel involved with an attractive but fundamentally irksome lover who too much wants to be courted, the judiciary shamelessly uses the social sciences. Courts cite the results of psychological research when they believe it will enhance the elegance of

their opinions but empiricism is readily discarded when more traditional and legally acceptable bases for decision making are available (155-156).

This study sought to provide information on how prevalent, if at all, these issues are in Wisconsin. This study also sought to provide valuable research findings that could be used to assist in educating the courts as to the appropriate utilization of social science research.

This study is important in that it also sought to provide information on the projected future of forensic psychology in Wisconsin. Information was obtained related to the areas that judges, attorneys, and psychologists believed psychologists and/or psychology would contribute to in the future in Wisconsin. The study sought to identify the areas where expert judges, attorneys, and forensic psychologists feel psychologists assist the legal system, as well as any areas they feel psychologists have been harmful, and the prevalence of that harm throughout the state. In addition, this study may provide information that could assist in determining whether specialized credentialing for clinical forensic psychologists might be necessary in the future in Wisconsin. With these goals in mind, this study could be important in determining the future of forensic psychology in Wisconsin as well as other similarly situated parts of the country.

Chapter II

What Is Forensic Psychology?

Definition of Forensic Psychology and the Problems Associated with Multiple

Definitions

There are many proposed definitions of this field, but no agreement on its definition or even what it should be called (Ogloff, 2000). Ogloff (2000) took issue with terms such as “law and psychology”, “psychology and law,” “forensic psychology,” and “psycholegal,” and instead suggested the term “legal psychology” to identify this field. He offered a definition: “legal psychology is the scientific study of the effect of law on people; and the effect people have on the law. Legal psychology also includes the application of the study and practice of psychology to legal institutions and people who come into contact with the law” (p. 467). While similar to other broader definitions, the term “legal psychology” is used less often than others such as “forensic psychology” and “psychology and law.” For this reason, the term “legal psychology” is rejected for use in this manuscript, although the definition offered by Ogloff seems commensurate with other broad definitions.

Broad definitions of this field cover all areas of interaction between psychology and law, while the more narrow definitions limit the term forensic psychology to clinical issues (Brigham, 1999; Brigham & Grisso, 2003). While Hess (1999a) suggested that forensic psychology is “[p]sychology in the law, psychology by the law, and psychology of the law” (page 37), Blackburn (1996) asserted that psychology *in* the law “is the only defensible use of the term” forensic psychology (page 7). What follows are samples of several definitions of forensic psychology, and a discussion of the strengths and

limitations of a broad versus a narrow approach towards defining the term. A brief overview of the epistemological differences between the field of psychology and the field of law, differences between clinical psychology and forensic clinical psychology, and a discussion of the unique ethical issues encountered by those practicing forensic psychology are also covered in order to obtain a greater understanding of the complex and diverse field of forensic psychology.

Defining forensic psychology is an important task because it assists professionals in determining how they should identify themselves, which is often important when offering expert testimony (Brigham, 1999). The *Specialty Guidelines for Forensic Psychologists* (Committee on Ethical Guidelines for Forensic Psychologists, 1991) defined forensic psychology as “all forms of professional psychological conduct when acting, with definable foreknowledge, as a psychological expert on explicitly psycholegal issues, (p. 657) Brigham (1999) classified this as a broad definition of forensic psychology.

The definition of forensic psychology created by Division 41, the American Psychology-Law Society (APLS) and the American Board of Forensic Psychology in their *Petition for the Recognition of a Specialty in Professional Psychology* focuses mainly on clinical issues. These groups define forensic psychology as: “the professional practice by psychologists within the areas of clinical psychology, counseling psychology, neuropsychology, and school psychology, when they are engaged regularly as experts and represent themselves as such in an activity primarily intended to provide professional psychological expertise to the judicial system” (Heilbrun, 2000). This definition, though comprehensive in its own right, nevertheless does not include any activities such

as psychological research on the legal system or how aspects of the law impact the field of psychology.

Blackburn (1996) and others (Brigham, 1999) supported confining the term “forensic psychology” to the description of practice issues alone—i.e. only “psychology *in the law*.” For those who follow this school of thought, other, non-clinical issues would fall under the more generic heading of “psychology *and the law*.” However, others take a more global view in defining the term, which would combine the clinical and non-clinical aspects, and use “forensic psychology” as a comprehensive appellation referring to all interactions of psychology and law. For example, Hess (1999a), in the *Handbook of Forensic Psychology 2nd Edition* offered a functional definition of forensic psychology that encompasses each of the three ways that psychology and the law interact; psychologists who assist the legal system, the impact of the law on psychology, and psychological research on the legal system are all included (Hess, 1999a). This is similar to the definition offered by Hess and Weiner (1999) in the preface to *The Handbook of Forensic Psychology*: “Forensic psychology can be defined by three aspects: (1) the application of basic psychological processes to legal questions; (2) research on legal issues, such as the definition of privacy or how juries make decisions; and (3) knowledge of legal issues” (p. ix). The editor of Volume 11 of the series *Handbook of Psychology*, “considers forensic psychology to be a field that involves the application of psychological research, theory, practice, and traditional and specialized methodology (e.g., interviewing, psychological testing, forensic assessment, and forensically relevant instruments) to provide information relevant to a legal question” (Goldstein, 2003; p. 4). It should be noted that those who support a more clinically-oriented definition of forensic

psychology, such as Brigham (1999), are in support of two or three categories, such as “clinical forensic, experimental, and legal” forensic psychology (p. 294).

Advantages and Disadvantages of a Broad versus Narrow Definition of Forensic Psychology

Brigham (1999) discussed advantages and disadvantages of a broad versus a narrow definition of forensic psychology. An advantage of using a broad definition of forensic psychology is that it allows for the inclusion of psychologists who are engaged in other areas, such as social, developmental, cognitive, and experimental psychology, who occasionally work with attorneys or present expert testimony (Brigham, 1999). A broader definition also allows for unity and growth in the general field of psychology and law, and would assist in the development of more general training programs in forensic psychology (Brigham, 1999). A broad definition is also consistent with the *Specialty Guidelines for Forensic Psychology* and the definition used by the American Board of Forensic Psychology (Brigham, 1999).

There are, however, disadvantages to the broader use of the term (Brigham, 1999). By equating forensic psychology with the phrase “psychology and law,” clinicians and non-clinical researchers are lumped into the same category. Brigham (1999) recognized that, due to the longstanding difficulties between clinicians and non-clinicians, including both in the same definition may prove to be a disadvantage. He also felt that a training program designed to train both clinical and non-clinical forensic psychologists would be difficult to implement. However, the validity of this concern is questionable, in that the scientist-practitioner model of training attempts to bridge this gap and create researchers who are clinicians and clinicians who are also researchers

(Stoltenberg, et al. 2000). The scientist-practitioner model is also endorsed as the preferred training model in the Petition for the *Recognition of a Specialty in Professional Psychology* (Heilbrun, 2000). Brigham felt that, while specialty and proficiency designations by APA were not meant to be used for the credentialing of psychologists, this likely will be the case. He opined that the designations included in the definition of forensic psychology will become important later on in credentialing. This would negatively impact non-clinicians, as state licensing mandates are not applicable to non-clinicians (Brigham, 1999). It should be noted that, at this time in Wisconsin, there is only generic licensing and no specific designation of licensed forensic psychologists. The only distinction related to licensure seems to be the option of claiming either “forensic psychology” or the more narrow “correctional psychology” on the licensure application as a specialty in which one is competent to practice. It is then the burden of the applicant and the applicant’s supervisor to ensure that “forensic psychology” should be included as the applicant’s specialty.

Using a narrow definition of forensic psychology also has advantages and disadvantages (Brigham, 1999). One advantage of a narrow, clinical definition is that it would call for more focused training on clinical issues, which could assist the courts in understanding the differences between different areas (Brigham, 1999). Another advantage is that the narrower definition would also be more consonant with licensure and training issues (Brigham, 1999). However, a narrower understanding of forensic psychology could increase tensions between researchers and clinicians (Brigham, 1999). Further, the narrower definition could be adopted by courts, who may then only allow “forensic” psychologists to testify, thus ignoring the valuable contributions of

psychologists whose research could assist in a legal matter but is not specific to the legal process (e.g. research on the treatment of Post Traumatic Stress Disorder) (Brigham, 1999).

Epistemological Differences Between Psychology and Law

Part of understanding forensic psychology is to have an appreciation of the differences between the discipline of psychology and the discipline of law. Forensic psychology is comprised of areas in which psychology and law intersect or interconnect (Hess, 1999a). However, psychology and law are nevertheless distinct, and it is important to understand the vast epistemological differences between the two (Hess, 1999a). Hess identified eight fundamental distinctions between psychology and law, which will be briefly presented here.

As a scientist, a psychologist holds an objective point of view, identifying information that both supports and refutes a hypothesis (Hess, 1999a). The belief is that multiple, sometimes competing, theories exist, which results in a progressive approach to an ultimate truth (Hess, 1999a). As a psychologist, it is important to be able to recognize both sides of an issue as well as one's own biases. This belief system is in contrast to the adversarial nature of legal proceedings. In the law, the truth is determined through a process of vigorous advocacy on either side according to carefully designed rules. This process ultimately results in the full discovery and disclosure of facts and consequent revelation of truth (Hess, 1999a). The belief is that through this adversarial process, the side deemed to have the most supporting evidence holds the truth.

Psychology recognizes that the cause of human behavior may often be seen as being deterministic, in that behavior has been observed to have both internal and external

contributing factors (Hess, 1999a). This is in contrast to how the law (as well as the general public) regards human behavior (Hess, 1999a). The law relies upon a belief in free will and that the individual is in charge of his/her behaviors, and should therefore be held responsible for those behaviors (Hess, 1999a). Another difference between psychology and the legal system is in the use of the word "law." In psychology, "laws" are considered to be underlying principles of nature that describe a particular phenomenon (Hess, 1999a). Ideally, research will identify propositions or principals that describe relationships among variables (Hess, 1999a). In the legal profession, "laws" are developed to control and shape behavior, and punishment is used in order to increase adherence to these "laws" (Hess, 1999a). In psychology, knowledge is arrived at empirically, typically with the use of nomothetic or normative data, which is gathered through appropriate research design, and is reported in great detail in scientific journals to promote reproducibility. In gathering scientific knowledge, it is typical for a conclusion to be deferred in order for more research to be conducted. However, in the law, knowledge is determined on a case-by-case basis with the goal of settling the issue. The methodology employed by each discipline to obtain knowledge is also different. In psychology, researchers use experimental design and statistical analyses to control for extraneous influences. In law, analysis of case method is used and the particulars of a specific case are examined in detail, and parallels between cases may be used to construct a full understanding of the issue (Hess, 1999a).

Psychology and law also use different levels of certainty criteria when reaching a conclusion (Hess, 1999a). In psychology, a more conservative criterion is used in an attempt to avoid making costly changes that are based on erroneous data (Hess, 1999a).

Typically, a criterion of less than one-in-twenty is used (Hess, 1999a). However, in the law, the goal is resolution of the particular case, and therefore a decision needs to be reached (Hess, 1999a). Thus, legal thresholds have lower levels of certainty and more than one level: preponderance of evidence, clear and convincing evidence, and beyond a reasonable doubt (Hess, 1999a). The principles underlying psychology are exploratory in nature. Multiple theories are encouraged, as is the falsifiability or testing of these theories. However, the underlying principles in law are more conservative and a case prevails based on the applicability of statutes and case law precedents to a particular set of facts.

The role of psychology in the courtroom is very restricted—limited to answering the attorney's or court's questions and following the rules of evidence. Similarly, the role of a forensic psychologist in court is restricted to the role of expert witness, consultant, or *amicus curiae*. The attorney has a broader array of courtroom behavior to utilize. The attorney "has great latitude to gather evidence to the limits of the client's resources, to develop a theory most favorable to the client, to secure witnesses, to file motions, to conduct *voir dire*, to order the sequence of presentation of witnesses and evidence, and to choose the tone of the advocacy" (Hess, 1999a; p. 44). In contrast to the psychologist's role in court, the attorney has much more control in the decisions running the legal case (Hess, 1999a). A forensic psychologist must be aware of these epistemological differences between the two disciplines and understand the role of psychology in the legal system in order to appropriately assist the court in making legal decisions.

Differences Between Clinical Psychology and Clinical Forensic Psychology

In addition to the epistemological differences between the fields of psychology and law, there are also many notable differences between the practice of clinical psychology and clinical forensic psychology. Reid (2003) compared non-forensic clinicians who do unsupervised forensic work after reading either books or articles or taking a weekend course to “a general surgeon reading a book on neurosurgery in order to start accepting referrals in that subspecialty” (p. 163). Reid also asserted that forensic psychology is a true subspecialty of psychology. Goldstein (2003) addressed many differences between clinical psychology and forensic psychology. What follows is a brief overview of some of the important distinctions between these two areas of psychology.

When conducting therapy or an evaluation, the role of the psychologist in clinical practice is to help the client. However, in forensic assessments the psychologist’s role is to assist the court “without regard to the potential benefits to the examinee” (Goldstein, 2003; p. 4). In clinical psychology, a DSM-IV diagnosis is provided to assist in treatment planning and is necessary, in most cases, for insurance reimbursement (Goldstein, 2003). A diagnosis is much less important in forensic evaluations, and may not even be required, such as in child custody evaluations (Goldstein, 2003).

Although insanity statutes require a diagnosis as a prerequisite for its consideration by a jury, the psychiatric diagnosis does not, per se, define insanity. Rather, in clinical forensic psychology, ‘diagnoses’ are based on statutes, which define the relevant behaviors of concern to the court and, therefore, become the focus of the evaluation (5).

There are also differences between how a clinical psychologist and forensic psychologist typically conceptualize human behavior. In psychology, one is taught that behavior exists on a continuum. However, when working with the legal system, a forensic psychologist is forced to conceptualize human behavior as dichotomous. The legal system requires the trier of fact to classify behavior as guilty versus not guilty, sane versus insane, liable versus not liable, etc. As Goldstein (2003) pointed out, "Ethical conflicts arise when those who view behavior as falling on a continuum are expected to sort individuals into discrete categories." For example, risk assessment and assessment of psychopathy are two areas that psychology views as encompassing a continuum of behavior, but which courts view as requiring definitive distinctions.

There are also differences between clinical psychology and clinical forensic psychology concerning the product of the professional relationship (Goldstein, 2003). Clinical evaluations typically focus on explaining behavior, and cognitive functioning and psychodynamics often play an important role in such assessments (Goldstein, 2003). However, forensic evaluations are focused on providing information relevant to a specific legal issue or question (Goldstein, 2003). While explanations of behavior may be correct, they are frequently not valuable in a forensic evaluation (Goldstein, 2003). The focus of a forensic evaluation should be on psycholegal behaviors (Goldstein, 2003). In addition, while working with a typical clinical client there is often very little reason to doubt the truthfulness of a client's responses (Goldstein, 2003). This is very different from working with a clinical forensic client (Goldstein, 2003). Often there is a great deal of motivation for a forensic client to distort the truth, mislead, and respond defensively during a forensic evaluation (Goldstein, 2003). As such, it is imperative that a clinical

forensic psychologist takes steps to corroborate information obtained from a forensic client with multiple independent sources (Goldstein, 2003). In addition, it is important for individual assessments to include some measure of test-taking attitude (such as defensiveness or fake good tendencies). Failure to assess the forensic client's truthfulness concerning information and assessment results is considered to be unethical forensic practice.

The time period focused upon also differs between clinical and forensic evaluations (Goldstein, 2003). Most clinical assessments are concerned with evaluating issues associated with present functioning, while the majority of forensic assessments do not (Goldstein, 2003). Instead, forensic assessments are typically concerned with evaluating past behavior, such as insanity assessments, or the likelihood of future behaviors, such as in risk-of-violent-behavior evaluations (Goldstein, 2003). However, competency evaluations constitute a large portion of evaluations conducted by clinical forensic psychologists with the focus of time for a competency evaluation being the present tense (Personal Communication, Norm Goldfarb).

Similar to the differences between psychology and law concerning levels of certainty criteria (Hess, 1999a), clinical psychologists and clinical forensic psychologists also differ in the levels of proof they use to reach conclusions (Goldstein, 2003). When considering levels of proof, clinical psychologists often use the statistical significance of .05. However, clinical forensic psychologists acting as expert witnesses are typically asked if they reached their opinion "to a reasonable degree of psychological certainty" (Goldstein, 2003; p. 6). "This level does not refer to the .05 level of statistical significance, nor does it relate to other legal levels of proof. Rather, it refers to the data

on which the opinion is based: Can the expert describe the reasons for his or her opinion based on all the information considered, and, at the same time, can he or she explain why alternative opinions (such as malingering) can be ruled out?" (Goldstein, 2003; p. 6).

There are also differences in professional accountability between clinical psychology and clinical forensic psychology (Goldstein, 2003). The majority of activities in clinical psychology are conducted behind closed doors. In the rare instance a complaint is filed and the psychologist is held accountable by the American Psychological Association (Goldstein, 2003). There also exists much less of an adversarial atmosphere in clinical relationships, as clients are often seeking treatment. Professional accountability could be considered higher in forensic psychology, however, due to the fact that forensic psychologists have their work reviewed openly and meticulously by so many different individuals. Forensic psychologists have their work closely examined by the judge and by attorneys from both sides, and are subject to the harsh scrutiny of cross-examination. There is also a record of the psychologist's work in the form of a transcript. As Goldstein (2003) pointed out, "If an attorney, judge, opposing expert, or party in the litigation believes, justly or unjustly, that misconduct has occurred, an ethics complaint may result." (p. 6). He went on to assert that the forensic psychologist is thus "answerable to all parties involved in the legal system" (Goldstein, 2003; p. 6).

Perhaps the most noteworthy difference between clinical psychology and clinical forensic psychology is in the identification of the client (Greenberg & Shuman, 1997; Goldstein, 2003). In clinical psychology, the client is usually easily identified, as it is the person to whom the psychologist is offering professional services. Forensic

psychologists have multiple clients (Goldstein, 2003). Monahan (1980) asserted, "Because of the nature of the assessment, the nature of the oath (to tell the whole truth and nothing but the truth), and APA ethical principles, clients include the retaining attorney, the consumer of the product (e.g., the judge and jury), and those potentially affected by the expert's opinion: society as a whole" (p. 6).

The relationship between a forensic psychologist and a client is unlike the therapeutic relationship in psychotherapy (Knapp & VandeCreek, 2001), and the techniques used, objectives, and evaluation process of a forensic interview are very different from a clinical interview (Reid, 2003). The forensic psychologist conducting a forensic evaluation should be objective, neutral and detached while a treatment provider is caring, supportive, and empathetic. There are also differences concerning the privilege of communication (Greenberg & Shuman, 1997). The content of therapy between a therapist and client is protected by psychologist-patient privilege and can only be shared with third parties with the consent of the client (Greenberg & Shuman, 1997). However, a forensic psychologist who has been hired by an attorney to perform a forensic evaluation has the communications protected under the attorney-client privilege, as opposed to a psychologist-patient privilege at least until such time as the psychologist is needed as a witness for trial (Greenberg & Shuman, 1997). Greenberg and Shuman (1997) also cited case law, as well as the Specialty Guidelines (1991), which require a psychologist to disclose the lack of privilege to forensic clients.

Unique Ethical Issues in Forensic Psychology

The differences in epistemology between psychology and law, and the discrepancies between clinical psychology and forensic psychology, result in the latter

having many unique ethical issues to which a forensic psychologist needs to be sensitive. Therefore, another important aspect of understanding forensic psychology is to acquire a comprehension of some of these distinctive psychological ethical issues. Forensic psychology has unique rules and ethical dilemmas, and forensic psychologists must be aware of these as well as possess adequate knowledge of the legal system (Knapp & VandeCreek, 2001; Weissman & DeBow, 2003). Weissman and DeBow (2003) stated that:

ethical professional competencies are reflected in knowledge of both psychological concepts and legal constructs and in the skillful construction of methodologies that bridge the two in the service of answering legal questions fairly and honestly in each area of the psycholegal domain (33).

The 1992 *Ethical Principles of Psychologists and Code of Conduct* (American Psychological Association, 2002), or Ethics Code, was the first to address forensic psychology (Shapiro, 2003). The Ethics Code governs the actions of psychologists and includes a section specific to the practice of forensic psychology. Section 7, Forensic Activities, covers many issues of which psychologists practicing in the legal realm must be aware. In addition, the Committee on Ethical Guidelines for Forensic Psychologists created the *Specialty Guidelines for Forensic Psychologists*, (1991) (herein referred to as the "Specialty Guidelines"), to provide additional guidance. However, these Specialty Guidelines are not enforceable as part of the Ethics Code (Shapiro, 2003). The Specialty Guidelines were created to complement the Ethics Code with rules consistent with case law governing the admissibility of scientific evidence in court (Hess, 1999b). It is wise for forensic psychologists to be familiar with the special section on forensic psychology

in the Ethics Code, the Specialty Guidelines, as well as laws of their state relevant to the practice of psychology and the legal question (Knapp & VandeCreek, 2001). For example, if hired to conduct an evaluation to determine if an individual is insane, a psychologist needs to go beyond supplying a Diagnostic and Statistical Manual of Mental Disorders – Text Revision, 4th Edition (2000) definition, the psychologist also must know the legal definition of insanity, which varies from state to state.

When practicing forensic psychology, it is important to realize that it is possible for the Ethics Code and the law to conflict, although Shapiro (2003) concluded that the legal system and codes of professional ethics have fewer discrepancies than many believe. Standard 1.02 of the 1992 Ethics Code briefly mentions such conflicts (Shapiro, 2003). The Specialty Guidelines, however, offer more detailed examples of how some issues can be handled, such as suggestions for how a psychologist could take reasonable steps when the court has made a demand for discovery of a psychologist's records (Shapiro, 2003).

Again, it cannot be stressed strongly enough that forensic psychologists need to be competent and knowledgeable of all issues relevant to the area in which they are practicing, including possessing knowledge of the legal issues (Shapiro, 2003; Committee on Ethical Guidelines for Forensic Psychologists, 1991). As stated in the Specialty Guidelines, forensic psychologists need to possess a "reasonable level of knowledge and understanding of the legal and professional standards." It is erroneous to believe that the hiring attorney will provide such information, as it is the role of the attorney to advocate for his/her client, and not all attorneys possess the required knowledge of mental health law (Weissman & DeBow, 2003). Weissman and DeBow (2003) asserted that ignorance

of psycholegal issues is not a defense for unethical conduct, and it may be wise for the forensic psychologist to consult with an attorney who is knowledgeable in mental health law when such assistance is required. There are also unique ethical issues surrounding documentation in forensic psychology (Shapiro, 2003; Weissman & DeBow, 2003).

There is sometimes pressure, both internal and external, to act in a manner that may favor one side over another when conducting a forensic evaluation (Reid, 2003). For example, there may be pressure on clinical forensic psychologists to change their opinion so that it supports the side that retained them (Ogloff, 2000). In addition, a forensic psychologist may feel as though they need to provide an opinion that the hiring attorney will like in order to receive payment or be hired in the future. It is important to be aware of what ethical practices are and to be able to recognize any such pressure, subtle though it may be (Reid, 2003). The potential impacts of mistakes made by a forensic psychologist are far reaching (Reid, 2003). A mistake made by a forensic psychologist contains the possibility to hurt the litigant, the retaining attorney, the psychologist him/herself, future litigants (if the case becomes legal precedent), and finally the profession as a whole (Reid, 2003). Reid (2003) highlighted the importance of forensic experience when conducting forensic referrals.

It is especially important when conducting a forensic psychological assessment that the individual understands the role of the examiner (Knapp & VandeCreek, 2001). Forensic clients need to understand that, unlike what many clients may be familiar with, the psychologist is not there to treat them, but rather to provide objective information to the court to assist the fact finder in making a legal decision (Knapp & VandeCreek, 2001). It is very important that forensic psychologists are aware of the laws, again state-

specific, surrounding admissibility of self-incriminating information that may be revealed during a forensic psychological evaluation (Knapp & VandeCreek, 2001). It is extremely important that a forensic psychologist does not agree to perform a forensic psychological evaluation on an individual they are treating in therapy (Knapp & VandeCreek, 2001). It is also important to explain to a new therapy client who is involved or will become involved in litigation the limits of the relationship and the inability to have a dual relationship (Knapp & VandeCreek, 2001). This is important in preventing future problems (Knapp & VandeCreek, 2001). Under no circumstances should a forensic psychologist agree to accept payment for a case on a contingency basis (Knapp & VandeCreek, 2001). It is also advisable to be paid in advance to avoid non-payment if an attorney finds an evaluation to be unfavorable (Knapp & VandeCreek, 2001).

It is important for the forensic psychologist to understand what standard of proof is being used to make the legal decision (Weissman & DeBow, 2003). In most civil areas, confidence limits are set at an alpha level of .51, compared to the .05 level in the sciences (Weissman & DeBow, 2003). A particularly complicated area of ethical practice concerns engaging an incarcerated or incompetent client in therapy with the purpose of "curing" the client so he/she can face punishment (Hess, 1999b). This is a complicated issue, and calls into question whether the psychologist is being iatrogenic.

There are many ethical issues to consider when accepting a forensic referral (Hess, 1998; Weissman & DeBow, 2003). Hess (1998) outlined 15 guidelines for accepting forensic case referrals. Psychologists must always remain objective when hired as an expert witness (Weissman & DeBow, 2003). The courtroom is not an appropriate place to promote personal beliefs or as an avenue to influence public policy (Hess,

1999b; Weissman & DeBow, 2003). Suitable areas to influence public policy are professional associations, legislatures, amicus briefs, testifying to legislative bodies, and forming sociopolitical action groups (Hess, 1999b; Weissman & DeBow, 2003). When an expert does not agree with a specific law, such as child custody laws or the death penalty, it is ethical practice for the psychologist to decline these referrals (Weissman & DeBow, 2003).

Terms Used Throughout Study

While the debate continues on as to what to call this field (e.g. "psychology and law," "law and psychology," "forensic psychology," "legal psychology," "psycholegal," etc.) (Ogloff, 2000) the term "forensic psychology" will be used herein to indicate the more comprehensive definition offered by Hess (1999a), which includes "psychology in legal settings," "the law's effects on the practice of psychology," and "psychological research on legal issues and process" (pp. 25-37). This study was originally focused primarily on issues related to the practice of forensic psychology. However, as it was an exploratory study, aspects of forensic psychology unrelated to practice issues were discussed by study participants. The purpose of using a broad definition was to encompass all areas in which psychology and the law intersect and potentially impact one another. In addition, it seems likely that many attorneys and judges are unfamiliar with the clinical versus non-clinical debate concerning the definition of forensic psychology. For this reason, using the broadest application of the term allowed study participants to include any activity they felt was encompassed by the term. In a way, the broad definition allowed participants to create their own definition of "forensic psychology." This author will consistently use the term "forensic psychology" throughout the

manuscript, although many sources and quotes cited throughout may use the terms “psychology and law” or “psycholegal.” When one of these other terms is used, it should be understood that it is referring to the broader definition of forensic psychology and is synonymous with this author’s definition of “forensic psychology”.

Forensic psychology provides professional assistance to clinical forensic populations as well as the legal community (Heilbrun, 2000). Clinical forensic populations are comprised of individuals who suffer from a mental illness as classified by the Diagnostic and Statistical Manual for Mental Disorders IV-TR (2000), or any other type of issue that would require clinical attention, and who are involved with the legal system (Heilbrun, 2000). The legal community consists of attorneys and the courts (Heilbrun, 2000).

There are a number of different activities conducted by psychologists that may fall under the broader definition of forensic psychology that equates the term with psychology and the law. As Bartol and Bartol (1999) noted, this broad definition of forensic psychology includes a variety of activities, including:

courtroom testimony, performing child custody evaluations, screening of law enforcement candidates, provision of clinical services to offenders and staff in correctional facilities, research and theory building in the area of criminal behavior, and the design and implementation of intervention and prevention programs for youthful offenders (3-4).

This definition allows for areas such as correctional and police psychology to be included when using the term “forensic psychology.”

History of Forensic Psychology

The Early Years

Hugo Munsterberg, the founder of applied psychology, is usually credited as being the first psychologist to discuss the possibility of applying psychology to the legal system (Goldstein, 2003; Ogloff, 2000; Spillmann & Spillmann, 1993). His 1908 book, *On the Witness Stand*, was extremely optimistic and often overstated concerning the potential contributions of psychology to the law. In addition, there was minimal research to support his statements. This contributed to his ideas being rejected and criticized by the legal community (Wigmore, 1909). Wigmore wrote a satirical law review article in which he subjects the claims Munsterberg made in his book to a fictitious cross-examination in a mock libel trial (Ogloff, 2000). "Not surprisingly, Munsterberg was found guilty of exaggerating his claims" (Ogloff, 2000; p. 460). However, in his article, Wigmore (1909) did offer that relevant psychological research would be welcome in the court when it became available (Ogloff, 2000). There is still disagreement in the field concerning the impact Munsterberg had on the development of applied psychology generally and the field of forensic psychology specifically (Kuna, 1978; Spillmann & Spillmann, 1993). Other factors that hindered the development of forensic psychology were the belief by early psychologists that the field of psychology should remain "pure and scientific" and should not move in the direction of applying its findings (Ogloff, 2000; p. 461).

Also around the time of Munsterberg, other psychologists, such as James McKeen Cattell, William Stern, and A. R. Luria were examining psychological issues that were related to the law, such as the accuracy of eyewitness recollection and issues related to lie

detection (Loh, 1981; Ogloff, 2000; Tapp, 1976). In 1908, Freud addressed judges as to the application of psychoanalytical techniques to the courtroom (Freud, 1908 as cited in Tapp, 1976). Delinquency in children was also being studied and treated during this time (Healy, 1915 as cited in Tapp, 1976).

Over the next several decades, following Munsterberg's book (Munsterberg, 1908), and Wigmore's harsh criticisms of Munsterberg's claims (Wigmore, 1909), there was minimal development in forensic psychology. Hypotheses as to why the forensic psychology movement was not sustained included that experimental psychologists were reluctant to apply research findings, that there simply were few researchers in this area, the lack of training programs specifically in forensic psychology, and that there was not a formalized organization to bring interested individuals together (Ogloff, 2000).

In the 1920s and 1930s there were a few books written on the subject of forensic psychology, but they were mostly written by attorneys and did little to advance the field (Loh, 1981). During this time, several law schools also began to include social science material in their courses and a few even began to include psychologists as law professors (Loh, 1981; Ogloff, 2000). However, Ogloff (2000) asserted that there were almost no books or articles written by psychologists in the 1940s and 1950s on forensic psychology.

Prior to the 1950s, the application of psychology to legal issues had been primarily an academic discussion. Clinical psychologists finally began contributing significantly to forensic issues following World War II (Loh, 1981; Otto & Heilbrun, 2002). It was not until the 1950s that psychologists began to be used as expert witnesses (Kolasa, 1972, Tapp, 1976). Also during the 1950s the landmark decision *Brown v. Board of Education*, in which psychological research played an important part, was

handed down (Loh, 1981; Tapp, 1976). It was not until the 1970s that forensic psychology began to become better defined and efforts were undertaken to identify recommended qualifications and develop guidelines for training and ethics for those practicing in this area (Goldstein, 2003).

Explosion in the Field

Thus the 1970s saw a great deal of growth in forensic psychology (Tapp, 1976). During the mid 1970s, there was an increase in psychologists' contributions to conferences dealing with legal issues (Tapp, 1976). The first (APLS) annual convention was held in 1974 and several other conferences dealing with forensic psychology were soon to follow (Tapp, 1976). In 1981, APLS became the 41st Division of APA (Monahan & Loftus, 1982). The American Board of Forensic Psychology was also created in the 1970s (Monahan & Loftus, 1982). During this time period, education in forensic psychology began to occur at both the undergraduate and graduate levels. However, there remained few psychologists as law professors during this time (Tapp, 1976), although the coming decades would see an increase (for a discussion of psychologists in law schools, see Melton, Monahan, & Saks, 1987). It was also during the mid 1970s that the first truly integrated program offering a joint-degree in psychology and law was developed at the University of Nebraska-Lincoln (Tapp, 1976). While there was an increase in special journal issues devoted to forensic psychology issues during this time (Monahan & Loftus, 1982), text books on forensic psychology did not exist (Tapp, 1976).

There was also significant increase during the 1970s in the publication of psychological research related to forensic psychology (Monahan & Loftus, 1982; Tapp, 1976). Psychological research on competence, consent to treatment, waiver of rights by

children, deterrence from criminal activity, offender rehabilitation, role of juries in the decision-making process, jury size, the impact of defendant characteristics on jurors, and issues related to the legal process, such as evidence, eyewitness testimony, and comprehension and impact of instructions to the jury (Monahan & Loftus, 1982).

Journals devoted specifically to forensic psychology issues, such as *Criminal Justice and Behavior* and the APLS journal *Law and Human Behavior* began during this time (Tapp, 1976). Psychological organizations such as APA and several of its divisions, as well as legal organizations, such as the American Bar Foundation, all exhibited more interest and inclusion of issues related to forensic psychology (Tapp, 1976). Federal funding agencies, such as the National Institute of Mental Health and the Law Enforcement Assistance Administration also began offering more funding for research in forensic psychology (Tapp, 1976). During this time of growth of the psychological community's interest in the law, the legal community was also becoming more accepting of psychology (Monahan & Loftus, 1982). There were several cases in the 1970s that cited psychological research to help support the judiciary's decision (Monahan & Loftus, 1982).

1990s to the Present

More recent historic moments in the field of forensic psychology include the merging of APLS and Division 41 of APA in 1984 (Ogloff, 2000), the publication of the *Specialty Guidelines for Forensic Psychologists* in 1991 (Ogloff, 2000), and the designation of forensic psychology as a specialty area in 2000 by the APA (Otto & Heilbrun, 2002). In the 21st Century, there are a vast number of journals in the field of forensic psychology (Ogloff, 2000). Membership in APLS/Division 41 in the year 2000

was 3000, including 500 student members (Ogloff, 2000). There is a great deal of research being conducted in this area, and the quality has improved tremendously over the years (Ogloff, 2000). However, psychology has yet to impact the mainstream areas of law in any major way (Ogloff, 2000). Psychology has made relatively little impact in the area of promoting social change (Fox, 1999 as cited in Ogloff, 2000). In addition, much of the research that has been conducted in forensic psychology, such as research on juries and jury decision-making, is not regularly consumed by the legal profession and is harshly criticized for using experimental laboratory designs as opposed to more realistic conditions (Ogloff, 2000). Ogloff (2000) appealed to psychologists in this field to be less apathetic about its future so that history does not repeat itself with a return to the inactivity in the field of the 1920s. He offered 12 points, which he believes “need to be addressed to ensure the continued growth and success of the field” (Ogloff, 2000; p. 467). The purpose of this study is to hopefully contribute to the field to assist in its growth.

Discussion of Expert Testimony

Typically, the purpose of an expert witness is to provide information that is outside the expertise of a layperson (Knapp & VandeCreek, 2001). In order for psychologists to be able to testify as an expert witness, they are required to pass strict legal standards in order for the testimony to be deemed admissible. The Federal Rules of Evidence (FRE) and corresponding state evidence codes, and case law such as *Frye v. United States*, *Daubert v. Merrell Dow Pharmaceuticals*, and the more recent *Kumho Tire Co. v. Carmichael* decision, identify these standards. Rule 702 of the FRE, which concerns expert testimony, states:

if scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion or otherwise, if (1) the testimony is based upon sufficient facts or data, (2) the testimony is the product of reliable principles and methods, and (3) the witness has applied the principles and methods reliably to the facts of the case.

Goode & Wellborn, III; 24

This rule was recently amended to better reflect the Supreme Court's decision in *Daubert*, which set forth several factors that should be considered by the trial courts when determining whether a scientist's expert testimony should be admitted (*Kumho* later expanded the *Daubert* criteria to encompass non-scientific experts). Grove and Barden (1999) outlined the six factors of scientific analysis required by *Daubert* in order for scientific testimony to be admissible:

1. Is the proposed theory, on which the testimony is to be based, testable (falsified)?
2. Has the proposed theory been tested using valid and reliable procedures and with positive results?
3. Has the theory been subjected to peer review?
4. What is the known or potential error rate of the scientific theory or technique?
5. What standards, controlling the technique's operation, maximize its validity?

6. Has the theory been generally accepted as valid in the relevant scientific community?

Grove & Barden, 1999; p. 226

Grove and Barden also criticized attorneys as not adhering to *Daubert*, and allowing what has been termed “junk science testimony” into the courtroom. In order for psychologists to be allowed to offer expert testimony in a court of law, they have to pass these strict legal standards. The two areas psychologists typically testify on are either on a theoretical area of psychological research, such as Battered Women’s Syndrome or the symptoms of Post Traumatic Stress Disorder, or they conduct a forensic psychological evaluation and are in court to report on their findings. In each of these roles, the psychologist as an expert witness must be hired by an attorney or the court and must pass these legal requirements in order for their testimony to be heard.

Forensic Psychological Evaluations and Forensic Assessments

The most frequent activity in which forensic psychologists are likely to be engaged is as an expert to the court (Heilbrun, 2000), which almost invariably requires the completion of a forensic psychological assessment (Otto & Heilbrun, 2002). Otto and Heilbrun (2002) defined a forensic psychological assessment as “the psychological assessment of persons for the purpose of assisting the legal fact finder.” These assessments are conducted to assist in both civil and criminal proceedings, and can cover a broad range of potential legal questions. Examples of forensic psychological assessments include competence to stand trial, competence for sentencing, assessment of capacities relevant to guardianship needs, civil commitment, and parenting fitness in child custody litigation (Otto & Heilbrun, 2002). The exact number of forensic

psychological assessments conducted each year is unknown, but likely the number is well into the hundreds of thousands and the number of psychologists providing treatment in forensic settings is also extensive (Otto & Heilbrun, 2002).

Forensic psychological evaluation is a much more recent area of specialty (Otto & Heilbrun, 2002). There are many differences between psychological evaluations performed for use in clinical settings versus psychological evaluations performed for use in forensic settings (Melton, Petria, Poythress, & Sologin, 1997). In fact, Heilbrun (1992) outlined seven guidelines to help assist mental health professionals in selecting psychological tests to be used in forensic evaluations. Melton, et al. (1997) suggested that assessments not specifically designed to assess forensic issues often have minimal usefulness in many forensic contexts (p. 47). Rather, they felt that specialized forensic assessments, such as Competence to Stand Trial Assessment Instrument (CAI) are more appropriate because they are designed to answer a narrowly defined legal question. They went on to address several considerations one must attend to when using psychological assessments in the legal realm: First, the assessments being used must be relevant to the legal question. The forensic use of tests designed to provide a diagnosis, or assess general levels of functioning, that have not been directly related to the legally relevant behavior, is not advised as it does not provide reliable or valid information directly related to the legal question. Second, caution should be used in drawing conclusions based on test results alone. The use of third party information to confirm test data and information obtained via the clinical interview is highly recommended, as the subjects of forensic evaluations often have high incentive to lie. In addition, they suggested that psychological assessments are limited in their ability to assess an individual's mental

condition at a prior point in time, and therefore sources such as prior records and investigative interviewing are seen as superior in determining such prior levels of functioning. Finally, they felt that those in the legal profession may view methods that have lower face validity less favorably, and therefore prefer more straightforward measures. They further asserted that, "Judges and attorneys understand interviewing; they are less sanguine toward inkblots" (p. 49).

However, Otto and Heilbrun (2002) noted that many forensic assessments do not follow the Standards for Educational and Psychological Testing or other guidelines. This is not appropriate psychological test construction, and Otto and Heilbrun asserted that the use of inadequate assessments may result in damage to the reputation of the field of forensic psychology. It is important to determine the current attitude toward forensic assessments and psychological evaluations as well as psychological expert testimony in Wisconsin so as to determine whether quality forensic evaluations are being conducted, and whether they are helpful and useful to attorneys and the court.

Education And Training In Forensic Psychology

A quote from Tomkins and Ogloff (1990) best sums up training in this specialty area: "students who desire training in law and psychology have a formidable task ahead of them" (p. 206). Training specific to this area is extremely time consuming and expensive, as it may require admission in two different programs (although most programs offer some type of funding assistance). Further, it requires the mastering of two distinct areas, and the field itself has yet to establish guidelines as to what appropriate training in psychology and law should entail (Bersoff et al. 1997; Freeman & Roesch, 1992; Tomkins & Ogloff, 1990). Finally, due to the recent growth of this

specialized area, there is a wealth of new information that requires those aspiring to become forensic psychologists to master unique and complex issues related to the history and degree of specialization in the field (Tomkins & Ogloff, 1990).

Bersoff (1999) made four observations concerning the history of forensic psychology as it relates to the education and training in forensic psychology. First, he observed that both researchers and clinicians have had a 100 year history in the field, during which interest was focused into two distinct areas: (a) the application of psychology to the legal system and (b) the study of how the law impacts psychology. Second, the interest and acceptance of the social sciences by the legal field waxes and wanes over time (Bersoff, 1999), and this has likely contributed to the sluggish development of specific training in this field. Third, there are many differences between law and psychology, as discussed above in the Epistemological Differences section, which differences require, essentially, training in two disciplines. Finally, Bersoff asserted "There is significant disagreement whether a successful rapprochement is possible between law and psychology" (p. 379).

Specialized education and training in forensic psychology is a critical issue. As Otto and Heilbrun (2002) noted, "[b]y its very nature, forensic work is likely to be subjected to a greater degree of scrutiny than are other kinds of psychological services, and there is some support for the claim that this is occurring over time" (p. 11). This higher degree of scrutiny is one of the reasons that training specific to the area of forensic psychology is imperative for psychologists who hope to practice in this area. The other reason specialized training in forensic psychology is so important is that, in order for psychologists to assist the legal profession, they must have knowledge of the specific

legal standards and laws relevant to the jurisdiction in which they are working (Blackburn, 1996; Otto & Heilbrun, 2002). Familiarity with the legal issues discussed above is crucial in order for a psychologist to be of assistance to the legal process.

Over the past several years, there has been a tremendous increase in the availability of didactic and clinical supervision experience in the field of forensic psychology (Goldstein, 2003). There has been a growth in the number of undergraduate and graduate courses offered on the topic, as well as an increase in the number of pre-doctoral internships offering supervised clinical forensic experiences (Otto & Heilbrun, 2002). Despite this increase in formal training in forensic psychology, however, there remains a deficit in the number of doctoral programs with an emphasis on forensic training (Otto & Heilbrun, 2002), and, as of the turn of this century, there has not been a single person in the United States who has earned a doctoral degree in forensic psychology (Goldstein, 2003), although a handful of programs are now offering such degrees.

Further complicating the question of what constitutes appropriate training is the fact that there is a great deal of disagreement within the profession itself concerning just what is appropriate training in psychology and law (Bersoff, et al. 1997). Some feel that appropriate training in forensic psychology should be postponed until postdoctoral training (Bersoff et al. 1997; Packer & Borum, 2003). Packer and Borum, asserted that specialized training in forensic psychology should occur only after one has acquired "a foundation of clinical competence in understanding psychopathology, assessment, interviewing, conceptualization, and other general clinical skills" (p. 23). However, this is the exact opposite of the teaching philosophy of Nebraska's joint-degree program,

which has the students begin their graduate studies in the law school along side first year law students (Melton, Huss, & Tomkins, 1999). "Yet how are psychologists to learn of these laws and how to deal with them if psycholegal training is not introduced in graduate school?" (Grisso, Sales, & Bayless, 1982).

It is hoped that one of the results of forensic psychology's achievement of specialty status within APA will be the accreditation of training programs in this field (Otto & Heilbrun, 2002). Otto and Heilbrun (2002) hypothesized that such accreditation is most likely to occur at the postdoctoral level, "as much of the specialty training in forensic psychology currently occurs following completion of the doctorate" (p. 9). Another issue impacting the difficulty of consistent and comprehensive education and training in forensic psychology is the nearly complete lack of emphasis on treatment of forensic populations (Otto & Heilbrun, 2002). While Otto and Heilbrun concede that it may be possible that treatment in this field is no different from psychological treatment in general, they do note that there are several areas of treatment that appear to be unique to the area of forensic psychology:

- (a) the treatment amenability of juveniles as part of the legal decision to transfer a youth from juvenile to criminal court;
- (b) whether an individual found not guilty by reason of insanity has progressed sufficiently in treatment to justify conditional release into the community;
- (c) the likely length of treatment necessary for an individual to recover from a traumatic experience as part of a personal injury case;
- (d) whether legal coercion enhances treatment compliance and overall effectiveness for individuals on parole;
- (3) effective treatment strategies for addressing deficits that

have resulted in a defendant's adjudication as incompetent to proceed and the relation of the duration of such treatment to deficit reduction, to better inform the decision about when a defendant may be unrestorably incompetent; and (f) the efficacy and effectiveness of violence risk reduction interventions in the context of outpatient commitment, civil commitment release decision making, and associated malpractice litigation (14-15).

Until now, these are all areas that have drawn minimal research interest and as such the impact of treatment on these legal decisions remains unclear (Otto & Heilbrun, 2002). As discussed above, it is very important for the field of forensic psychology to be guided by research in order to gain admission into the legal realm, as well as to gain credibility within the legal profession (Otto & Heilbrun, 2002). The lack of focus on forensic treatment issues in comparison to forensic psychological assessment issues makes treatment an area that remains vastly underrepresented in what little education and training there is in forensic psychology. This researcher believes that this lack of attention to treatment issues leads to the question of whether treatment in these areas is effective.

Another obstacle of current training in the field is the lack of practice guidelines in many areas of forensic psychology (Otto & Heilbrun, 2002). For instance, treatment in forensic settings lacks practice guidelines and, aside from custody, abuse and neglect evaluations, there are no guidelines governing forensic psychological evaluations (Otto & Heilbrun, 2002). The lack of consensus among forensic psychologists concerning the

practice of forensic assessments complicates the development of practice guidelines (Otto & Heilbrun, 2002). This leads one to wonder how current forensic psychologists have obtained the appropriate training to contribute to the legal field given that the field of forensic psychology itself is undecided in how they should practice. In addition, the lack of practice guidelines results in an absence of uniformity concerning practice among forensic psychologists, which in turn leaves courts and attorneys without objective guidelines to determine whether a forensic psychologist is adequately qualified and knowledgeable of legal issues.

Reinforcing the importance of the issue, it has been noted that the lack of training specific to clinical forensic psychology may result in psychologists practicing unethically (Greenberg & Shuman, 1997). Greenberg and Shuman (1997) asserted that most graduate ethics courses do not cover issues related to the practice of forensic psychology, such as avoiding a dual relationship as both a therapist and administrator of a forensic psychological evaluation. They also state that "therapists are not typically trained to know that the rules of procedure, rules of evidence, and the standard of proof are different for court room testimony than for clinical practice" (p. 51).

What follows is an overview of current training in forensic psychology. Special attention is paid to the National Invitational Conference on Education and Training in Law and Psychology, or the Villanova Conference (Bersoff, 1999). Also, joint degree programs are discussed as well as other graduate training, undergraduate training, predoctoral internship training, and post doctoral training in forensic psychology.

Villanova Conference

Bersoff (1999) identified the three global areas of discussion of the Villanova Conference. First, a means of evaluating training in forensic psychology, covering the range of undergraduate programs through postdoctoral training and continuing education, needed to be identified and implemented. Second, attention was given to the issue of the ethnocentricity of forensic psychology as it relates to the inclusion of countries across the globe. Finally, questions concerning the lack of people of color throughout this discipline were also addressed. Bersoff identified the five goals "of the eight working groups at the conference were to (a) identify those aspects of education and training that worked well in the past and/or are current successes; (b) identify ongoing problems that remain unresolved; (c) develop strategies for addressing those problems; (d) delineate among those strategies, the ones with the most potential for being practical, implementable, and effective; and (e) recommend possible model curricula, programs, and levels of training" (p. 385).

The Villanova Conference delineated three levels of competence in forensic psychology (Bersoff, 1999). The Entry Level would consist of students who would have a basic understanding of psycholegal issues and be familiar with ethical principals that govern forensic practice (Committee on Ethical Guidelines for Forensic Psychologists, 1991). The Proficiency Level would include individuals who would have taken several practica in settings that offer assessment and treatment experiences with forensic clients (Bersoff, 1999). Students would also be trained in legal concepts, providing expert testimony, and perhaps take courses offered through a participating law school (Bersoff,

1999). The highest level of expertise in forensic training would be the Specialty Level.

Bersoff (1999) described this proposed level:

Those professional psychologists wishing to attain the highest level of training would almost assuredly be educated in programs designated as dedicated to producing forensic psychologists. For entering graduate students, this training would be provided through doctoral programs; for experienced clinicians, in extended postdoctoral or doctoral programs that lead to respecialization. In any event, these programs would have an integrated, carefully developed sequence of training with an identifiable, experienced, forensic faculty with recognized credentials. Beyond intensive and in-depth understanding of case law and extensive training in forensic skills, the psychologist at the specialty level would also be exposed to a variety of populations, . . . It is expected that forensic specialists would be responsible for pursuing continuing professional development and would become fellows of the APA and attain the diplomate in forensic psychology (396).

It should be noted that, in the State of Wisconsin, only two individuals currently hold a diplomate in forensic psychology from the American Board of Forensic Psychology (http://www.abfp.com/diplomate_search_results.asp, February 6, 2004). This leads one to question the necessity of attaining the Specialty Level of training in order to produce helpful information to the courts, and begs the question as to what level of training is necessary for a forensic psychologist to undergo in order to ethically assist in legal matters in this State.

Undergraduate Training in Forensic Psychology

The first step in introducing the area of forensic psychology to undergraduate students is the inclusion of the topic in introductory psychology courses (Ogloff, 2000). While, as Fulero et al. (1999) noted, "at this time, legal psychology topics are relatively unmentioned in introductory texts" (p. 149), the number of undergraduate courses in forensic psychology has nevertheless been increasing (Fulero et al., 1999). There is also a great deal of diversity in the topics that are covered in these courses, and often such courses can be found in interdisciplinary programs (Fulero et al. 1999). The diversity of topics included in different undergraduate forensic psychology courses is likely due to the expansiveness of the field. A sample of 35 syllabi in forensic psychology courses indicates that most courses begin with a general introduction to psychological or legal theory (Liss, 1992).

Ryan and Fletcher (2003) suggested that students interested in the area of forensic psychology become familiar with pertinent literature in this area. A 2000 survey sent to individuals with a diplomate in forensic psychology indicated 10 publications with which readers with an interest in forensic psychology should be familiar (Ryan & Fletcher, 2003). Books indicated as being important include, in order of importance: Melton, Petrila, Poythress, & Slobogin (1997); Rogers and Lopez (1997); Grisso, (1986); and Hess & Weiner, (1999); and journals included *Law and Human Behavior*, *Behavioral Sciences and the Law*, *Journal of the American Academy of Psychology and Law*, *Psychology, Public Policy and the Law*, and *Criminal Justice and Behavior*.

Many researchers have provided suggestions on how to teach and what to include in an undergraduate forensic psychology course (Fulero et al. 1999; Perry, Huss, &

McAuliff, 1996), and there are also many undergraduate texts from which to choose (e.g. Bartol & Bartol, 1994; Fleming, Pedimont, & Hiam, 1990; Swenson, 1993; Wrightsman, Nietzel, & Fortune, 1997). Liss (1992) briefly reviewed some of these texts as to the content covered and populations (i.e. law versus psychology students) using the text. Most methods for teaching forensic psychology at the undergraduate level are in favor of an active learning approach using such methods as mock trials and analysis of current events through multimedia, videos and movies (Anderson, 1992; Foley, 1993; Fulero et al. 1999; Perry, Huss, & McAuliff, 1996). There are also many online resources, such as forensic psychology discussion groups and listserves as well as web pages that are available to undergraduate students, to facilitate learning topics in forensic psychology (Fulero et al. 1999). The reader is referred to Greene (1987) for a detailed description of an undergraduate forensic psychology course.

Graduate Training in Forensic Psychology

There has also been an increase in the amount of training in forensic psychology offered at the predoctoral level (Otto, Heilbrun, & Grisso, 1990). Nonetheless, at this time in the development of the profession, most clinicians who provide forensic services are not trained in graduate school but in weekend or one-day seminars and workshops. Yet, there is very little, if any, regulation of these experiences or scrutiny of the credentials of those who provide them.

Bersoff, 1999; p. 383

The format of workshops and seminars are insufficient in providing adequate training in forensic psychology and are more appropriate for individuals who already have some experience working with legal issues and desire more focused training on a specific issue

(Freeman & Roesch, 1992). However, the majority of individuals currently practicing forensic psychology have not been trained in a formal forensic psychology program (Otto, Heilbrun, & Grisso, 1990), and the majority of psychology doctoral programs do not train students for forensic work (Knapp & VandeCreek, 2001). The exception to the lack of graduate training in forensic psychology is the joint degree programs, discussed in greater detail below. Despite the increase in pre- and post- doctoral training over the past three decades, "the need for forensically specialized mental health professionals to serve our courts and parties in litigation has not been satisfied" (Otto, Heilbrun, & Grisso, 1990; p. 225).

Obtaining dual degrees may not be necessary when practicing clinical forensic psychology, as much of the material covered in law school is not relevant to this area (Freeman & Roesch, 1992; Otto, Heilbrun, & Grisso, 1990). Doctoral programs offering training specific to clinical forensic psychology are more common than joint degree programs, although the exact number of these types of programs is unknown, as they are often less structured, and more difficult to identify (Otto, Heilbrun, & Grisso, 1990). The program at Simon Fraser University is an example of a doctoral program that trains psychologists and researchers to work in the legal system (Ogloff, 1999). Interestingly, a review of the literature concerning training in forensic psychology proved very little discussion concerning training at the master's level. In the Otto, et al. (1990) article, the MA program in forensic psychology at John Jay College of Criminal Justice of the City University of New York was mentioned in a footnote. This leads one to wonder about the utility of a degree from one of these programs.

Otto, et al. (1990) noted that supervision may be an issue in forensic psychology practicum sites in that students may be in a placement "where poor forensic skills are practiced" (p. 221). While quality supervision is an issue in all practicum placements, this researcher thinks it may be more difficult to control for in forensic placements due to the minimal amount of training available in forensic psychology, the majority of forensic practitioners being trained in workshops at the post-doctoral level, the lack of credentialing and monitoring specific to forensic issues, and the lack of experience and knowledge of ethical forensic practice on the part of training directors and typical psychology professors.

Joint Degree Programs in Psychology and Law

Law schools offer a variety of joint degree programs, but there is usually minimal integration of the two areas being studied. Further, while there is a great deal of flexibility in such programs, students may never learn how to integrate the two areas or have interdisciplinary courses (Hafemeister, Ogloff, & Small, 1990). There are a few programs offering joint degree programs in psychology and law that are more formal in their interdisciplinary training, often having some courses count toward credits in both programs as well as programs to bridge the gap between the two fields (Hafemeister, Ogloff, & Small, 1990; Melton, 1990). There is also variation among the different programs offering joint degree training in psychology and law in the combination of degrees, but the most typical degrees earned from a joint degree program are a Ph.D. in psychology and a J.D. in law (Tomkins & Ogloff, 1990). The reader is referred to Melton (1990) for a description of the joint degree program at Nebraska.

The most extensive training in forensic psychology is found in the joint degree programs (Freeman & Roesch, 1992). The purpose of these programs is to provide integrative training of psychology and law, and to closely examine issues related to the intersection of the two (Tomkins & Ogloff, 1990). As noted in Ogloff, Tomkins and Bersoff (1996), "it is believed that providing students with standard and complete training in law, in psychology, and in law and psychology, gives them an understanding and insight into the field of psychology and law that is comprehensive and unique." The hypothesis is that those who obtain training in joint degree programs that truly integrate the two disciplines have different insights, skills, and opportunities compared to those who obtain only one degree or non-integrated joint degrees (Hafemeister et al. 1990; Melton, 1990). The greatest advantage of obtaining training from joint programs is that it teaches forensic psychologists to examine problems from many different angles: "a psycholegalist can evaluate the problem from a psychological perspective and then from a legal perspective – and, finally from a psycholegal perspective" (Tomkins & Ogloff, 1990; p. 208). The joint training also provides the most direct route to obtaining training in forensic psychology (Tomkins & Ogloff, 1990), and graduates are often able to obtain careers in places that would be difficult without such training (Hafemeister, Ogloff, & Small, 1990).

As mentioned earlier, forensic psychology is a very broad area, and therefore the areas of specialization one may achieve from a joint degree program are also extremely broad (Tomkins & Ogloff, 1990). A survey of joint degree programs conducted by Tomkins and Ogloff (1990) found specialization in the areas of "clinical, social, developmental, experimental, counseling, psychometrics, industrial/organizational,

behavior genetics, community, personality, mental health policy, and child clinical psychology” (p. 211). Thus, there is a great deal of diversity among the courses offered in joint degree programs and the selection varies greatly between programs (Tomkins & Ogloff, 1990). Because the majority of the work in this area is applied, most joint degree programs offer practicum experiences (Tomkins & Ogloff, 1990). The settings of such training are also very diverse and may include public policy settings, consultation with attorneys, correctional settings, and forensic inpatient settings (Tomkins & Ogloff, 1990).

The areas of research are also varied and cover:

addictions, civil commitment, civil law issues (torts, civil procedure, etc.), confidentiality, cognitive psychology and law, death penalty, divorce mediation, domestic violence, evidence, expert testimony, eyewitness testimony, informed consent, insanity defense, issues in legal competency, juries, juvenile justice, law and news media, legal issues involving children and families, mental health issues, multicultural issues, personality psychology and law, police and correctional psychology, rape and other forms of violence, and social psychology and law

(Tomkins & Ogloff, 1990; p. 212).

Bersoff (1999) noted both optimism and concern over joint degree programs offering both a Ph.D. in psychology and a J.D. While he noted that there has been more interest in this area over the past twenty years and that individuals with joint degrees possess a wide range of jobs that likely would not be possible without this unique training, he still identifies several concerns (Bersoff, 1999). First, research funding is becoming increasingly difficult to secure and pre- and post-doctoral internship sites and

practicum placements are discontinuing training. As mentioned earlier, many members of the legal profession continue to have a negative view of psychology (Cooper & Neuhaus, 2000; Mossman, 1999). Also, with the need for graduate schools to justify programs, both financially and in terms of the merit of the area of study, it is difficult to create training programs specific to this area. The current areas of forensic psychology studies are limited, and perhaps are focusing on less important issues, such as eyewitness testimony and issues related to trial. Finally, there remains disagreement in the field concerning the worth of joint programs (see Freeman & Roesch, 1992). Students and graduates of joint degree programs feel that the amount of time and financial cost of interdisciplinary training may be too much (Hafemeister, Ogloff, & Small, 1990). However, they also feel that they received training sufficient for their needs, although their interdisciplinary training may not always be fully utilized (Hafemeister, Ogloff, & Small, 1990).

However, even with this highly specialized training, it still may be difficult for these individuals to find and obtain a job (Tomkins & Ogloff, 1990), especially one that makes use of all of their skills (Hafemeister et al. 1990). Due to the limited market for individuals holding both a Ph.D. and a J.D., most employers examine a candidate's performance in both areas, requiring that the candidate has been equally successful in both the psychology and law programs. Tomkins and Ogloff (1990) noted that, when considering candidates for a position, most employers prefer individuals to have "superior credentials" compared to other graduates from psychology programs and from law programs (p. 207). This means that individuals have to perform at the top of their psychology program as well as the top of their law program. It should be noted,

however, that many feel it is not necessary to obtain both formal degrees in order to become a competent forensic psychologist (Otto, Heilbrun, & Grisso, 1990). Graduates of joint degree programs do go on to careers in a wide variety of areas (Hafemeister, et al, 1990; Tomkins & Ogloff, 1990), and the majority of graduates from joint degree programs end up in either public policy positions or in academia (Tomkins & Ogloff, 1990). Hafemeister et al. (1990) noted that joint degree programs need to do a better job in clarifying what types of careers graduates are specially trained for, and that this information needs to be better communicated to the potential job sites.

Internships in Forensic Psychology

While the exact number of internships offering training in forensic psychology is unknown, a search of the Association of Psychology Postdoctoral and Internship Centers (APPIC) online directory revealed 310 sites nationwide that offered at least a minor or informal training opportunity in Forensic/Corrections or Public Policy/Advocacy (http://www.appic.org/directory/search_results.asp?search_type=characteristics&appicProgramType=1&search_country_state_province=1&us_citizenship=0&canadian_citizenship=0&apa_accredited=both&cpa_accredited=both&full_part_time=both&training_any_all=UNION&trainingType22=minor&trainingType37=minor; March 2, 2004). Only five of these positions are located in Wisconsin (http://www.appic.org/directory/search_results.asp?search_type=characteristics&appicProgramType=1&search_country_state_province=WI&us_citizenship=0&canadian_citizenship=0&apa_accredited=both&cpa_accredited=both&full_part_time=both&training_any_all=UNION&trainingType22=minor&trainingType37=minor; site March 2, 2004). Of these five, three are APA approved, and only two of these sites, Ethan Allen School and Mendota Mental Health Institute, offer

major training in the area of Forensics/Corrections. None of these sites offer any type of training in Public Policy/Advocacy.

Post-Doctoral Positions in Forensic Psychology

The APPIC online directory identified 32 postdoctoral training opportunities in Forensics/Corrections or Public Policy Advocacy (http://www.appic.org/directory/search_results.asp?search_type=characteristics&appicProgramType=2&search_country_state_province=1&us_citizenship=0&canadian_citizenship=0&apa_accredited=both&cpa_accredited=both&full_part_time=both&training_any_all=UNION&trainingType22=postdoc&trainingType37=postdoc; site March 2, 2004), although only six are APA accredited (http://www.appic.org/directory/search_results.asp?search_type=characteristics&appicProgramType=2&search_country_state_province=1&us_citizenship=0&canadian_citizenship=0&apa_accredited=yes&cpa_accredited=both&full_part_time=both&training_any_all=UNION&trainingType22=postdoc&trainingType37=postdoc; site March 2, 2004).

None of these postdoctoral positions are in Wisconsin.

Given the current status of training in forensic psychology, especially related to the lack of education available in Wisconsin in the form of joint-degree programs or specialized internships and post-doc positions, it is important to determine whether forensic psychologists and/or psychology is utilized in this state. It is important for the growth of this specialized field that those in the legal community believe forensic psychology and psychologists to be helpful and have a future in this state. It is also important that there is not a great deal of disconnect between the beliefs of those in the legal community and those in the psychological community, as the psychology community is the one responsible for training forensic psychologists and producing

research helpful to the legal community. This information will also be useful in considering any specialty credentialing in forensic psychology or forensic psychological assessments specific to Wisconsin.

Credentialing in Forensic Psychology

Credentialing in forensic psychology is a means of identifying those who have obtained a specialized level of training and experience in forensic practice (Otto, Heilbrun, & Grisso, 1990). Otto et al. (1990) called these credentialing programs "training programs in forensic practice" because credentialing is offered as an incentive for participation in connected continuing education programs. Credentialing in forensic psychology falls into two broad categories: "(a) credentialing of mental health professionals who perform court-ordered evaluations for a state's legal system [sic] ; and (b) forensic credentialing conferred by the American Board of Forensic Psychology" (Otto et al. 1990).

Credentialing at the state level is not necessarily exclusive to psychologists, but rather includes a variety of mental health professionals who perform forensic evaluations for the state's legal system (Otto & Heilbrun, 2002; Otto et al. 1990). The number of states requiring specialized credentialing of forensic psychologists who provide evaluations for the legal system is unknown (Otto, et al, 1990). This type of credentialing differs from that required for licensure or certification for professional practice, and there are two general ways in which this type of credentialing may occur. In the first approach, the state requires the psychologist to have specialized forensic credentials to perform court ordered evaluations. The state department of mental health, as opposed to the state licensing board, usually performs this specialized credentialing. Massachusetts law

allows only psychologists who have been designated as a "Qualified Forensic Psychologist" to conduct court ordered evaluations (Fein et al. 1991; Otto et al. 1990). Fein, et al. (1991) noted: "the program was developed to serve five functions: (1) training, (2) credentialing forensic mental health professionals designated to conduct court-ordered evaluations, (3) quality control, (4) promoting improvement and change in forensic mental health practice, and (5) career enhancement and development" (Fein et al. 1991; pp. 224). The types of evaluations requiring this specialized credentialing include, "competence to stand trial, criminal responsibility, aid in sentencing, need for involuntary hospitalization, need for involuntary substance abuse treatment and need of a prisoner for mental health care" (Fein et al. 1991). It should be noted that there are many forensic evaluations that do not fall within the areas requiring these specialized credentials.

The other method of state forensic credentialing also requires that court-ordered evaluations be conducted by forensic psychologists who possess specialized forensic training (Otto et al., 1990). However, there is no specific agency in any state that is mandated to provide this specialized credentialing. Therefore, psychologists who are not specifically credentialed in forensic practice may still meet a judge's scrutiny by possessing the necessary qualifications to conduct the evaluation. In states with this type of credentialing, specialized credentialing in forensic psychology acts as an encouragement to complete the states' forensic training as opposed to being a requirement (Otto et al. 1990).

The chief reason for having any type of state credentialing is to increase the quality of forensic services. Most often, forensic credentialing is obtained by completing state sponsored continuing education (Otto et al. 1990). This training is specifically

related to legal issues as opposed to general clinical issues, and may include, among other topics, information on state statutes as well as pertinent case law addressing forensic evaluations, relevant research on forensic topics, and ethical issues related to forensic practice, such as those named above (Otto et al. 1990). It should be noted that, at this time, the State of Wisconsin does not require any type of specialized forensic credentialing in order to perform court-ordered or any other type of forensic evaluations. However, there are many issues involved in determining the parameters and requirements of a credentialing process, and the development of a state forensic credentialing system would require a great deal of time and commitment by the state (Otto et al., 1990).

Summary of Forensic Psychology

Forensic psychology is a specialized field that has many differences from general psychology (Goldstein, 2003; Greenberg & Shuman, 1997; Knapp & VandeCreek, 2001; Reid, 2003), and forensic psychology encompasses a very broad range of diverse topics and activities (Bartol & Bartol, 1999; Bringham, 1999; Committee on Ethical Guidelines for Forensic Psychology, 1991; Goldstein, 2003; Heilbrun, 2000; Hess, 1999a; Hess & Weiner, 1999). At this time, there is no specialized degree or certification required in Wisconsin to practice in the area of forensic psychology. In addition, there is not much known about the status of forensic psychology in Wisconsin as it relates to other areas in the United States. The purpose of this study is to obtain information concerning how the legal profession views forensic psychology research and practice; specifically, what areas or activities are helpful to the legal community, which are harmful and how prevalent is that harm, and what areas will forensic psychology and psychologists be contributing to in the future, in the State of Wisconsin. To accomplish this undertaking, a methodology

that relies on experts and utilizes both qualitative and quantitative methods is appropriate. The Delphi Method (Fish & Busby, 1996; Jonassen, Hannum, & Tessmer, 1989; Jonassen, Hannum, & Tessmer, 1998) offers this combination, and is the methodology this study employed in its attempt to answer these important questions.

The Delphi Method

The Delphi method is a group survey technique that uses a panel of experts to forecast needs, predict the future of an area of study, or provide outcome data on a topic (Fish & Busby, 1996; Jonassen, Hannum, & Tessmer, 1989; Jonassen, Hannum, & Tessmer, 1998). The Delphi method originated in the 1950s as a forecasting tool for the Rand Corporation (Dalkey & Helmer, 1963; as cited in Linstone & Turoff, 1975). It was used to help the military identify industrial settings in the United States that could be potential targets of Soviet atomic bombs, as well as to estimate the number of bombs required to reduce munitions output. However, the value of the method at that time was questionable, as computer programs available in the 1950s were unable to handle data this complex, and even if they were able to process the data, a great deal of hypothesizing would have had to have been done concerning largely unknown Soviet policies (Dalkey & Helmer, 1963; as cited in Linstone & Turoff, 1975).

The Delphi method is appropriate when researchers are interested in the thoughts and opinions of experts in a field of study (Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998). It allows for several experts in a particular field to supply their opinions without having to meet. All panel experts are anonymous and each expert's opinion is treated equally. Thus, one individual is unable to dominate the group, which may happen if some other data collection method, such as a focus group, were utilized.

The Delphi method requires that several waves of a survey be sent to selected experts in the field who are given the opportunity to revise their responses based on the feedback of their peers. This method has been used in several areas, such as psychology, sociology, political science, environmental studies, health education, transportation (Fish & Busby, 1996), and many technology fields (Linstone & Turoff, 1975). It is a technique that is utilized around the world (Linstone & Turoff, 1975), and is especially useful when there is not a great deal of information available on a subject. Also, given that there is often a time lag between when research is conducted and when it is finally available to the public in a refereed journal, this method is also useful when one is interested in the current state of a field. Finally, as Fish and Busby (1996) stated, it can be very instrumental in developing policies when there is a relatively new event. They summarized Linstone and Turoff's (1975) philosophy of the technique: "the philosophical underpinnings of the Delphi, then, are concerned more with the application of useful knowledge than with the attempt to define the truth" (p. 470).

Procedure of the Delphi Method

The Delphi technique utilizes a panel of experts who respond to several rounds, or "waves," of a mailed survey. What follows is a generic description of the procedure for conducting a Delphi survey that utilizes three rounds of data collection. Beyond the general outline described here, there are also many variations and modifications available with the Delphi method (Delbecq, Van de Ven, & Gustafson; 1975), allowing it to be tailored to the specific needs of the researcher.

Perhaps the most important consideration when conducting a Delphi survey is the appropriate selection of the expert panel that will be completing the surveys (Fish &

Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998), as this is directly related to the validity of the survey results (Fish & Busby, 1996). It is important that the researcher(s) identify individuals who are among the most knowledgeable in the field that is being studied (Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998). However, including individuals who have developed a specialty in the area of study may be problematic, as their answers may provide responses that are too specific or narrow, and are not related to those of the other panel members (Fish & Busby, 1996). It is also important to identify panel participants based on consensus among selected knowledgeable individuals identified in the area of study to ensure the quality of the panel participants, thus reducing errors or distortions in the data (Delbecq et al. 1975). Depending on the area of study, it may also be beneficial to include panel members in a variety of fields related to the topic, although this would likely result in needing more panel participants (Jonassen et al. 1989).

The size of the panel of experts depends mostly on the type of information that is desired, resources of the researchers, and desired generalizability of the information. Jonassen et al. (1989) stated, "Ten to 20 carefully selected respondents is the most desirable number." This method does not require a large number of participants to be successful and may even include as few as seven to ten carefully selected panel experts (Jonassen et al. 1989; Jonassen et al. 1998). Also, as indicated above, if the panel of participants is comprised of individuals from different fields, such as attorneys, judges, and psychologists, it is a good idea to include more participants in the panel (Jonassen et al. 1989). This will ensure that experts in each area of study are sufficiently represented so as to give adequate weight to their responses. One important consideration is that the

initial number of panel members must be large enough to accommodate attrition and still produce valid and usable data. One way that excessive attrition may be avoided is by contacting participants prior to their involvement in the survey (Delbecq et al. 1975). The number of participants lost throughout the waves of the study can be reduced by explaining the technique to the potential panel participants and by outlining exactly what will be requested of them, taking care to be very clear and realistic about the estimated time commitment (i.e. it is imperative that they remain in the study through all waves, otherwise their contributions will not be included in the study). Often panel participants will have to be persuaded into participating (Jonassen et al. 1989). In addressing this problem, it may be helpful to stress the importance of the research question, or to explain to participants that they were selected to participate in the study because their peers consider them to be an expert in the field, as this is flattering and may increase their motivation to participate.

After selecting the panel of experts who will receive the questionnaire, the next step in the Delphi process is the development of the survey itself. As with the selection of the number of panel participants, the number of survey questions also depends on the type of information that is desired. Questions in the Delphi method are in an open-ended format, and enough space should be provided so that respondents are able to fully answer the question(s). It is very important that the survey questions, while open-ended, nevertheless are specific enough in nature to ensure that participants provide responses that are consistent with the information the researcher desires (Jonassen et al. 1989; Jonassen et al. 1998). As the only communication between the researcher and panel member is often the survey and cover letter, Delbecq et al. (1975) pointed out that it is

very important that the questions themselves are clear and that both the survey and cover letter contain clear instructions.

The Delphi method can be quite lengthy, as it requires several waves of the survey to be mailed to participants, returned, and tabulated. Delbecq et al. (1975) provided a generic timeline (pg. 87) that includes three waves of surveys, and suggest that the entire project could be completed in 45 days. A week to ten days is an appropriate amount of time to expect for each wave of surveys to be returned (Jonassen et al. 1998), with ten days being a more realistic amount of time. Follow-up calls and letters are suggested to help increase the response rate of the surveys (Delbecq et al. 1975; Jonassen et al. 1998). Jonassen et al. (1998) also pointed out that with recent advances in technology, a password protected website can be very useful in conducting this type of survey, as the software may be able to immediately update the results. It is also important that the results of the survey be tabulated and returned to participants in a timely manner so that they do not forget that they are involved in the research project (Delbecq et al. 1975).

After the researcher(s) have collected all of the surveys they expect to receive from the first wave, the next phase is to tabulate all of the responses to generate the second questionnaire. As Fish and Busby (1996) pointed out, the exact methodology of how each phase of the Delphi technique will be implemented depends on the specific research team. While it is generally agreed that responses generated from the first survey are what make up the second survey (Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998), specific procedures for doing this may vary. Unfortunately, this researcher discovered that little information is provided in the literature on how researchers create

survey items from the in-depth answers they received from their open-ended surveys. For example, in a study identifying cross-cultural school psychology competencies, Rogers and Lopez (2002) described how they developed items from their open-ended questions by stating only, "we also transcribed and edited for clarity all additional items that were generated by the participating panelists" (p. 125).

As an exception to the general lack of instruction in the literature, Delbecq, et al. (1975) was one of the only sources that either utilized this method or described the Delphi technique that gave specific instructions on how the data obtained from the first round of questionnaires should be developed into items for the remaining waves of distribution. Readers seeking additional information on how survey items are generated from the open-ended responses are referred to Delbecq et al. (1975) pages 93-99. An important consideration when creating the second survey is that the panelists' responses are understood and communicated clearly in the second survey. Jonassen et al., (1998 & 1989) stated that calling panelists for clarification on their response is appropriate, and recommended that this be done to ensure that the items that are developed are clear and accurately reflect the panelists' sentiments.

The second survey should also include a place for the panelist to clarify earlier responses, as well as either a place for the respondent to rank order the responses, or to indicate on a five to seven point Likert scale how much they agree or disagree with the responses (Delbecq et al. 1975; Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998). Delbecq et al. (1975) identified the benefits of the second questionnaire as (a) "Areas of disagreement are identified," (b) "Areas of agreement are identified," (c) "Items requiring clarification are identified and discussed" and (d) "An early

understanding of priorities emerges" (pg. 97). They go on to discuss that the format of the second survey should accomplish four things, (a) the original responses from the first survey should be easily identified, (b) it should be easy for respondents to include comments, (c) the instructions for ranking items should be clear and simple, and (d) the survey should be brief enough to complete in twenty to thirty minutes. In reviewing several research studies that have utilized this method, it appears that surveys with as many as 200 items are common (Klutschkowski, 1992; Rogers & Lopez, 2002; Woodyard, 1997). The only guideline for determining how many questions the second survey should have is that all of the participants' responses to the open-ended survey be reflected in the final questionnaire.

The third survey that is mailed to participants contains the same items as in the second survey, with clarifications to and comments upon questions where appropriate, as well as statistics describing the results of the Likert scale or rank ordering of survey items from the second survey (Delbecq et al. 1975; Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998). Different sources report different statistics that should be included in the third survey. Jonassen et al. (1989) reported that the range, average and modal responses should be calculated and included for each response, while Jonassen et al. (1998) reported that the average, range, and standard deviation of all responses should be included. Fish and Busby (1996) suggested that the median, the first and third quartiles, and the interquartile range should be included with the survey items, and they provided detailed instructions on how these simple statistics can be calculated by hand. In a review of 11 studies conducted in Family Therapy that utilized the Delphi method, Jenkins and Smith (1994) found that the majority of the studies used medians and

interquartile ranges. Typically, researchers who used a median as the measure of central tendency also used an interquartile range or a quartile deviation (Jenkins & Smith, 1994). Therefore, both the literature outlining the Delphi method and the 11 studies reviewed by Jenkins and Smith are consistent in stating that various descriptive statistics have been reported.

It seems the most important statistics to be included are a measure of central tendency, the range of responses, as well as a statistic that will give the respondents an indication of the distribution of scores. One must take care to utilize statistics that are best suited to the data. Schmidt (1997) discussed the use of appropriate statistics when the rank-ordering method of the Delphi is used. He pointed out that some studies use a standard deviation with ordinal data, which is inappropriate as the distance from the item that is ranked first to that ranked second may not be the same as the distance from the second ranked item to the third. As an alternative, Schmidt identified a non-parametric statistical technique that can be used when analyzing ranked Delphi data. He presented his method and discussed how it can be used in the analysis of data and reporting of results. He also re-analyzed another researcher's data to show that other statistics may support consensus among ranked items when in fact a consensus may not have been reached. Those who are utilizing the ranking method in their Delphi are referred to Schmidt (1997) for an in-depth review of his method.

Choosing the appropriate descriptive statistics is very important because the third survey, and all subsequent surveys that may be necessary, include the results of the descriptive statistics from the previous survey. Respondents are then asked to rate the items again, taking into consideration how their peers responded to these items. The

purpose of providing this feedback is that the opinions of participants should begin to converge (Jonassen et al. 1989). The number of times the statistics are tabulated and returned to participants for modification varies between research studies and is determined by the goals of that particular project. Generally, the more rounds that are included, the more stable the data (Jonassen et al. 1998). However, as Jonassen et al. (1989) stated, "at some point, additional questionnaire rounds will not provide significantly more convergence and probably will not be productive" (p. 399). It is the decision of the researcher to determine when there is sufficient convergence among participants and the data collection can be finished.

Jenkins and Smith's (1994) review of the use of the Delphi method in 11 studies in Family Therapy examined the design, procedure, and sampling that was employed in each. They found that the majority of studies utilized two to three waves, with eight of the 11 using only two. They stated that, while many of the studies intended to include three waves, only two waves were utilized due to fatigue of participants and the feeling that a general consensus had been established. Jenkins and Smith criticized the bulk of studies for not adequately explaining how the decision that additional rounds were not necessary was reached. They also discovered that several studies facilitated the initial round by reviewing the literature and providing items in the first questionnaire. This method was also utilized in the Rogers and Lopez (2002) study. This method saves time and reduces fatigue on the part of the panelists, as they are not required to generate all items from scratch. Typically, the studies reviewed by Jenkins and Smith used between three and nine open-ended questions in the initial survey. When coding the data from the initial questionnaire, many researchers employed independent raters, using reliability

checks and reported reliability coefficients. Others used qualitative methods, their own judgment, or conducted content analysis to code the data.

When reporting the results of the Delphi, it is important to highlight strong minority opinions if they emerge (Jonassen et al. 1998). Often, because this method relies on agreement among panel participants, diversity among responses is sacrificed (Fish & Busby, 1996). For this reason, it may be appropriate to include bimodal distributions or outliers in the final results. This is dependent upon the type of information the researcher desires and how flexible he/she chooses to be with the statistical criteria (Fish & Busby, 1996). While the purpose of a Delphi is to obtain consensus among experts, often a small number of the experts may be more knowledgeable or may view the research question in a unique manner. Providing this information in the final report acknowledges that at least some of the experts have strong feelings for an item that is not in agreement with the rest of the experts. This offers additional information that may be important to consider, depending on how the survey results will be used. The actual validity of these outlying opinions is, again, dependent on how careful the researcher was in the selection of panel experts.

Fish and Busby (1996) discussed reliability and validity of data derived through this survey technique. They pointed out that "traditional types of reliability and validity are not easily obtained or applicable to the Delphi approach" (p. 479). A method such as test-retest reliability would be difficult to conduct with this method, as experts may become frustrated with having to participate in several rounds of the survey twice. As mentioned above, validity of the survey is most dependent upon the selection of the panel experts. Fish and Busby suggested that conducting content validity on the procedures

that were used to select the expert panel would offer validity to the data. Finally, researchers can also increase the likelihood of having a reliable and valid research tool by narrowly defining the topic or area of inquiry (Fish & Busby, 1996). This will help to ensure that participants are providing the data the researchers desire and keep participants focused on the research questions, thereby reducing the likelihood of participants going off on tangents when answering the open-ended survey questions. Fish and Busby also mentioned several indicators that the survey may be poorly constructed. If the survey yields a low response rate, or if the first survey yields a low number of unique answers and the second survey produces an exceptional amount of consensus, the survey is likely an inferior research tool (Fish & Busby, 1996).

Jonassen et al. (1998) included a concise and complete list of the advantages and disadvantage of the Delphi technique, but did not elaborate on the list. They identified the advantages to the technique as (a) it allows all participants to voice their opinion equally, (b) no one member has the opportunity to dominate or overly influence other panel participants, (c) the opinions of the experts are gathered anonymously, (d) it is not as expensive as attempting to have all the expert panelists meet in person, (e) the end result is a convergence of opinion, and finally, (f) the procedure is well documented. These are all reasons that make the Delphi technique an ideal method of data collection for this particular study.

Jonassen et al. (1998) recognized fewer disadvantages to the technique. They began by stating that the "accuracy of opinion is questionable" (p. 269) and cite Weaver (1971). As Jonassen et al. did not explain what they mean by inaccurate opinions, it is not understood completely what the authors meant by this statement. However, their

implication appears to have been that, despite having a panel of experts, there may still be error in their opinions. The second disadvantage included in the list is that this method requires respondents to be proficient in reading and writing. This is a very important limitation and one that researchers must consider when deciding if this method is appropriate. Other disadvantages offered by Jonassen et al. are that the method relies heavily on the initial questions, that it requires good initial questions and that accurate follow-up questions are produced, and that this is a very time-consuming method of data collection. The final disadvantage of the technique noted by Jonassen et al. is that, while the quality of the findings may be generally accepted, there may not be adequate research to support the results. While this is an accurate disadvantage, lack of supportive research is also a reason this method is utilized in the first place.

The Delphi method is an appropriate methodology for this study because there is not a great deal of information available on the current status of the *practice* of forensic psychology, and there are no studies of forensic psychology as it relates to Wisconsin, specifically. Given that the area of forensic psychology is likely to undergo many changes in the future due to its new status as a Specialty in APA, this methodology will allow for a comprehensive analysis of the current state of forensic psychology as well as suggested areas for improvement. This study could be viewed as a means of bridging the research to practice gap that exists in many areas of psychology. By utilizing the Delphi methodology and relying on the expert opinions of judges, attorneys, and forensic psychologists, this study hopes to provide information that is specific to the State of Wisconsin and will assist training future forensic psychologists and researchers hoping to work in this challenging field in this state.

Chapter III

Methodology

This study used the Delphi method to collect information on the current status of forensic psychology, as well as the future trends of forensic psychology, in the State of Wisconsin. A wide-ranging panel of judges, attorneys, and forensic psychologists was surveyed in order to provide a comprehensive view of this topic, with the intent of including a professionally diverse cross-section of individuals with knowledge of psychology's unique contributions to the legal system. This methodology allows for the gathering of information that will either support or refute much of the anecdotal information, such as that referred to by Otto and Heilbrun, (2002), concerning forensic psychology. The Delphi method is able to provide information on the current state of the discipline, as well as future trends specific to the State of Wisconsin, which a review of existing literature does not yield. Further, by using experts as opposed to a general survey administered to a large sample, the information this methodology provides is more relevant and specific to the questions being asked. Finally, it is believed that a panel of expert judges, attorneys, and forensic psychologists have a unique and more accurate understanding of these issues because they are far more likely to possess specialized knowledge of forensic psychology compared to that of a random sampling of these professionals.

Identifying Potential Study Participants

This study is interested in the current status and future of forensic psychology in the State of Wisconsin. Therefore, to increase the validity of this study and provide a thorough answer to the research question(s), a panel of expert forensic psychologists,

judges, and attorneys were surveyed. The panel of experts included individuals from all three professions in an attempt to capture the opinions of experts from each occupation who have professional contact with and knowledge of forensic psychology. The inclusion of judges, attorneys and forensic psychologists allowed for information to be gathered concerning forensic psychology from three unique professional perspectives. This is very important. For example, in Greenberg and Shuman's (1997) discussion of avoiding a dual relationship with a forensic client, they pointed out that there are no judicial decisions precluding the admissibility of expert testimony provided by a psychologist who had previously engaged in a therapeutic relationship with the client. They noted that a court may allow this testimony, not knowing that such testimony constitutes unethical practice. If this or other similar instances of legal and ethical discontinuity are occurring in Wisconsin, then a panel composed of expert judges, attorneys, and psychologists is more likely to bring it to light than a panel composed of just one of these groups.

As the Delphi method requires that a panel of experts be utilized to answer all questions, a panel of randomly selected judges, attorneys and psychologists is not appropriate, and would actually constitute a gross mis-utilization of this research design. The validity of a Delphi study is dependent on the qualifications of the expert participants (Fish & Busby, 1996). For this reason, it would have been erroneous to select the expert panel participants at random. Given the difficulty of identifying appropriate study participants, a snowball sampling technique was employed (<http://www.soc.surrey.a.uk/sru/SRU33.html>, April 28, 2004). Snowball sampling requires that an individual who has the necessary qualifications be identified, and then he/she is asked to recommend

other potential participants who also meet the criteria (<http://www.socialresearchmethods.net/kb/sampron.htm>, August 5, 2005). This researcher identified two to four judges, attorneys, and psychologists who were considered to be highly knowledgeable in their respective fields. These initial people were contacted by phone and the purpose of the study, study procedure, and total time commitment were all explained in detail. Next, they were asked if they would be able to participate for the duration of the study and if they could identify other judges, attorneys, or psychologists whom they felt would be able to positively contribute to the study.

It was also explained to potential participants that an effort was being made to try to include experts from throughout the entire State of Wisconsin. Potential participants were encouraged to nominate judges, attorneys, or psychologists throughout the entire state, paying particular attention to the northern half of the state, as it proved more difficult to identify potential participants from this area. While an attempt was made to have a panel of experts that represent a wide geographic area, it was felt by this researcher that all experts would have some knowledge of forensic psychology outside the geographic region that they represented. This ensures that the expert panel is able to speak to the status of forensic psychology throughout the entire state.

Another important factor in securing participants for this study was that all potential participants fully understand the time commitment involved in participation and that this methodology required they respond to all three rounds of the survey. Extreme care was taken to ensure that potential participants understood the Delphi technique – including estimated maximum time commitment, effort, and the nature of requested

information prior to inclusion as an expert in the study. These efforts will be described in more detail below.

The first requirement for being included in the study as an expert was that his/her peers nominate the individual. Secondly, the individual had to be a judge, attorney, or psychologist. Finally, the potential participant had to possess a minimum amount of knowledge of expertise in the area of forensic psychology. This was a very difficult criterion to measure, as many of the individuals who were nominated did not feel they should be qualified as an "expert" in the area of forensic psychology. This situation was handled by explaining to the potential participant the type of information that was being requested. If a potential participant was unsure of his/her qualifications, this researcher read the questions contained in the first survey to the potential participant, and then asked if he/she possessed the knowledge to intelligently answer these questions. It was also explained that part of being an expert in forensic psychology in Wisconsin was to be very skilled in their profession and to have had enough contact with psychology in the legal system to answer the questions. Potential participants were then allowed to opt out if they did not feel they possessed enough information on the topic, as it was felt that the individual would be the most qualified to attest to his/her knowledge of the topic. It was the desire of this researcher to only include experts in the panel who were very skilled in their profession and considered so by their peers, and that have experience/knowledge of forensic psychology in Wisconsin.

In addition, as it was imperative that participants remain in all three rounds of the survey, it was important that each participant have interest in being included in the study as well as the required knowledge of forensic psychology. In most instances, once

potential participants more fully understood what this researcher meant by "expert" in forensic psychology, most who expressed this concern agreed to participate. This concern on the part of potential participants also indicated that he/she was conscientious as to the purpose and requirements of the study and did not want to misrepresent him/herself as possessing more knowledge than he/she actually had on the topic of forensic psychology in Wisconsin. This researcher regarded this as a good attribute of a study participant.

Finally, as there are many different areas of forensic psychology, efforts were made to ensure that the area of expertise of the participants was adequately representative of the different areas of forensic psychology in Wisconsin. This was less of an issue for judges, as throughout Wisconsin, most judges are required to do a variety of rotations while on the circuit court bench. A loose requirement of five years of experience was generally required of all participants, although some exceptions were made and will be discussed below. One issue was that both attorneys and psychologists typically have a relatively narrow area of experience. Therefore, care was taken to avoid an overrepresentation of expertise in one area of the law or forensic psychology to dominate the sample. It was anticipated that participants could potentially have limited knowledge outside of their main area of expertise and thus would be able to provide limited information on other areas of forensic psychology. For this reason, care was taken to identify potential participants from areas of criminal, civil, family, and juvenile law. Using the procedures described above, a total of 53 judges, 63 attorneys, and 64 psychologists were identified as potential participants for possible inclusion in this study. Potential participants were mailed a recruitment letter (Appendix A), which began by

explaining that he/she was being contacted because their peers had identified him/her as an individual who possesses knowledge of the area of psychology and law. The letter went on to provide the name and institution of the researcher conducting the study as well as the name of the study. A brief explanation of the use of experts in the Delphi method, the use of judges, attorneys, and psychologists in this study, the importance of experts, and minimum number of panel participants required were all included. The letter went on to give more specific instruction as to the total estimated time commitment and exactly what would be expected of the individual should he/she agree to participate. It was pointed out that the source of all responses would be kept confidential. Potential participants were supplied with a time line of when data collection was expected to take place. The letter concluded with a notice that the researcher would be contacting the individual via telephone in the next several days to discuss potential involvement in the study as well as requesting additional nominations of potential expert judges, attorneys, and psychologists for inclusion in the study.

First Survey Participants

The researcher did in fact attempt to contact all of the 180 identified potential participants via phone to discuss their inclusion in the study. From this initial contact, 43 percent, 24 judges, 24 attorneys, and 29 psychologists, all agreed to participate and were included in the first round of the survey. It was anticipated that attrition would occur throughout the three rounds. However, it was hoped that the detailed description of the study, time commitment, and description of what participants could anticipate and what was expected of them would reduce the number who discontinued with the survey. As this methodology can be used with as few as seven to ten panel experts, as long as they

are carefully selected (Jonassen et al. 1989; Jonassen et al. 1998), it was felt that between 20 and 30 participants for each group would be an adequate number for inclusion in the first survey to ensure that there were enough participants who completed the final survey.

Of the 24 judges who were mailed a first survey, 23 completed and returned it, with a return rate of 95.8%. Of the 24 attorneys who were mailed a first survey, 20 completed and returned it with a return rate of 83.3%. Of the 29 psychologists who were mailed the first survey, 23 completed and returned it for a return rate of 79.3%.

Second Survey Participants

Only participants who returned a completed first survey were included in the second round of the survey. Of the 23 judges who were mailed a second survey, 20 completed and returned it for a response rate of 87%. Of the 20 attorneys who were mailed a second survey, 18 returned it for a response rate of 90%. Of the 23 psychologists who were mailed the second survey, 23 returned it for a response rate of 100%. Appendix B, which was mailed to respective panel participants as an indication of the qualifications of their fellow panel members, gives demographic information on the second round participants.

Third Survey Participants

As with the previous round, only participants who completed and returned the second survey were included in the final round of data collection. However, one judge who did not complete the second survey was accidentally included in the final round, and did return the final survey. His completed final survey was included in the final analyses. Of the 20 judges who were mailed the final survey, 15 returned it for a response rate of 75%. Of the 18 attorneys who were mailed the final survey, 15 completed and returned it

for a response rate of 83.3%. Of the 23 psychologists who were mailed the final survey, 19 completed and returned it for a response rate of 82.6%.

Only the responses obtained from the final round of the survey are included in the results of the study, therefore all demographics refer only to those participants who completed and returned the final survey. The overall study response rate from the 77 who originally agreed to participate in the study was 15 of 24 for the both the judges and attorneys, and 19 of 29 for the psychologists. This yielded an overall response rate of those who initially agreed to participate and were mailed the first survey to those who completed and returned the final survey of 65% for all three groups combined. This response rate falls within an acceptable range for a mailed survey (Babbie, 2001; Heppner, Kivlighan Jr., & Wampold, 1999), especially considering this percentage refers to survey participants who were retained for three waves of a mailed survey. The 15 judges, 15 attorneys, and 19 psychologists who comprise the final expert panel of this study falls well within the 10 to 20 target number of participants for each panel. The rigorous efforts employed to carefully select qualified expert judges, attorneys, and psychologists as panel participants, and the more than adequate number of experts included in the final round of the survey strongly support the validity of the data derived from this survey.

Demographics

The demographics for this study were collected from participants once at the very beginning of the study. The demographics reported below for each wave of the survey include the same information minus that of individuals who dropped out of the study.

Demographics for expert Judges

For the final survey, a total of 15 judges responded. The average age of the expert judges was 56.33 years (SD= 8.23; range= 45-74). The average number of years as a judge for the panel was 15.4 years (SD= 6.43; range= 6-31). The judges panel reported an overall knowledge of mental health issues related to the law of 4.73 on a 7 point Likert scale with a range of 1 to 7 (SD=.96; range=3-6).

Demographics for expert Attorneys

For the final survey, a total of 15 attorneys responded. The average age of the expert attorneys was 51years, (SD=6.5; range=39-63). The average number of years as an attorney for the panel was 24 years, (SD=6.6; range=11-32). The average number of years as a licensed attorney in Wisconsin was 23years, SD=6.6; range=9-32). The attorney panel reported an overall knowledge of mental health issues related to the law of 4.8 on a 7 point Likert scale with a range of 1 to 7, (SD=1.08; range=3-6).

Demographics for expert Psychologists

For the final survey, a total of 19 psychologists responded. The average age of the expert psychologists who responded to the final survey was 52.7 (SD=9.89; range=33-64). The average number of years as a psychologist for the panel was 20.95 years (SD=10.7; range=1-34). The average number of years licensed in Wisconsin was 19.21 years (SD=10.16; range=1-32). For the final survey, the psychologist panel reported an overall knowledge of mental health issues related to law as 5.44 on a seven point Likert scale ranging from 1 to 7 (SD=.51; range=5-6).

Survey Design

First Survey

Following the Delphi Methodology (Delbecq et al. 1975; Jonassen et al. 1989; Jonassen et al. 1998) the first survey consisted of 4 open-ended questions (Appendix C). In constructing the first survey, care was taken to construct questions that were broad enough to generate detailed answers, as well as specific enough so that respondents were able to provide answers that were relevant to the information being sought (Jonassen et al. 1989; Jonassen et al. 1998). The questions on the first survey asked for particular instances or situations in which psychologists and/or psychology have been helpful in legal setting in Wisconsin and areas where they have been harmful, areas where participants should interact with the law/legal system in Wisconsin in the future, and areas where psychology/psychologists will be the most helpful to the law/legal system in the future. This researcher constructed the open-ended questions on the first survey with input provided by the reviewing dissertation proposal committee.

The questions concerning the areas in which psychologists are most helpful or beneficial to the legal system, as well as areas their work has not contributed to, or has even hindered, the legal process were posed in an attempt to obtain information on how the legal community views psychological contributions to the legal system. These questions have the potential to identify areas in which psychologists may need to improve their services, as well as areas in which they are performing well. This information also has the potential to identify any areas of forensic psychology that attorneys and judges may not be aware of that could assist the legal profession. It is important to have information as to how the consumers of forensic psychology regard forensic psychology,

as well as their knowledge of forensic psychology issues. The information obtained from these questions will hopefully result in the continued receptiveness to and appreciation of the contributions of forensic psychology to the legal system.

The reason for asking questions in these broad areas is to elicit information concerning how the legal system consumes psychology as well as how they view the profession of forensic psychology. Information concerning the future of forensic psychology in the state is helpful in providing guidance for the development of the field. All of the information obtained by this survey will be beneficial to the future education and training of forensic psychologists, judges and attorneys in the state, as well as potentially inform any state-mandated credentialing that may be developed.

Participants were encouraged to answer all four questions completely, and to use additional space if needed to thoroughly answer all questions. Participants were also encouraged to include any additional comments (Jonassen et al. 1998 & 1989; Delbecq et al. 1975), and Appendix D includes all participant comments from each round of the survey.

Second Survey

The second survey (Appendix E) was constructed following the guidelines suggested by Delbecq et al. (1975). Each participant's response to the open-ended questions was first typed by this researcher to make analysis of the response easier. Each participant's response was reviewed individually and included in the second survey as a single item, with any similar responses reported by more than one participant summarized as a single item. In most instances, the respondents exact wording was used. An experienced licensed psychologist who has specialized in the area of forensics in

Wisconsin for over 25 years, and is a member of this dissertation committee, assisted in reviewing and grouping responses. Any items not specific to the area of psychology and law were excluded from the second survey.

Given the redundancy of many of the responses across the four questions, and the fact that a large percentage of participants answered a variation of "see above response" for a subsequent question, survey answers were not listed separately for each question from the first survey, as this would have required many items to be repeated making the survey over twice as long. Responses for questions 1, 3 and 4 were combined, and participants were provided with three different Likert scales for each of the questions in Section One of the second survey. Participants were told to indicate current contributions, helpfulness, and future contributions for each item. This allowed for each item to be reviewed one time by participants, but information was gathered concerning all three areas of interest. A similar method was employed for Section Two of the survey, however only two Likert scales were used for this section. Concerning the areas where psychologists or psychology may be harmful to the legal system, participants were instructed to read the item and then to answer on one Likert scale how a) harmful the described act was and, on another Likert scale, b) how prevalent this problem is in Wisconsin. Again, this was done to assist the participants in answering the questions and to reduce the time, energy, and redundancy of survey items. There was again a space provided to allow participants to clarify any responses (Appendix E).

Before being mailed to participants, the second survey was reviewed by two members of this researcher's dissertation committee, who are both psychologists, as well as a practicing general attorney. The attorney who piloted the survey reported that it took

him just under an hour to complete the survey. In addition, he provided valuable information as to the clarity of the directions of the second survey as well as a few issues related to terms and wording of a handful of the survey items. Based on this attorney's feedback, appropriate changes were made to the directions for the second survey, and a dichotomous scale asking about current contributions was added to the survey to provide clarity between the areas psychologists were currently contributing to and questions concerning future contributions.

Final Survey

The third and final survey (Appendix F) included the same responses as the second survey (Delbecq et al. 1975; Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998). However, this time participants were supplied with descriptive statistics concerning how members of their peer group responded to the answers. The number of participants who responded to each individual item, the mean score, and the range of scores were reported for each item. These descriptive statistics were used as opposed to the median as a central tendency statistic or a standard deviation to indicate the distribution of scores, because the mean and range are statistical values that are familiar to non-statistically inclined individuals.

The number of responses, mean, and range of scores were supplied to participants in an effort to communicate the participants' responses to assist in obtaining consensus within each group. The wording of questions and Likert scales were identical to the previous survey and were consistent across the final surveys sent to members of each of the groups. Judges, attorneys, and forensic psychologists responded to all of the items, though they were provided only the descriptive statistical feedback related to how

members of their peer group responded. In other words, while the judges respond to items that were generated by other judges, attorneys, and/or psychologists, judges were provided with feedback only for how the judges responded to the questions. The reason for this is that the purpose of the Delphi Method is to obtain convergence and agreement, and combining all respondents' feedback would not allow for this. Any differences between the groups would no longer have been identifiable had the responses of the three groups been combined. Therefore, while the surveys contained identical questions for all three groups, each group only received feedback on how their cohort responded to the questions.

Participants were also supplied with the qualifications of the members of their peer group (Appendix B), as well as a separate answer sheet (Appendix G) to record their answers for the final survey. An identification number was used to identify all surveys, and the demographic information was stored separate from the survey responses.

The second and third surveys were created using all participants' responses. Following the Delphi methodology (Delbecq et al. 1975), the second and third surveys were designed to hopefully take no more than thirty to sixty minutes for the participants to complete. Obviously, the time to complete the second and third surveys varied among participants, and many participants indicated that it took them much longer than 60 minutes to complete the second and third surveys.

Procedure

Procedure of the First Survey

The research packet for the first round of the study contained a welcome letter (Appendix H), a detailed demographic questionnaire with questions specifically targeting

the individual's professional credentials that qualified him/her as an expert (Appendix I), two copies of the Consent Form (Appendix J), the first survey (Appendix C), directions for the first survey (Appendix K), an addressed stamped envelope for return of the completed survey and demographic form, and one copy of the signed consent form. Each demographic sheet was specific to the profession the participant belonged to. The directions for the completion of the first survey were very detailed. The directions instructed participants to sign one copy of the consent form and keep the other for their records. Participants were instructed as to the importance that they complete the survey and not an assistant. A definition of forensic psychology was also provided as well as clarification as to the subject matter of psychologists/psychology related to other social sciences and professionals in the helping professions. Contact information for the principal researcher was also included in the directions as well as instructions to contact her if there were any questions.

The date participants were mailed the first survey varied between participants, as it was determined according to by when the participant was initially contacted and agreed to participate in the study. The first survey was mailed in enough time so that participants had a minimum of three and a half weeks to complete it before the due date. Approximately one to three weeks after receiving the first research packet, participants were contacted via phone. Participants were asked if they received the first survey packet, had any questions, and were reminded of the date the first survey packet was due (July 31, 2004). As the due date neared, participants who had yet to return the first survey were again notified by telephone. Participants had until the second survey was finalized to return the completed first survey, so they were implored to return the survey

as soon as possible. This allowed participants a little extra time to complete their surveys and permitted their responses to be included in the second survey. Participants who completed and returned the first survey were mailed a Thank You letter (Appendix L), thanking them for their participation, informing them they may be contacted for clarification for some of their responses, and reminding them of when to expect the second survey and approximately when it would be due back.

Procedure of the Second Survey

The second survey (Appendix E) was created and mailed to participants four weeks after the due date told to participants (Delbecq et al. 1975), although several surveys were received well after the due date. The second survey research packet contained detailed directions for completion of the second survey (Appendix M). A duplicate of the original consent form was mailed to participants and they were asked to return it, as the first one sent accidentally omitted this researcher's institution's Independent Research Board approval stamp. Participants were informed of the due date for the second survey (October 4, 2004) and were told how the second survey was constructed from respondents' answers to the previous survey. They were instructed that if an item was unclear or if they had comments, space was provided on the final page for general comments or additional items. Similar directions for Section II of the second survey, the Harmful and Prevalence scales, appear before that section on page 11 of the survey. It was also explained to participants that they were not expected to have the necessary knowledge to answer all of the items. They were informed that if they were unable to give an opinion, they could indicate this by circling NA, and that they should refrain from leaving items blank. They were informed that a pilot study indicated it

should take them between 30 to 60 minutes to complete the survey. They were also told that they would be contacted in the next week or two to make sure they received the survey and to answer any questions or concerns. The directions concluded with additional thanks for their continued participation as well as an update as to how the survey was progressing, and a reminder of what to expect with the third survey.

One to two weeks after mailing the second survey, participants were again contacted by phone to make sure they had received their survey, to answer any questions, and to remind them of the due date. As with the previous survey, the deadline was extended by two weeks to allow for the receipt of more completed surveys. Participants who still had not returned the surveys were contacted again by phone and asked to please complete and return the survey as soon as possible. Upon receipt of the second survey, participants were mailed a Thank You letter (Appendix N). In the letter, participants were again thanked for their participation and told they may be contacted if there were questions concerning their responses or comments on the second survey. Next, there was a paragraph reminding them of when they should expect the final survey and when it would be due back to the researcher. They were also reminded of what this survey would entail and what the goal of this final survey was. The letter concluded with a final thank you.

Procedure of the Third Survey

All of the data for the second survey was entered into an SPSS database, and the number who responded, range of scores, and median was then computed. Participant comments from the second survey were reviewed (Appendix D), and it was determined that most of the comments were individual issues and not shared by a number of

participants. There were no items with which a large number of respondents had concerns or found unclear. Therefore, the vast majority of items were retained for the final survey (Appendix F). The descriptive statistics of the number of participants who responded to the item, mean, and range of scores were all included for each item. The statistics were independent and specific to each of the three groups. For the first time, the judges, attorneys, and psychologists received differing surveys. In addition, each group also received a summary of the qualifications of their fellow panel participants (Appendix B).

The final research packet also included a cover letter (Appendix O), which was identical for all three groups. The letter began by again thanking participants for their involvement in the study. It went on to acknowledge that a few of the participants had expressed that it had taken them much longer than the anticipated 30 to 60 minutes to complete the second survey. The length and amount of time to thoroughly complete the second survey was cited by several of the participants for not completing the second survey and dropping out of the study. The researcher apologized for the additional time it was taking to complete the survey, but it was explained that this was because of the thoroughness of answers from the first survey. Participants were thanked and commended for their continued participation, and reminded that this was the final survey. Participants were told that this survey should take about as long to complete as the second one. The letter reminded them that the purpose of this final survey was to determine consensus between the experts and that only the data from this final survey would be used in the results. The letter gave a brief summary of how this researcher hopes to use the results of this study. The due date of the final survey was indicated

(December 1, 2004), however the letter noted that this deadline could be flexible as the goal was to receive as many of the surveys as possible. It was stated that the researcher could work around their schedules to allow for the largest number of returned surveys.

In addition to the survey, qualifications sheet, and cover letter, the final survey research packet also included directions for the final survey (Appendix P). The directions stated that this survey differed from the last in that they were now provided with feedback as to how the other experts in their panel responded. They were instructed that "when answering, consider the responses of your peers, and re-answer the questions with their feedback in mind." Next, the directions informed the participants of the statistics that were being used. The next section of the directions reminded experts that the survey was requesting their expert opinion, and based on the selection criteria used to include them in the study, they were qualified as an expert. However, it was again noted that they may not have expertise in all of the areas the survey examined, therefore they were instructed to mark "don't know" on the answer sheet (Appendix G) for such questions. They were again instructed to leave none of the answers blank. Room was again included for additional comments, and it was noted that all previous comments had been retained, so they did not need to reiterate them, and that all comments would be reported in the final analysis and manuscript (Appendix D). The cover letter concluded with instructions that all answers should be marked on the separate answer sheets and that only the answer sheets needed to be returned. The first page of the final survey contained directions nearly identical to those provided for the second survey. The only differences in the final survey directions were noted in bold lettering and included "When answering, please take into consideration how the other experts in your area responded to this item."

Due to unexpected circumstances, participants were not contacted again until just prior to February 2005. At this time, participants who had completed and returned the final survey were sent a thank you letter (Appendix Q) and were informed of how to receive a copy of the final results. Participants who had not yet returned a completed final survey were mailed another complete final survey research packet. It contained identical items to the one originally sent to all participants in November 2004, however it also included an additional letter (Appendix R). The letter indicated that the researcher had not yet received a completed copy of their final survey, and it also briefly explained why the follow up to the final survey was so delayed. They were asked to please return the final survey as soon as they were able. Participants who had yet to return the final completed survey were contacted by phone several weeks following the February mailing. The last final completed survey was received as late as August 2005. Nearly all participants who completed all three rounds of the survey were sent a heartfelt thank you (Appendix S) and were reminded once again of how they could receive copies of the final research findings, if interested.

Chapter IV

Results

Due to the large number of items yielded by the Delphi methodology (184 items for the Helpfulness and 184 items for the Future Contributions Scales, and 65 items for the Harmful and 65 items for the Prevalence Scales), a data reduction technique was required in order to make the data more manageable and to facilitate additional computations. It was determined that the best way to deal with the data was to reclassify it based on the content of the items, and grouping items with similar content to form scales.

The principal researcher first grouped items according to similar subject matter. The goal was to create scales comprised of individual items that represented a broader underlying construct. Each item was looked at individually, then grouped with similar items to represent a broader concept. At this point in the data reduction process, emphasis was placed on including as many items as possible in a category while still representing a homogenous broader construct. For this reason, the number of items in an individual scale varied greatly. For the Helpfulness and Future Contribution scales, the most items included in an individual scale was 17 in the Specific Topics for Education and Training in Forensic Psychology scale, followed by the Competency scale with 16 individual items. Eight of the 28 scales contained 2 to 3 items. Categories were then reviewed and refined with the assistance of a third-year associate attorney who does not practice in an area of law that utilizes any type of psychological expertise, but who is generally familiar with the research and familiar with this study's methodology.

A total of 28 scales each were created for the Helpfulness and the Future Contribution scales. Three items were not included in any one scale and were discarded. For the Harm and Prevalence items, a total of eleven scales were created from the 65 original items. Appendix T provides a breakdown of which items were included in which scale. While 29% of the 28 scales consisted of only 2 or 3 items, which reduced the reliability of some scales, this was still determined to be the best way to reduce the data to make it manageable and meaningful for data analysis and interpretation.

Inter-Item Reliability Coefficient

To determine how closely related the items making up each scale were, the inter-item reliability coefficient alpha was computed for each scale (Cortina, 1993). Table A provides the inter-item reliability coefficient alpha for the Helpfulness and Future Contributions Scales and Table B provides the inter-item reliability coefficient alpha for the Harmfulness and Prevalence Scales. The Helpfulness and Future Contributions Scales have identical items, and the Harmfulness and Prevalence Scales have identical items. As stated above, the items were grouped according to the similarity in subject matter. Because the 184 items for the Helpfulness and Future Contributions Scale were the same items, but respondents were asked to first rate how helpful the item was, then how much of a future contribution psychologists or psychology would have to this area, it was believed that the constructs making up the scales were identical across the two scales. Therefore, items were kept consistent between the two similar scales (e.g. Helpfulness and Future Contributions), and items were not deleted from the scale based on an item's individual correlation with the other items. The same was true for the Harm and Prevalence Scales.

Table A summarizes the Alpha levels for the Helpfulness and Future Contributions Scales. The inter-item reliability coefficient alpha is a method used to assess the level of consistency among items making up a scale (Huck, 2000), and can range from 0, indicating the items have no relationship, to one, which indicates a perfect relationship. Cronbach's Alpha is very useful in that it is able to evaluate internal consistency of items that are scored using a Likert format (Huck, 2000). There are many issues that impact the coefficient alpha and are important to understand when identifying an acceptable level of correlation among items. In the social sciences, a coefficient alpha level of .70 is usually considered an acceptable threshold for determining that a relationship exists between the items (Cortina, 1993). However, there are many factors that can impact the alpha level. For example, Cortina (1993) discussed the importance of examining the number of items that are contained in each scale. He points out that scales consisting of more items are going to have larger alphas than those with fewer numbers, and it is important to remember that "number of items is, to say the least, an inadequate measure of test or scale quality" (Cortina, 1993; p. 101).

Another important consideration is that internal consistency among items can also impact the alpha level (Anastasi & Urbina, 1997; Cortina, 1993; Crocker & Algina, 1986; Heppner, Kivlinghan, Jr. & Wampold, 1999). When there is a great deal of heterogeneity among the items comprising a scale, the alpha level will be lower (Anastasi & Urbina, 1997; Crocker & Algina, 1986; Heppner, Kivlinghan, Jr. & Wampold, 1999). Scales that contain items that are related and multidimensional are expected to have more uniqueness to each individual item, which will also result in a lower alpha (Cortina, 1993).

The most important thing to understand when using Cronbach's Alpha to determine the level of relatedness between items comprising a scale is to evaluate all of the factors contributing to alpha and make a determination on an acceptable alpha level specific to an individual set of data. Cortina (1993) noted that "[e]xperience with the literature gives one some general idea of what an acceptable alpha is, but there is usually little else to go on" (p. 101). He continued by stating that only using the alpha level as a determination of consistency among items, and not evaluating the other factors involved, is "missing the point of estimating reliability" (p. 101). Cortina best summed up his point by stating "[t]he level of reliability that is adequate depends on the decision that is made with the scale. The finer the distinction that needs to be made, the better the reliability must be" (p. 101).

Typically, when constructing a test, a higher correlation coefficient is necessary, as a test needs to be reliable across time and individuals. However, for the purposes of this study, scales were developed for the purpose of making this specific data set more manageable by reducing the number of items used for analysis. The inter-item reliability coefficient was computed to determine if there was any relationship between the items the researcher grouped according to content. The number of items between scales fluctuates significantly, and there are many scales that consist of only a handful of items, which automatically results in a lower correlation coefficient (Cortina, 1993). In addition, while the items were grouped according to subject matter (e.g. all items dealing with the harmfulness of psychologists related to issues involving sex offenders) there was a great deal of heterogeneity among the items contained in the Sex Offender Scale. Items dealt with evaluation, treatment, poorly developed procedures, and risk assessment

related to sex offenders. As is apparent, there are multiple dimensions involved in the content of the items comprising this scale. This also results in a lower coefficient alpha.

Given the fact that the majority of scales created for this study consist of only a handful of items, the sample size is fairly small, there is a great deal of heterogeneity among the dimensions involved in each scale, and that the reason for grouping the items in this study was to make the data analysis more manageable, corrected item total correlation for an individual item above .3 was the goal. The corrected item total correlation indicates how much that particular item is related to, or correlates with, the other items comprising that scale.

In the majority of instances, an individual item correlated with the rest of the items making up a scale above .3. Of the 181 items that were included in comprising the 28 scales, only 10 of the Helpfulness individual items correlated with the other items in the same scale below .3, and 14 of the individual Future Contribution items correlated below .3. For the 8 items making up the General Areas Helpfulness Scale, and the 8 items in the General Areas Future Scale, all of the items correlated with one another with an alpha above .3. For the 16 items making up the Competency Issues Helpfulness scale, items number three, number 55, and number 60 all correlated below .3. For the Competency Issues Future scale, items number three, 48, and 49 all correlated below .3. For the Child Custody Helpfulness Scale, all 5 of the items correlated above .3. For the Child Custody Future Scale, only item, number 42 correlated below .3. For the Juvenile Issues Helpfulness and Future scales, none of the twelve items correlated below .3. Expert Testimony Specific to a Client Helpfulness had only one item, number two,

correlated below .3, while the Expert Testimony Specific to a Client Future had four items correlate below .3 (items 2, 12, 41, and 45).

Expert Testimony on a Psychological Topic Helpfulness had number 76 correlating below .3, while the Expert Testimony on a Psychological Topic Future had none of the items correlating below .3. The 10 items comprising the Risk Assessment Helpfulness and Risk Assessment Future scales loaded above .3 for both. Family Counseling Helpfulness had item number 83 loading below .3, while the Family Counseling Helpfulness had none of the items loading below .3.

The next several scales, Treatment in Criminal Setting Helpfulness scale and Future scale, Victim Issues Helpfulness and Future scales, Specific Topics for Education and Training in Forensic Psychology Helpfulness and Future scales, Education of the Bar Helpfulness and Future scales, Joint Conferences Helpfulness and Future scales, Public Education Helpfulness and Future scales, Supervision Helpfulness and Future scales, Advocacy Helpfulness and Future scales, Program Development Helpfulness and Future scales, and the Legal Process Helpfulness and Future scales had all of their respective items correlating above .3.

Improve Standards of Forensic Psychology Practice Helpfulness scale also had all of the items correlating above the .3, while the Future Scale had item number 82 correlating below .3. Research Helpful to the Area of Forensic Psychology Helpfulness and Future had all of their items correlating above .3. Clarification of the Legal and / or Psychological Definitions Helpfulness scale had both items comprising the scale correlating above .3, while the Future scale had the two items correlating below .3. Case Consultation Helpfulness had item number 180 correlate below .3, while Case

Consultation Future had items number 95, 96 as well as number 180 correlate below .3. Fitness for Employment Helpfulness and Future Scales both had item number 176 correlating below .3. Psychology Ethics Helpfulness and Future as well as both the Helpfulness and Future Scales for Profiling had all of their respective items loading above .3.

Advice to the Court/ Legal System Helpfulness had item number 28 correlate below .3, while the Advice to the Court/ Legal System Future had all of the items correlating above .3. Legal Strategy Helpfulness and Legal Strategy Future had all of the items correlating above .3. Assistance in Civil Damage Issues Helpfulness had number 64 correlate below .3, and the Assistance in Civil Damage Issues Future had all items correlate above .3. The only three items not included in a scale were items number 27, 64, and 80. A total of 21 of the 28 Helpfulness and 21 of the 28 Future Contribution scales had all of the items making up that scale correlating with the rest of the items included in that scale above .3.

The correlations for the Harmfulness and Prevalence scales are shown in Table B. The Harmfulness scales had more items correlating below .3. Again, this was the result of a small number of participants, the heterogeneity of the items included in a scale, and the fact that the scales were comprised of only a handful of items. Ten of the 11 Harmfulness scales had at least one item that correlated below .3. The only harmfulness scale that did not have an item correlating below .3 was the General scale, which was comprised of only two items. A total of 24 of the 65 items used to construct the 11 Harmfulness scales correlated below .3. The grouping of the Prevalence items was better supported statistically. Of the 11 Prevalence scales, only five of the 11 scales had at least

one item correlating below .3. Only 10 of the 65 individual items comprising the 11 Prevalence scales correlated below .3.

Of the Harm and Prevalence scales related to general psychologically harmful or unprofessional behavior, the Going Beyond the Data Harm scale had item number 12 correlating below .3 while the Going Beyond the Data Prevalence scale had all of the items correlating above .3. The Ethical Violation Harm scale had items three, four, and 39 correlating below .3 and the Ethical Violation Prevalence scale had only item 39 correlating below .3. The Lack of Professional Discipline Harm scale had items 16, 17, and 43 correlating below .3, and the Lack of Professional Discipline Prevalence scale again had all of the items correlating above .3.

Of the scales concerning harmful behavior of forensic psychologists, the Child Custody/ Family Law Harm and Prevalence scales both had items number 22 and 23 correlating below .3. The Assessment and Treatment of Sex Offenders Harm scale had items number 56 and 58 correlating below .3, while the Prevalence scale had items 54, 56, and 58 correlating below .3. The Expert Testimony Harm scale had all three of the items correlating below .3, however all of the Expert Testimony Prevalence items correlated above .3 for an overall correlation of .77. The Lack of Forensic Training Harm scale had items number 5, 11, and 45 correlating below .3, while the Lack of Forensic Training Prevalence scale had only item number 45 correlating below .3. The Psychological Factors to Excuse Criminal Liability Harm scale had item number 48 correlating below .3, while all of the Prevalence items correlated above .3 for a Cronbach's Alpha of .71. The Specific Instances of Professional Malpractice for Forensic Psychology Harm had items number 8, 15, 20, and 34 correlating below .3,

while the Specific Instances of Professional malpractice for Forensic Psychology Prevalence had items 35, 41, and 38 correlating below .3. The General Harm and General Prevalence scale, which essential consists of two questions asking about psychology's overall effects upon the court or influence in legal settings, both had the two items correlating above .3.

In conclusion, the nearly 500 individual items had to be reduced in order to make the data more manageable for further analysis. Items were grouped according to similar content. Due to the heterogeneity among items comprising a scale, the small number of participants, and the low number of items included in an individual scale, Cronbach's Alpha did not always support the grouping of individual items. However, grouping of items to create scales was statistically supported in the majority of cases. Of the 78 individual scales that were created, 60 had all of the individual items correlating above .3. The section that had the majority of individual scales with at least one item correlating below .3 was the Harmfulness scale. Again, when examining these scales, the Helpfulness and Future Contribution scales were comprised of the same items, and the Harm and Prevalence scales were comprised of the same items. The belief was that the items combined to represent a larger construct that was similar across both scales. Unfortunately, the data did not always support the grouping of these items, but in the majority of cases, it did.

Intraclass Correlation Coefficient

A major limitation of the Delphi Method is that studies that utilize this method fail to use any procedures to determine if consensus has been achieved (Bowles, 1999). Bowles (1999) examined online medical databases to investigate the use of the Delphi

Method in the nursing field. He found that in that field, it was common for the quantitative results of the Delphi to not use inferential statistics. He wrote, "only eight of the 299 studies report using measures of correlation and just 1 reports the use of factor analysis" (p. 34).

In order to determine if consensus was achieved within each of the three expert groups, intraclass correlation coefficients were computed for each of the scales for each of the three professions, (i.e. judges, attorneys, and psychologists). Intraclass correlation is typically used to determine the reliability of ratings (Huck, 2000). Similar to the procedures used in determining inter-item reliability, intraclass correlations are used to determine consistency. Values range from 0 to 1.00, and the goal of the researcher is to have the alpha come as close to 1.00, or a perfect correlation, as possible (Huck, 2000). Table C lists the intraclass correlations coefficients for the Helpfulness and Future Contributions scales while Table D lists the intraclass correlation coefficients for the Harm and Prevalence Scales.

The first column of the tables includes the name of the scale, as well as the number of items the scale is comprised of in parentheses. The reason the number of items originally making up the scale is included in the table is because it is important to be able to easily compare the total number of items comprising the scale with the number of items used in the intraclass correlation computation.

This analysis only used items that had all of the respondents answering that particular item. It was understood from the beginning that participants would not possess the required expertise to answer all questions included in the survey. To ensure that only those with expertise in the subject-area of a particular item answered that question,

participants were encouraged to mark "don't know" when they did not feel confident in their level of expertise for that item. Despite this direction, many participants left various items blank. It was unknown whether this was an oversight on the participants' part, or if leaving the item blank was to denote that the participant was not confident in his or her level of expertise to answer that particular item. For this reason, the data for these items cannot be considered missing at random, therefore imputing values is also not appropriate (Hair, Anderson, Tatham, & Black, 1998). As such, if even just one of the participants did not answer the item, the entire item was dropped from the correlation.

Unfortunately, this resulted in many items having fewer than the 15 judges, 15 attorneys, and 19 psychologists responding. In addition, the number of psychologists who responded to the second section of the third survey was 16, compared to 19 for the first section of the survey. In fact, examination of Table C indicates that of the Helpfulness scales, only 3 of the 84 analyses had all of the items comprising the scale used in the intraclass correlation computation. On the Expert Testimony Specific to a Client Helpfulness Scale, all 16 of the psychologists responded to each of the 11 items comprising the scale. The psychologists had a correlation of 0.93 on this scale, indicating a great deal of consensus among the psychologists on this item. All 15 judges responded to the three items comprising the Supervision Helpfulness scale, producing an intraclass correlation coefficient of 0.96, again indicating a great deal of consensus among judges for this item. All of the judges also responded to the two items on the Psychology Ethics scale, for an intraclass correlation of .56, indicating a fairly low level of internal reliability.

For the Future Contributions scale, only 4 of the 84 analyses had participants answering all of the items making up a scale. All 16 of the psychologists answered all 11 items comprising the Expert Testimony Specific to a Client Future scale, for a correlation of 0.94. This indicates a great deal of consensus among the psychologists for this particular item. All of the judges responded to the three items used to create the Supervision Future scale, for a correlation of 0.83, again indicating that the judges were in agreement among themselves, or that consensus was reached for this scale for the judges. The judges again answered both of the items for the Psychology Ethics scale, for an intraclass correlation of .56. All of the attorneys answered both of the items for the Joint Conferences scale, however consensus was not supported.

For the Harm and Prevalence Scales, the number of psychologists who responded to these items was 16 and the number of judges was 14. Table D reveals that 11 of the 33 intraclass correlations for the Harm scale had scales that included all of the items used in the intraclass correlation. For Ethical Violation Harm, the judges had a correlation of 0.96, indicating that judges were in agreement concerning how they answered the items comprising this scale. However, the psychologists only had a correlation of 0.42, indicating that there was more disagreement in how they answered the items comprising this scale, and perhaps consensus was not reached. Lack of Professional Discipline Harmfulness again had all of the judges answering the items for this scale, for a correlation of 0.74, indicating a modest level of consensus was achieved. For this same scale, the psychologists achieved a correlation of 0.88, indicating they were in agreement as a group in how they responded to items on this scale.

The General Harmfulness scale, which consists of 2 items, had all participants responding to both items on this scale. The judges and attorneys both had a correlation of 1.0, indicating that within each of these professions, judges were in agreement with each other, and attorneys were in agreement with each other. However, the psychologists had a correlation of .0, indicating they did not agree among themselves. Legal Issues Impacting Professional Practice Harmfulness also had all participants who completed the second section of the survey responding. Judges had a correlation of 0.93, attorneys 0.86, and psychologists 0.94, indicating that all three groups achieved internal consensus. The final Harmfulness scale to have all of the items included in the analysis was the Lack of Forensic Training. All of the judges answered the items for this scale, for a correlation of 0.79, again indicating a modest level of consensus was achieved.

The Prevalence scale had only 6 of the 33 analyses using all of the items making up a scale. All of the judges who completed the second section of the survey responded to the five items comprising the Lack of Professional Discipline Prevalence scale for a correlation of 0.14, indicating that judges were not in agreement in how they responded to this scale. The psychologists, however achieved a correlation of 0.71, indicating a modest level of consensus was reached for this same scale. Expert Testimony also had all of the judges and psychologists responding, for correlations of .35 and .94 respectively, indicating again that judges were not in agreement in how they responded to this item, and psychologists were. Legal Issues Impacting Professional Practice Prevalence had psychologists answering all of the three items for this scale, for a correlation of .66, indicating a modest level of consensus was achieved. For Lack of

Forensic training Prevalence, the judges yielded a correlation of 0.79, indicating a modest level of consensus in their responses for items comprising this scale.

Analysis of Variance

Given that so few scales had all participants answering all of the items making up an individual scale, and that in order for the intraclass correlation to be computed, all participants needed to respond to all of the items on a scale, which was not an expectation this researcher had for participants, perhaps a better indicator of the consensus among professions for a particular scale would be to examine the standard deviations of each of the scales, included in the ANOVA Tables. The standard deviation is a very useful and easy way of determining variance in a sample (Huck, 2003) and is therefore a good indicator of how participants as a group responded to an individual item. This is another way of determining the level of consensus that was achieved within each profession. The standard deviation uses all of the scores in a group, and is calculated by determining how much each score deviates from the mean (Huck, 2003). However, the standard deviation is greatly influenced by the number of people who responded to an item. The more people who responded to an item, the smaller the standard deviation is likely to be.

The ANOVA Tables (Tables E through G) include the standard deviations for each of the scales. When looking at the ANOVA Tables, the standard deviation will indicate the level of consensus that was achieved for participants. The smaller the standard deviation, the greater the agreement among participants in that profession. In the majority of cases, the judges and psychologists had a standard deviation less than 1.0, indicating there was not much variability within their respective profession as to how they answered an individual scale. However, for the Helpfulness and Future Contribution

scales, there was a great deal of variability in the attorney's answers. This indicates that as a group, there was less consensus among the attorneys than among either the judges or psychologists.

Table E includes the standard deviation for each profession on the Helpfulness scales. The Judges had a standard deviation above 1.0 on only two of the scales, Profiling and Assistance in Civil Damage. This indicates that the Judges had a strong level of consensus in how they responded to items on the Helpfulness scale. In fact, five of the Helpfulness scales for the judges had a standard deviation below .5, indicating a high level of agreement among the judges: Competency Issues, Juvenile Issues, Evaluation and Expert Testimony Specific to a Client, Treatment in Clinical Settings, and Specific Topics for Education and Training in Forensic Psychology. On the Future Contributions scale (Table F), judges had only two standard deviations above 1.0: Advocacy and Profiling. Judges again had several scales in which they had a standard deviation below .5, indicating a great deal of consensus among judges for Competency Issues, Juvenile Issues, Evaluation and Expert Testimony specific to a Client, Treatment in Criminal Settings, and Specific Topics for Education and Training in Forensic Psychology. On the Harm scales (Table G), the judges did not have any standard deviations above 1.0, and they had a standard deviation below .5 on 7 of the 11 Harm scales: Going Beyond the Data, Ethical Violation, Lack of Professional Discipline, Expert Testimony, Legal Issues Impacting Professional Practice, Lack of Forensic Training, and Specific Instances of Professional Malpractice for Forensic Psychology. On the Prevalence scale (Table H), judges had a standard deviation of above 1.0 on two

of the scales: Legal Issues Impacting Professional Practice and Lack of Forensic Training.

On the Helpfulness scale (Table E), the attorneys were the group with the most disagreement within their profession. The attorneys had a standard deviation above 1.0 for 22 of the 28 scales: Juvenile Issues, Expert Testimony of a Psychological Topic, Risk Assessment, Treatment in Criminal Settings, Victim Issues, Specific Topics for Education and Training in Forensic Psychology, Education of the Bar, Joint Conferences, Public Education, Supervision, Advocacy, Program Development, Legal Process, Improve Standards of forensic Psychology Practice, Clarification of the Legal and/or Psychological Definitions, Research Helpful to the Area of Forensic Psychology, Fitness for Employment, Psychology Ethics, Profiling, Advice to Court/ Legal System, Legal Strategy, and Assistance in Civil Damage Issues. On the Helpfulness scales, attorneys did not have any scale with a standard deviation under .5.

On the Future Contributions scales (Table F), the attorneys again had the least consensus within their profession compared to the judges and psychologists. On 14 of the 28 Future Contributions scales, attorneys had a standard deviation above 1.0: Expert Testimony of a Psychological Topic, Risk Assessment, Family Counseling, Victim Issues, Joint Conferences, Public Education, Advocacy, Improve Standards of Forensic Psychology Practice, Clarification of the Legal and/ or Psychological Definitions, Research Helpful to the Area of Forensic Psychology, Fitness for Employment, Profiling, Advice to Court/ Legal System, and Assistance in Civil Damage Issues. Attorneys did not have any standard deviation for the Future Contributions scales below .5. On the Harm scales, attorneys had only one scale with a standard deviation above 1.0 –

Psychological Factors to Excuse Criminal Liability – and three scales with a standard deviation below .5: Going Beyond the Data, Ethical Violation, and Lack of Professional Discipline. For the Prevalence scales, attorneys had two scales with a standard deviation above 1.0, Expert Testimony and Lack of Forensic Training, and none with a standard deviation below .5.

For the psychologists, on the Helpfulness scales (Table E), they had a standard deviation above 1.0 for six of the scales: Victim Issues, Supervision, Advocacy, Legal Process, Psychology Ethics, and Profiling. They had a standard deviation below .5 for one of the Helpfulness scales, Competency Issues. On the Future Contribution scales (Table F), psychologists again had six scales in which they had a standard deviation above 1.0: Victim Issues, Supervision, Advocacy, Legal Process, Fitness for Employment, and Psychology Ethics. There were five Future Contribution scales in which the psychologists had a standard deviation below .5: General Areas, Child Custody Issues, Juvenile Issues, and Evaluation and Expert Testimony Specific to a Client.

On the Harm scales, psychologists did not have any standard deviations above 1.0, and they had standard deviations below .5 on four of the 11 Harm scales: Ethical Violation, Expert Testimony, Lack of Forensic Training, and Specific Instances of Professional Malpractice for Forensic Psychology. For the Prevalence scales (Table H), psychologists had only one standard deviation above 1.0 (General scale) and one standard deviation below .5 (Child Custody/ Family Law).

Analysis of Variance (ANOVA) between the three professions

A one way ANOVA was used to evaluate mean-level differences in ratings between the judges, attorneys and psychologists. A Scheffe was used as a Post Hoc

analysis to identify which groups differed. Table E summarizes these results for the Helpfulness Scale. Of the 28 scales, mean differences were identified for 26 of the scales at the .05 significance level. However, Post Hoc analyses revealed differences for only 24 of the scales. Psychologists had higher ratings than both judges and attorneys for 10 of the scales: General Areas Helpfulness scale, $F(2, 46) = 99.88, p = .000$; Competency Issues scale $F(2, 46) = .000$; Child Custody Issues scale, $F(2, 46) = 7.12, p = .002$; Evaluation and Expert Testimony Specific to a Client, $F(2, 46) = 10.80, p = .000$; Risk Assessment scale, $F(2, 46) = 9.86, p = .000$; Family Counseling scale, $F(2, 46) = 9.96, p = .000$; Case Consultation scale $F(2, 46) = 10.53, p = .000$; Fitness for Employment scale, $F(2, 45) = 9.82, p = .000$; Advice to the Court/ Legal System scale, $F(2, 46) = 10.57, p = .000$; and Legal Strategy scale, $F(2, 46) = 12.95, p = .000$.

Psychologists were found to have higher mean ratings that were statistically significant from the attorneys for 10 of the scales. Psychologists believed psychologists and/or psychology were more helpful to the legal system compared to what attorneys believed on the Juvenile Issues scale, $F(2, 46) = 7.02, p = .002$; Expert Testimony of a Psychological Topic scale, $F(2, 46) = 3.56, p = .036$; Treatment in Criminal Settings scale, $F(2, 46) = 8.27, p = .001$; Education of the Bar scale, $F(2, 46) = 4.52, p = .016$; Supervision scale, $F(2, 42) = 4.60, p = .016$; Advocacy scale, $F(2, 46) = 7.56, p = .001$; Program Development scale, $F(2, 46) = 6.60, p = .003$; Improve Standards of Forensic Psychology Practice scale, $F(2, 46) = 4.77, p = .013$; Psychology Ethics scale, $F(2, 45) = 6.15, p = .004$; and Assistance in Civil Damage Issues scale, $F(2, 45) = 5.75, p = .006$. Attorneys were found to have lower mean ratings of helpfulness compared to both the judges and psychologists on four of the scales: Specific Topics for Education and

Training in Forensic Psychology scale, $F(2, 46) = 8.82, p = .001$; Joint Conferences scale, $F(2, 45) = 7.09, p = .002$; Public Education scale, $F(2, 46) = 10.94, p = .000$; and Clarification of the Legal and/ or Psychological Definitions scale, $F(2, 42) = 8.03, p = .001$.

A similar trend was noticed for the Future Contributions scales (Table F). An ANOVA identified mean differences between 21 of the 28 Future Contributions scales. Psychologists again had higher ratings than both the judges and attorneys for 7 of the scales. Psychologists believed psychology/ psychologists were likely to have a greater future contribution to the legal system than the judges and attorneys believed for the General Areas scale, $F(2, 46) = 99.88, p = .000$; Competency Issues scale, $F(2, 46) = 6.93, p = .002$; Child Custody Issues scale, $F(2, 46) = 7.60, p = .001$; Evaluation and Expert Testimony Specific to a Client scale, $F(2, 46) = 9.06, p = .000$; Advocacy scale, $F(2, 46) = 5.49, p = .007$; Fitness for Employment scale, $F(2, 45) = 12.24, p = .000$; and Legal Strategy scale, $F(2, 46) = 13.16, p = .009$.

Psychologists believed psychology/ psychologists likely to have a greater future contribution to the legal system compared to what the attorneys believed in 11 scales: Juvenile Issues scale, $F(2, 46) = 6.00, p = .005$; Risk Assessment scale, $F(2, 46) = 6.71, p = .003$; Family Counseling scale, $F(2, 46) = 4.23, p = .021$; Treatment in Criminal Settings scale, $F(2, 46) = 6.12, p = .004$; Specific Topics for Education and Training in Forensic Psychology scale, $F(2, 46) = 7.16, p = .002$; Education of the Bar scale, $F(2, 46) = 4.27, p = .020$; Public Education scale, $F(2, 46) = 7.80, p = .001$; Improve Standards of Forensic Psychology Practice, $F(2, 46) = 3.91, p = .027$; Case Consultation

scale, $F(2, 46) = 5.23, p = .009$; Advice to Court/ Legal System scale, $F(2, 46) = 7.80, p = .001$; Assistance in Civil Damage Issues, $F(2, 46) = 5.31, p = .009$.

Attorneys believed psychology/ psychologists likely to have less of a future contribution to the legal system, compared to what both judges and psychologists believed on two of the scales: Joint Conferences scale, $F(2, 45) = 5.00, p = .011$ and Clarification of the Legal and / or Psychological Definitions scale, $F(2, 42) = 6.07, p = .005$. Finally, concerning future contributions of psychology/ psychologists to the legal system, judges believed psychologists/ psychology likely to have a statistically significantly greater future contribution in the area of Program Development than what the attorneys believed, $F(2, 46) = 5.49, p = .007$.

Table G depicts the ANOVA findings for comparisons between judges, attorneys and psychologists' ratings of Harmfulness of psychology/ psychologists to the legal system. Statistically significant differences at the .05 level were found between the three groups for four of the 11 scales, however post hoc analyses revealed differences between only two of the groups. Attorneys believed psychologists/ psychology were more harmful in the areas of Assessment and Treatment of Sex Offender compared to the beliefs of both the judges and psychologists, $F(2, 40) = 12.19, p = .000$. Psychologists believed psychology/ psychologists to be more harmful concerning Specific Instances of Professional Malpractice for Forensic Psychology than what the judges believed, $F(2, 42) = 3.71, p = .033$.

Table H contains the ANOVA summaries for judges, attorneys, and psychologists and their belief regarding the prevalence of harm of psychology/ psychologists to the legal system. Statistically significant differences were found between the three

professions on three of the 11 scales, however post hoc analyses revealed only one difference between the profession. Psychologists believed the level of harm of psychology/ psychologists to the legal system to be more prevalent in the area of Expert Testimony than did the judges, $F(2, 42) = 3.35, p = .045$.

Top Areas for Judges, Attorneys and Psychologists

Tables I, J, K, and L depict the top areas judges, attorneys, and psychologists believe psychology will be helpful to the legal system, have a future contribution, and are harmful to the legal system, and the prevalence of that harm, respectively.

Chapter V

Discussion

Overview of the Purpose

Interest in the field of forensic psychology is increasing throughout the United States (Melton, Huss, & Tomkins, 1999; Monahan & Loftus, 1982; Ogloff, 2000; Otto & Heilbrun, 2002; Tapp, 1976), and there is little reason to believe that the same is not true in the State of Wisconsin. However, specialized education and training at the pre-doctoral level remains fairly rare across the country, and specialized training at the post-doctoral level may not focus on aspects that are most important to the sound practice of this discipline (Bersoff, 1999). Finally, aside from claiming the broad category of “forensic psychology” as a “specialty” on the Wisconsin Department of Regulation & Licensing application, there is no accrediting body in Wisconsin that determines whether an individual is competent to practice issues related to forensic psychology. As such, despite the increasing interest in the field, there is little in the way of objective information or research outlining the current status and future direction of forensic psychology in the State of Wisconsin. These are among the primary reasons this study was undertaken.

As forensic psychology relies on the needs of those in the legal community to consume the clinical and research contributions specific to psychology, it seemed prudent to determine the areas in which those in the legal community feel psychology and psychologists are helpful, activities psychologists are likely to contribute to in the future, and those areas where forensic psychologists/ psychology may be harmful and the prevalence of that harm. Further, it was important to identify any differences between the

three professions, as this may indicate a disconnect that could potentially be very detrimental to this relatively young field. For example, if training available in the field of forensic psychology focuses only on topic A, but those in the legal community need research related to topic B for which psychologists and psychology researchers may not have received training, it is conceivable that judges and attorneys may turn to another profession (e.g. social workers) to obtain the needed information and services. At the extreme, this could result in forensic psychologists being unemployed, would be a great loss to the field, and could potentially lead to the demise of forensic psychology as a distinct specialty.

Overview of the Procedures

The Delphi Method (Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998) was used to gather data to answer questions regarding legal areas in which: (a) experts feel psychology /psychologists are helpful, (b) areas they are likely to contribute to in the future, (c) areas forensic psychologists/ psychology may be harmful to the law, (d) the prevalence of that harm, and (e) any differences between how judges, attorneys and psychologists view these questions. The Delphi Method utilizes a small panel of experts familiar with forensic psychology in Wisconsin. For this study, experts were identified using a snowball sampling technique, through which a panel of expert judges, attorneys, and psychologists located throughout the State of Wisconsin were recruited for a total panel of 49 participants. This Delphi study began with a brief survey that utilized carefully crafted open-ended questions, and participants were encouraged to include in their responses as many items as they were able. Following the receipt of the first survey, the second survey was created using all of the respondents' answers generated from the

first survey. The answers were turned into survey items, using the participants' exact wording whenever possible. Participants were asked to rate the same item on two different Likert scales. For the first section of the survey, the participant was first asked to rate on a seven point Likert scale, how helpful that item was to the law, and then rate on another seven point Likert scale how much of a future contribution psychology would have in that area. The third survey was identical to the second, however it contained the means, range of responses, and number of individuals who responded to each item. The purpose of providing participants with feedback was to facilitate the achievement of consensus among participants. Each group (i.e. judges, attorneys, and psychologists) was provided the descriptive information related to how the other participants from only their respective profession responded. Given the vastness of the topic, i.e. the *entire* profession of forensic psychology throughout Wisconsin, the open-ended format generated over 500 items. This raw information was more than adequate to answer the original research questions this study set out to answer.

Overview of Analysis

For the final analyses, items were grouped together according to content to form scales, which were used to identify a specific construct, and which made the data more manageable and interpretable for further analyses. For the Helpfulness and Future Contributions Scales, 28 scales each were created. The Harmfulness and Prevalence of that Harm Scales each yielded 11 scales. Correlation coefficients were calculated for each of the 78 scales to provide statistical support for the grouping of the items. Intraclass correlation coefficients were conducted on all of the scales to attempt to statistically provide support that consensus had been reached. The intraclass correlation

coefficients that could be calculated using all of the items did indicate consensus had been achieved, however the majority of intraclass correlation coefficients were not able to be computed due to respondents omitting items. The reason this occurred with such frequency was because this study adhered closely to the spirit of using experts to answer questions, and participants were encouraged to not respond to an item if they did not believe they had enough knowledge on the subject. However, the standard deviations of each scale can be used as an indicator of internal agreement on a particular item within each profession, and the standard deviations also seem to support that consensus within each profession was achieved. The final analysis that was conducted in this study was to determine if there were any differences between the judges, attorneys, and psychologists for any of the scales. An Analysis of Variance was run using the Scheffe post hoc analysis to identify any differences between the three groups.

Research Questions One, Two and Three: Helpfulness of Forensic Psychology to the Legal System and Activities in which Forensic Psychology / Psychologists will Interact in the Future

One-hundred-eighty-four specific instances were identified in which judges, attorneys, and/or psychologists believed psychology or psychologists were helpful to the legal community. These same 184 items were also identified as being areas where psychologists and/ or psychology would contribute to in the future. These items covered a wide array of subjects and activities, and could be grouped into several broad categories. The Helpfulness and Future Contributions scales each had 28 individual scales.

As mentioned in Chapter 4, Table I lists the Top Ten Helpful areas for the judges, attorneys, and psychologists. It is interesting to note that the area rated by judges as being the most helpful for psychology/ psychologists to assist the legal system was in providing joint conferences to professionals from both the legal and psychological communities to promote a better understanding between the legal and psychological disciplines. Joint Conferences was not identified in the top ten of the most helpful for either the psychologists or the attorneys. Perhaps judges, as overseers of judicial proceedings, are in a position in which the benefit of achieving a better understanding between the two disciplines of psychology is most apparent.

Child Custody was rated as the most helpful area in which psychologists/ psychology contribute to the legal system by both the attorneys and psychologists, and it was identified as the second most helpful area by judges. Juvenile Issues was similar in that for the attorneys and psychologists, the mean for Juvenile Issues was the second highest, and the judges' mean for Juvenile Issues was the third highest. In fact, when one examines Table I for the scales that each group had the top ten highest means for, one finds many similarities. Six of the top 10 areas forensic psychology is most helpful were identical for judges, attorneys and psychologists. Child Custody, Juvenile Issues, General Areas, Evaluation and Expert Testimony Specific to a Client, Competency Issues, and Specific Topics for Education and Training in Forensic Psychology all had means for each group placing them among the top ten areas in which forensic psychology/ psychologists are most helpful.

This trend of similarity across the three professions of the rank ordering of the means for the different scales was consistent throughout all of the Helpfulness scales. In

turn, there was also a great deal of similarity among the scales with the lowest mean ratings of helpfulness. All three groups had the lowest mean for Profiling, indicating judges, attorneys, and psychologists all believe that psychological profiling is not something that is very helpful to the legal system.

The Future Contributions scales also had a great deal of similarity between the judges, attorneys, and psychologists when looking at the rank ordering of the top ten means for each of the three professions. Judges again had the highest mean for Joint Conferences, indicating that this was an area in which judges felt psychology/psychologists could have the greatest contribution in the future. When looking at the Future Contributions means for the psychologists, Joint Conferences had the sixth highest mean, indicating that this was an area they too believe psychologists will contribute to in the future. Joint Conferences had the thirteenth highest mean for the attorneys, which still places it in the top half of the 28 scales for attorney's ratings of future contributions of psychology/psychologists to the law. All three groups again had Child Custody Issues with one of the highest means; judges had it as their second highest, and attorneys and psychologists had their highest mean rating each for Child Custody Issues. While there was more diversity of the Future Contributions mean ratings for the scales between the judges, attorneys, and psychologists, there were still similar trends. Four of the top ten scales were consistent across the three professions. All three groups had Juvenile Issues as being an area in which forensic psychology will contribute to a great deal in the future. Competency Issues and Evaluation and Expert Testimony Specific to a Client were the other two areas that all three groups believed forensic psychology would contribute to in the future. Judges were the only ones to have Research in their top 10. Perhaps this is

because judges rely on psychological research more than we are aware of to assist them in making difficult decisions, or that they recognize that psychologists who conduct or review more research are likely to better assist the court. Both attorneys and psychologists had Family Counseling in the Top 10, but judges did not. This study included as participants a number of attorneys and psychologists that practiced in the area of collaborative divorce. It is possible that because the goal of collaborative divorce is to have the divorcing parties come to an agreement without having a lengthy and adversarial court appearance, that attorneys and psychologists were in a better position to witness the benefits of Family Counseling. It is even possible that in such situations, Family Counseling is able to assist in reconciling difficulties between the couples and thus avoiding a divorce or a court appearance altogether.

These trends were consistent throughout all of the 28 Future Contribution scales. The attorneys and psychologists again had the lowest mean rating concerning the future contribution of psychological Profiling to the legal system. Judges had the second lowest mean for Profiling, with the lowest mean being Legal Strategy. Again, this was consistent with the means for the attorneys and psychologists, as they both had the fourth lowest mean as Legal Strategy.

Another notable finding is that there was a great deal of consistency between each profession's individual ratings on the Helpfulness and Future Contribution scales, which is not too surprising. For example, the three scales with the highest means for the judges on the Helpfulness scale were also the same three that had the highest means on the Future Contribution scale (Joint Conferences, Child Custody Issues, and Juvenile Issues). This same trend was true for the attorneys and psychologists as well. While some

psychologists practicing in Wisconsin have told this researcher that the future of forensic psychology in Wisconsin is uncertain, these findings are comforting and indicate that the future of this discipline in Wisconsin is going to be similar to what is already occurring.

Overall, there appears to be a great deal of consistency in the areas that judges, attorneys, and psychologists believe forensic psychology to be helpful and likely to have a future contribution. The rank ordering of the means for each of the 28 Helpfulness and Future scales indicated a great deal of consistency in how the three professions ranked the areas. Concerning the helpfulness of psychology/psychologists to the legal system, the judges, attorneys, and psychologists had the same six areas listed in each profession's top ten mean rating of helpfulness (Child Custody, Juvenile Issues, General Areas, Evaluation and Expert Testimony Specific to a Client, Competency Issues, and Specific Topics for Education and Training in Forensic Psychology). For the Future Contributions, there were four common areas listed in each profession's top ten mean rankings (Child Custody Issues, Juvenile Issues, Evaluation and Expert Testimony Specific to a Client, and Competency Issues). These same four areas were identical to four of the six common areas found to be most helpful. This indicates that all three groups were consistent in the belief that psychology and/or psychologists are very helpful, and extremely likely to have an impact in the future in the areas of Child Custody, Juvenile Issues, Evaluation and Expert Testimony Specific to a Client, and Competency Issues.

Research Question Four: Particular Instances or Situations in which Psychologists and/ or Psychology have been Harmful in Legal Settings in Wisconsin

It should be noted at the outset that approximately a quarter of the first surveys received indicated that the participant was unable to identify an area in which psychology/ psychologists were harmful to the legal system. This must be kept in mind when considering the prevalence of any of the harmful behaviors indicated by participants. In addition, a number of respondents made the distinction that they did not believe psychology or psychologists were harmful to the legal system, but then went on to state that there were some areas in which they believed they were *not helpful*. Despite this distinction, this researcher turned the activities that were listed as being not helpful into items for the second survey so that participants would be able to rate the harmfulness of these unhelpful activities/areas. The items of item 1, "psychology's overall effect upon the courts" and item 2, "psychologists' influences in legal settings in Wisconsin," contained in the Harm and Prevalence section of the survey, were attempts at reflecting the belief that psychology/ psychologists were not harmful to the legal system. These items were combined to create the General scale for the Harm and Prevalence section, and this scale was in fact rated as being the least harmful, and in the top five of prevalence for all three professions. This suggests that judges, attorneys, and psychologists do in fact believe that psychology/ psychologists overall present a low level of harm to the legal system.

Further evidence to support the belief that psychologists/ psychology are considerably more helpful than harmful to the legal system is suggested by the fact that there were far fewer items generated concerning areas where psychology or psychologists

are harmful to the legal profession than areas in which psychology/ psychologists are helpful. The Harmful section yielded a mere 65 specific instances in which at least one participant felt psychology or psychologists had been harmful to the legal system in Wisconsin, compared to the 184 areas identified for the Helpfulness section. The fact that the expert judges, attorneys, and forensic psychologists were able to identify only 65 items related to harm compared to 184 for helpfulness seems to indicate that, overall, forensic psychology and psychologists are viewed as being more helpful than harmful to the legal system in Wisconsin. In addition, it should be noted that all of the items generated in the Harm section of the survey dealt with the *practice* of psychology, or issues related to clinical practice, consultation, and evaluation, as opposed to psychological research, supervision, training, or teaching.

The Harm and Prevalence items were also grouped together by subject to create scales, which made the data easier to analyze (Appendix T). Items were initially grouped into two categories, those items that were related to general psychology, and those that were specific to forensic psychology. The General Psychologically Harmful or Unprofessional Behavior included three classes of behaviors. First, Going Beyond the Data (7 items), included such items as item number 12, "basing a professional opinion on erroneous facts," and item 49, "giving the appearance of more psychological certainty than is warranted." Second, the category termed Ethical Violation was comprised of six questions and included such items as number three, "when psychologists practice outside of the scope of their competence" and number 32 "giving 'pet diagnoses,' or seeming to give the same diagnosis to almost all clients." The final general category, Lack of Professional Discipline, was comprised of five items. These items were related to poor

work ethic on the part of psychologists, such as poor report writing (item 13), late reports (item 17), and lack of thorough evaluations (item 18).

It is important to note that, while all of the areas in this section are specific to the practice of psychology, these three scales are not specific or unique to the practice of *forensic* psychology. Items included under the General Psychologically Harmful or Unprofessional Behavior are harmful behaviors psychologists practicing in any area may engage in (Going Beyond the Data, Ethical Violation, and Lack of Professional Discipline). Activities covered by these three scales include behaviors that no psychologist should participate in and, in some instances, may be considered a violation of the ethics code and could potentially lead to professional sanctions (American Psychological Association, 2002).

The next section of the Harm and Prevalence portion of the survey included items specific to the area of forensic psychologists. As mentioned above, there was a General Scale that was created using items one and two, “psychology’s overall effect upon the courts” and “psychologists’ influences in legal settings in Wisconsin.” The other seven scales consisted of more specific types of harmful behaviors of forensic psychologists in Wisconsin. The Child Custody/ Family Law scale was comprised of 10 items. Examples of the items are item 21 “overuse of psychologists in the courtroom in family litigation, leading to increased cost and confusion of issues,” and item 26 “providing judgmental opinions of the other spouse without having the benefit of input from that spouse.” The *APA Guidelines for Child Custody Evaluations in Divorce Proceedings* (1994) state that the role of a psychologist in a child custody matter is to “be impartial.” Not only is the

behavior identified in item 26 harmful, it is also in direct violation of APA recommendations and guidelines.

The Sex Offender Scale included four items related to evaluation and treatment of sex offenders. This scale included such items as number 56, "using poorly developed protocol for determinations in 980 (sex predator) cases" and number 57, "assessing the probability of sexually violent persons reoffending if released from civil confinement." Daubert Issues relate to the three items concerning expert testimony in the courtroom, such as number 10 "unprepared on the scientific basis of court testimony." Items in this scale dealt with psychologists not having knowledge related to court testimony, something that is very important if a psychologist is planning to enter a courtroom and give his/her expert opinion. The psychologist needs to understand how the courtroom works, and what type of information is allowed in the courtroom. In Wisconsin, the standard is that the testimony needs to be generally accepted in the field, which is closer to Frye standards than Daubert. Again, this emphasizes the importance of understanding how laws differ between different states.

The Legal Issues Impacting Professional Practice scale also consisted of three items, however these items were related to knowledge of the laws impacting the practice of any type of psychology. As discussed in Chapter Two, there are instances in which the Ethics Code (American Psychological Association, 2002) and the law conflict (Shapiro, 2003), and there are certain laws practicing psychologists need to be aware of because they impact the practice of psychology. This scale consists of three such items that at least one participant believed to be harmful, including number 7 "lack of knowledge of all/any state law that intersects with the practice of psychology."

There were five items related to having the appropriate training required to practice in the specialized field of forensic psychology, and this scale was termed Lack of Forensic Training. Examples of the behaviors included in this scale were number 5 “practicing without proper training or knowledge of forensic psychology” and “lack of knowledge of the different criteria for decision-making for the various courts.” This scale is directly related to the issues that were discussed in Chapter Two under the Education and Training in Forensic Psychology section and directly supports the belief that professionals wanting to practice in this specialized area need to have the required training in order to avoid being harmful.

The next scale was interesting in that the items seemed to be dealing with the idea that psychologists attempt to use their work product as a means of alleviating responsibility for the actions of offenders in criminal matters. Examples of the items included on the Psychological Factors to Excuse Criminal Liability Scale included number 51, “evaluations of persons or alleged criminals in order to avoid responsibility for a crime because of mental disease or defect” and number 52 “evaluations that attempt to alleviate a person’s criminal responsibility based on race, sex, neighborhood, or peer group influence.” These behaviors again seem to be related to lack of an understanding of the role of psychologists who are assisting the court. It is not appropriate for psychologists to answer questions related to the ultimate issue, but rather to provide explanations of behavior. These items could be interpreted a number of ways. For example, it could be that psychologists are viewed as attempting to offer testimony or opinions related to the ultimate issues, such as criminal responsibility.

However, these items could also reflect a lack of understanding on the part of the legal community as to what it is psychologists are able to do. For example, part of a psychological evaluation often includes hypotheses with either behavioral or objective psychological assessment data as support, for why a particular individual behaved the way he/she did. Providing this professional insight in the evaluation does not necessarily endorse or excuse the behavior of the individual, but rather is reported in an attempt to provide additional insight into the individual client's behavior and offer an explanation, which may assist the trier of fact in determining proper consequences.

The final scale acted as a type of "catch all" for the remaining specific types of harmful behaviors forensic psychologists may exhibit. This scale consisted of 16 items related to Specific Instances of Professional Malpractice for Forensic Psychology.

Of the eight Harm scales dealing specifically with forensic psychology issues, there was again a great deal of similarity between the three groups and the ranking of their means on each of the scales (Table K). All three groups had Legal Issues Impacting Professional Practice, and Lack of Forensic Training in their top three of the most harmful behaviors of forensic psychologists according to the mean score. As mentioned above, all three had the General scale with the least amount of harm. Table K indicates that when the judges', attorneys', and psychologists' mean scores for the Harmfulness of the individual scales are ranked from most harmful to least, there is a great deal of consistency between how each of these groups perceived the harm related to the other scales.

The Prevalence scale was an attempt to obtain information on how often participants perceived the harmful behavior occurs throughout the entire State of

Wisconsin. It is important to remember that this was a measure of participants' perceptions and not an exact reporting of the number of instances. It is also reasonable to believe that a harmful act leaves a greater impression than a helpful one, which also has the potential to skew these numbers, making them appear more negative than they possibly are.

Another important distinction when examining the harm and prevalence data is that the harmful behaviors span the entire continuum from relatively harmless behaviors (such as item 59, "evaluations of juveniles for the purpose of providing opinions that the juvenile lacked maturity to knowingly and intelligently waive their constitutional rights under Miranda"), to extremely harmful behaviors, such as those that are in direct violation of the ethics code. In addition, some of the more harmful and less harmful behaviors may have been grouped together in the same scale because they dealt with a similar topic. For example, item 23, "assisting in family court on matters of placement & custody (psychological studies drive wedges between parties and their families, are extremely expensive and tend to prolong trials which also adds to the overall cost of trial)" is grouped together with item 25, "in custody evaluations, writing recommendations without seeing both parents," which is an ethical violation. Finally, it is important to remember that an item could have been generated by only one participant who held the view that the behavior was harmful.

Overall, when examining Table L, the most prevalent of the harmfulness scales listed in Table K as being the least harmful: the practice of forensic psychology (General Scale) and the Assessment and Treatment of Sex Offenders, which included items that could be viewed as describing current standard practice in the field: (Item 54,

“determining risk to re-offend for sexual offenders by use of psycho-sexual evaluation;” item 57, “assessing the probability of sexually violent persons reoffending if released from civil confinement;” and item 58 “evaluating and treating sexual offenders who do not fit the diagnostic criteria for paraphilia).” In addition, the means for the Prevalence scales all fall in the lower half of the 1-7 point Likert scale, indicating that these harmful behaviors are not extremely prevalent.

The Prevalence scale that included the most clearly harmful behavior and was ranked closest to the top was Lack of Forensic Training, which was included in the top three most prevalent behaviors for the attorneys and psychologists, but was the sixth most prevalent behavior for the judges. A possible explanation for this finding is that psychologists who lack forensic training are being excluded from the trial process prior to entering a courtroom.

Further research is needed to obtain a better understanding of the potential harmfulness of forensic psychology to the legal system, and the prevalence of that harm. It does appear, based on the presence of the items generated for this portion of the survey, that the harmful behaviors discussed earlier, such as (a) not understanding epistemological differences between psychology and law (Hess, 1999a), (b) failure to differentiate between the role of a clinical psychologists and a clinical forensic psychologists (Goldstein, 2003), and (c) ignorance of the unique ethical issues related to forensic psychology (Knapp & VandeCreek, 2001; Speciality Guidelines, 1991) are occurring in at least one area in Wisconsin by at least one psychologist.

Conclusions on the Helpfulness, Future Contributions, Harm and Prevalence of Harm of Psychology / Psychologists to the Legal System in Wisconsin

The number of individual items that were generated by participants in the Helpfulness and Future contributions sections compared to the Harm and Prevalence of that Harm sections seems to indicate that participants believe psychology and psychologists are more helpful than harmful to the legal system in Wisconsin, and that psychology and psychologists both have a future in legal settings in Wisconsin. The number of helpful behaviors and the fact that experts believed forensic psychology will continue to contribute to these areas in the future is a very positive response. The small number of harmful behaviors compare to helpful behaviors, and the comparison of the harmful behaviors to the prevalence of that behavior throughout the State, also indicates that, overall, forensic psychology is more helpful than harmful.

The areas in which psychology/psychologists are most helpful to the legal system and are most likely to have a contribution to in the future include issues related to child custody and issues related to juveniles, such as evaluating learning disabilities, determining community and school placements, expert testimony regarding these issues, and treatment. It is interesting to note that the areas in which psychologists and/or psychology can be most helpful to the legal system is in providing their expertise related to children and adolescents. However, this is not an area that is often covered in great depth in a generalist doctoral psychology program, unless offered as a specialty tracks where a student who wishes to work with children will need to take additional training. It seems very hopeful that forensic psychology has the opportunity to assist in matters that are as important as the welfare of children.

Research Question Five: Statistically Significant Differences between Judges, Attorneys, and Psychologists

Part of the reason for conducting this study was to determine if there was any disconnect between the legal and psychological professions and their beliefs concerning the helpfulness, future contributions, harm, and prevalence of that harmful behavior of forensic psychology and/or psychologists related to the legal system. The above sections looked at how the means scores on an individual scale compared between the three groups when they were ranked in ascending order. The overall conclusion was that there was a great deal of consistency among which scales each profession believed to be the most helpful, have the greatest likelihood of a future contribution, or which areas were most harmful. However, when comparing the mean score on a scale between the three professions, statistically significant differences were found on several of the scales between the three groups. This study did, in fact, reveal that there were many areas in which the three groups of professionals differed at a statistically significant level.

A frequent finding was that psychologists tended to have a higher mean rating, and that the attorneys tended to have a lower mean rating when comparing the three professions to one another. However, as discussed above, the three groups appear to be in general agreement throughout the entire survey as to the helpfulness, future contributions, harmfulness and prevalence of harm of all of the various areas or scales when ranked according to the mean. For instance, Child Custody was rated as being the first or second most helpful area according to mean score, by all three groups. However, when comparing the three professions, the mean for the psychologists was statistically significantly higher than the means for either judges or attorneys. This indicates that

while the three professions are in agreement that issues related to Child Custody is an area in which forensic psychology can be very helpful, possibly the most helpful, the level or amount of that helpfulness is perceived differently by the three groups.

Specifically, psychologists perceive the level of helpfulness of forensic psychology/psychologists to be greater than what the judges and attorneys perceive it to be. Findings similar to this were identified in 10 of the 28 Helpfulness scales (General Areas, Competency Issues, Child Custody Issues, Evaluation and Expert Testimony Specific to a Client, Risk Assessment, Family Counseling, Case Consultation, Fitness for Employment, Advice to Court/Legal System, and Legal Strategy) and 7 of the 28 Future Contribution scales (General Areas, Competency Issues, Child Custody Issues, Evaluation and Expert Testimony Specific to a Client, Advocacy, Fitness for Employment, and Legal Strategy).

The other most common finding when examining the mean differences between the three professions was that the attorneys tended to have a statistically significantly lower mean across the scales than the psychologists. This occurred in 10 of the Helpfulness scales and 11 of the Future Contributions scales. On the Helpfulness scales, there were four instances in which the attorneys had lower mean scores than both the judges and psychologists, at the statistically significant level: Specific Topics for Education and Training in Forensic Psychology, Joint Conferences, Public Education, and Clarification of the Legal and/or Psychological Definitions. On two of the Future Contributions scales, attorneys had statistically significantly lower mean ratings than either the judges or psychologists (Joint Conferences and Clarification of the Legal and/or Psychological Definitions). And finally, there was one instance in which the

attorneys had a statistically significantly lower mean compared to the judges – Program Development Future scale.

Conclusions on the Statistically Significant Differences Between Judges, Attorneys, and Psychologists and their Perceptions of Psychology / Psychologists to the Legal System in Wisconsin

The overall finding seems to indicate that there are several areas in which forensic psychology is helpful to the legal system and likely to contribute to in the future. However, the statistically significant differences between the three professions indicate that perhaps forensic psychologists need to work to improve how professionals in the legal realm perceive their contributions. This is especially important in relation to attorneys, as they most often had the largest disconnect between themselves and the psychologists, and often when compared to the judges as well. It could be that attorneys tended to not use the full range of the Likert scale as much as the judges and psychologists, or it could indicate a true difference in how attorneys perceive forensic psychology.

The Harm and Prevalence scales provide some insight into how forensic psychologists can improve how those in the legal community perceive forensic psychology and forensic psychologists. The most basic finding of harmful behaviors of forensic psychologists is that they need to practice ethically. This study did reveal that at least one expert perceived at least one psychologist as practicing unethically. Again, it is important not to overgeneralize this to mean that unethical practice is occurring frequently in Wisconsin. On the contrary, there is nothing to suggest that Wisconsin is

any different than any other state. However, the ideal is that no psychologist should engage in unethical practice.

The second finding of this study that provides insight into how to bridge the gap between how attorneys and psychologists are perceiving psychology's contribution to the legal realm is to work to educate the legal community as to what psychology is able to offer and how it is able to do that, including educating the legal community as to what constitutes ethical practice of forensic psychology. The content of the items on the Harmfulness scales seems to indicate that those in the legal community, attorneys especially, could benefit from a better understanding of what psychology is able to provide, as well as clearly educating as to the current limitations of forensic psychology. Again, the fact that judges included joint conferences between professions as the most helpful area indicates that bringing the understanding of all professions involved in the highly complex and specialized field would be very beneficial for both disciplines and the individuals impacted by forensic psychology.

Limitations of this Study

In remaining true to the Delphi Method, this study used broad initial questions. However, the breadth of the research questions caused the surveys to be extremely long and cumbersome. In addition, as the scope of this study was so broad, participants were not expected to possess all of the required knowledge necessary to have expertise in all areas included in the surveys. This resulted in participants being allowed to omit responses to many items. However, the fact that participants were allowed to omit items meant that the statistical procedure most often used in determining whether consensus within each of the groups was actually reached—the intraclass correlation coefficient

analysis—would not yield helpful results across the entire study, because that analysis excluded any item that had even just one respondent omitting it.

However, when the need for a facile statistical analysis is weighed against possibly compromising the validity of the study by failing to rigidly adhere to the Delphi Method, ensuring validity of the study clearly wins out. In order to increase the validity of the study, it seemed important to have only participants who were confident in their level of knowledge for an item respond to that item. As noted when discussing the Delphi Method in Chapter Two, careful selection of qualified experts is extremely important when using this methodology (Fish & Busby, 1996; Jonassen et al. 1989; Jonassen et al. 1998) and the selection of experts is directly related to how valid the study will be. Similarly, the reason why participants were encouraged to omit an item if they did not feel they possessed enough knowledge to answer it was to increase validity by eliminating “guesses” by unqualified participants. From the outset, it was expected that, when examining such a broad topic as the entire field of forensic psychology throughout the entire State of Wisconsin, that there would be many participants who were only able to answer questions related to the area in which they practice. It would be very rare for anyone to have a level of expertise on all of the areas this study addressed. It may have been better to have selected a narrower topic in order to identify judges, attorneys, and psychologists that had a level of expertise to answer all of the items generated by participants. However, even with this precaution, it still seems possible that a participant would produce an item that not all of the participants would have had enough knowledge to answer.

Furthermore, the fact that the method of the study made for a more difficult statistical analysis does not mean that no conclusions may be drawn from the resulting data as to convergence. While some researchers believe that statistical analyses are necessary to ensure that consensus has in fact been obtained (Powell, 2003; Rayens & Hahn, 2000), others note that convergence among experts is most often reached by the final round of the survey and additional rounds do not yield many changes in consensus (Linstone & Turoff, 1975). This would suggest that a finding of convergence may be made without the use of statistics. In fact, it has been noted by several researchers that the Delphi method does not necessarily require statistical support for the finding that consensus among panel participants is achieved (Fish & Busby, 1996; Jonassen, Hannum, & Tessmer, 1989; Jonassen, Hannum, & Tessmer, 1998). Keegan (<http://www.fernuni-hagen.de/ZIFF/v2-ch45.htm>; June 2006) summarized the original RAND studies and indicated that with the opportunity to reproduce original opinions and consume feedback from other participants, the individual responses converged and the accuracy of the group response improved. In fact, when reviewing other studies that utilize the Delphi Method, it appears that not using a statistical procedure to determine consensus, while not ideal, is in fact the norm (Bowles, 1999; Powell, 2003; Hahn, 2000).

This study adhered closely to the original Delphi methodology and offered three rounds, with feedback for the final round, increasing the validity of this study and its finding, despite the fact that the intraclass coefficient was unable to support that consensus among participants was achieved in every instance. While a better method of statistically determining consensus among participants for each of the scales has yet to be determined, the rigorous adherence to the original Delphi Methodology employed in this

study nevertheless strongly supports a finding of consensus among participants in their respective cohorts.

This is not to say that there is no statistical support for consensus in this survey. On the contrary, for the few scales that did have all of the items used in computing the coefficients, the intraclass correlations do seem to support consensus among raters in the majority of cases. For the Harm and Prevalence of that Harm Scales, of the 19 intraclass correlations that had all of a scales items included, consensus was supported in 14 instances. The standard deviations also support a finding of internal consistency within each profession. The profession with the highest standard deviations, indicating they were less united in their answers as a group, was for the attorneys.

Another possible limitation of the study is that, in remaining true to the Delphi Method, many of the practices that are used in traditional scale development were not utilized (Crocker & Algina, 1986). For example, it is common in scale development to work with the wording of an item to ensure that it is clear and that all participants are understanding the item content in a similar fashion to increase the reliability and validity of the study. In this study, while an attempt was made to have individual items be as clear as possible, the Delphi Method emphasizes using the exact wording of participants whenever possible. Part of the rationale for doing this is that experts are more likely to understand any unique language that may be used. This rationale is less relevant in this study, where all participants were given responses that may have been generated by individuals from a different profession, and this may have reduced the reliability of the survey because, perhaps, a judge's understanding of an item may have been very

different from a psychologist's understanding of an item, and this would in turn reduce the reliability.

A final limitation of this study has to do with the grouping of items, or creation of scales. This study produced over 600 variables, therefore making it necessary to reduce the number of variables being utilized for analysis. Thus, the number of items needed to be reduced, and the best method to group data was determined to be by item content (Dr. Michael Brondino, Ph.D; personal communication, March 2006). However, this process yielded disparities in the number of items in each individual scale, and fewer items increasing the chance of random response error (Heppner, Kivlighan, & Wampold, 1999). For example, for the 65 items making up the Harm and Prevalence Scales, 11 scales were created. The number of items included in a scale ranged from 2 for the General scales to 16 for the Specific Instances of Professional Malpractice for Forensic Psychology Scales. As noted in Chapter Four, it was also more difficult for a correlation to exist within scales that had few numbers (Heppner, Kivlighan, and Wampold, 1999).

Important Conclusions

Despite these limitations and the difficulties in analyzing the final data, this study revealed many important findings concerning the current trends and predicted future of forensic psychology in Wisconsin. For the most part, judges, attorneys, and psychologists are in agreement concerning which areas of psychology are most helpful and likely to have a future contribution to the law, as well as which areas are harmful, and the prevalence of that harm. The areas that psychology and psychologists are most helpful to the legal system, and likely to contribute to in the future include (a) issues related to determining child custody, (b) evaluation, (c) treatment, and (d) expert

testimony involving juveniles, (e) issues involving evaluation and expert testimony of all types of competency, and (f) issues related to education and training concerning forensic psychology.

The fact that the three professions are in relative agreement concerning the areas in which forensic psychology is most helpful and likely to have a future contribution to is very important for a number of reasons. First of all, this indicates that forensic psychology is in fact important and helpful to the legal community. Secondly, experts in the field welcome the contributions of psychology to the legal system, and this will likely continue into the future. The fact that these three professions were in consensus throughout this study indicates that forensic psychology in Wisconsin has a solid foundation and a bright future.

Although the three groups have generally similar beliefs about which areas are the most helpful and harmful, there were statistically significant differences among the means for these three groups. In comparing the means, it becomes apparent that attorneys perceive forensic psychology differently than judges and psychologists. This is determined by examining the number of scales in which attorneys had a standard deviation above 1.0, which indicates a discrepancy in how the attorneys as a group are responding to a scale, as well as the number of attorney scales that differed statistically from the judges and psychologists. In many instances, attorneys' rating of the helpfulness and future contributions of psychology/ psychologists to the legal system was lower than both the judges and psychologists, even though it was not always statistically significantly lower than the other two professions. Psychologists also tended to have higher mean ratings of helpfulness and future contributions, even if they were not always

statistically significantly different from the other two professions. These differences in the amount, or mean ratings could be attributed to the sample of attorneys that was selected, as it was very difficult to find attorneys that were willing to complete the survey in a timely fashion. However, it could also be an indication that attorneys could use more training concerning what it is psychologists and psychology are able to provide them, and psychologists could use more training on how to meet the needs of attorneys. Whatever the reason, this survey seems to clearly indicate that there is a difference in Wisconsin between attorneys and psychologists and their beliefs of the quantitative helpfulness and future contributions of psychology to the legal profession.

It is important to note that psychologists are typically the ones who train future psychologists. While there are some institutions throughout the United States that do utilize those from the legal profession in training future psychologists, the majority of those practicing and researching forensic psychology were not trained by legal professionals. This survey indicates that including those in the legal profession when designing and teaching courses for forensic psychologists would be very useful. These professionals could help train psychologists in areas that are most helpful to how forensic psychology is being practiced, as well as assist in identifying the legal areas psychology researchers should examine. It is very important that when training future professionals, especially in this area which has a great deal of collaboration with an entirely separate field, the opinions, wants, and needs of this other profession be considered from the beginning.

That said, it appears clear that those in the legal profession also need training related to forensic psychology, and that perhaps psychologists may be the best ones to

provide this training. A recent review of the courses offered at one of the two Wisconsin law schools revealed no courses specific to forensic psychology, or any that were even likely to include psychology in their course material. Many of the areas this study identified as being helpful included specific topics for education and training between the two disciplines of psychology and law to increase each discipline's understanding of the other.

Another finding of this study was that there was agreement between the three professions in almost all areas concerning harmful behaviors of forensic psychology and the prevalence of that harm in the State of Wisconsin, as revealed by the ANOVA statistics (Tables G and H). All of the items dealing with psychology being harmful to the law had to do with the *practice* of forensic psychology. Many of the harmful behaviors that were listed had to do with possible violations of the ethics code (American Psychological Association, 2002), and those behaviors were not necessarily specific to the field of *forensic* psychology. This seems to indicate that psychologists need to constantly practice ethically, and that the unethical practice of any one psychologist has the potential to tarnish how other professionals view the entire discipline of psychology.

From this data, it seems that a forensic psychologist who may want to practice or conduct research in Wisconsin may do so on a very wide range of forensic psychology activities, especially those related to child custody and juvenile issues. However, while the study indicated a large range of areas related to the law in which psychology or psychologists are helpful and are likely to contribute to in the future, this study did not indicate how much of an opportunity there is to become involved in these areas in Wisconsin, e.e. how many actual positions are available. For example, the Wisconsin

Forensic Unit (WFU) is responsible for conducting all of the court-ordered competency evaluations throughout the State of Wisconsin (<http://www.dhfs.state.wi.us/mentalhealth/CompetencyToStandTrial/procedureforcompexams.htm>, June 3, 2006), but the WFU only has a very small number of psychologists on staff that conduct these evaluations. This means that the opportunities to conduct court ordered competency evaluations in Wisconsin are quite limited.

Implications for the Future

This study has confirmed much of the anecdotal information cited by other researchers (Otto & Heilbrun, 2002). To date, there has not been a study that has systematically attempted to determine the validity of claims concerning the anecdotal information regarding unethical practices by forensic psychologists (Thomas Grisso; Personal Communication November 5, 2004). In addition, this study provides support for the proposition that, in Wisconsin, the legal community believes that psychology and/or psychologists are helpful to the legal system and will contribute to many areas of the legal system in the future, and there appears to be agreement among the three professions as to what areas forensic psychology is most helpful and to which it is likely to have the greatest future contribution. The three professions also appear to be in agreement as to what harmful areas or types of activities forensic psychologists are engaged in, but the exact prevalence of these harmful behaviors throughout the State is unknown.

This study has generated additional questions that warrant further study. For example, credentialing in forensic psychology is an area that seems to be gaining more interest. Given the results of this study and the fact that 65 specific instances of harmful

behaviors on the part of forensic psychologists were identified, it seems that it would be beneficial to conduct additional exploration as to the need to ensure that psychologists practicing in the legal realm have the necessary training and guidelines to act ethically. This could also provide insight into the need for professional standards. A similar study asking experts about the need or interest in specialized licensure or credentialing in forensic psychology could be helpful. A larger study including experts from around the United States would also give an indication of how closely the findings in Wisconsin relate to the rest of the nation.

Another area that would be worth investigating further is related to the prevalence of the harmful behaviors identified in this study. Further analysis of the data obtained in this study could determine if there is any relationship between the level of harm associated with a particular behavior and the prevalence of that harm. This researcher's hypothesis is that the more harmful the behavior, the less prevalent it is. If there were any instances in which this relationship is not supported, it would identify a major area of concern and a serious problem concerning the practice of forensic psychologists.

Additionally, this study identified five areas of research that participants believed to be helpful to the area of forensic psychology. This indicates that the experts in this area believe that these areas are helpful to the legal community and will be areas that psychology and/or psychologists will contribute to in the future. This included research related to addiction, effective ways for law enforcement to conduct line-ups and show-ups, issues related to observation, and longitudinal research related to the impact of divorce on children. In addition, research that would assist in clarifying legal and psychological definitions in an attempt to achieve a better understanding of how the two

interact and influence each other is also an area that deserves attention. This study also identified nine items specific to the area of research on the legal process: (a) review of civil and criminal court processes regarding mental health issues, (b) study of jury selection procedures, (c) study of jury deliberations, (d) research concerning the tenets of faith embedded within the legal process, (e) study of the policy implication of various evidentiary rules and the trial process, (f) evaluation of the behavioral effects of the legal process upon the participants, (g) assessment of the efficacy of prison, (H) treatment options, and (i) the probation and parole systems, and assessment of the entire juvenile justice system. Again, the experts believed this research to be helpful, and it seems these areas are worth additional ongoing study.

Seven specific instances of program development and evaluation were also identified by this study. This indicates that this area of program development and evaluation is one that is very important for psychologists, and one that perhaps should receive additional attention during graduate training. Several of the items identified in this area dealt with developing programs. This offers the possibility of closing the gap between the legal system and its tendency to focus on punishment and the psychological community's focus on treatment and change. The seven program development and evaluation areas included: (a) creating an understanding of and ability to deal with the behavior of children/adults who have been the victim of fetal alcohol syndrome or drug use by the parents, (b) assist in program evaluation of all types, (c) creation of community based early intervention options to treat mental health issues in an effort to avoid criminal/civil court process, (d) developing a non-adversarial system to decide child custody cases, (e) help to develop a sentencing system that would be effective in

changing criminal behavior, (f) and designing systems providing assessment of risk, (g) treatment needs, and (h) provision of treatment. The seven areas identified by this study certainly deserve further examination.

There were an additional nine items that indicated general research that would be helpful to the area of forensic psychology specifically. There was a great deal of diversity of the items included in this scale. Research related to (a) addiction, (b) conducting line-ups, (c) eyewitness research, (d) study of the impact of divorce on children, and (e) improving the diagnosis and treatment of conduct disorder and attention deficit hyperactivity disorder were all included as areas that deserve future study.

The finding of this study that could perhaps have the greatest impact on forensic psychology is the perceived helpfulness and desire for training in forensic psychology for judges, attorneys, and psychologists. It seems clear that professionals who are practicing in this area have a desire to know more about forensic psychology, especially related to the discipline the professional is not primarily trained in (i.e. those in the legal community would like additional training in psychology and those in the psychological community would like additional legal training). This study yielded 17 specific areas for education and training, seven items related to educating the bar, four specific topics for education of the public, and two items related to joint conferences between the legal and psychological community. That is a total of 30 specific items having to do with the broad topic of education and training, and the recipients of this education and training ranged from the public at large to judges, attorneys, and psychologists. It seems clear that the area of education and training is one that is central for psychologists to become involved in.

In closing, this study has provided a great deal of information that has both substantiated many of the anecdotal observations made by several of the major researchers in this field, and generated a host of topics for future research and education. Forensic psychology in Wisconsin has a solid footing and a bright future.

References

- American Psychiatric Association (2000). *Diagnostic and statistical manual of mental disorders – Text revision*, (5th ed.). Washington, DC: American Psychiatric Association.
- American Psychological Association (1994). Guidelines for Child Custody Evaluations in Divorce Proceedings. *American Psychologist*, 49, 677-680.
- American Psychological Association (2002). Ethical Principles of Psychologists and Code of Conduct.
- Anastasi, A. & Urbina, S. (1997). *Psychological Testing*, 7th Edition. Upper Saddle, NJ: Prentice-Hall.
- Anderson, D. D. (1992). Using feature films as tools for analysis in a psychology and law course. *Teaching of Psychology*, 19, 155-158.
- Babbie, E. (2001). *The practice of social research* (9th ed.). Belmont, CA: Wadsworth.
- Bartol, C., & Bartol, A. (1994). *Psychology and law: Research and application* (2nd ed.). Pacific Grove, CA: Brooks/Cole.
- Bartol, C. R., & Bartol, A. M. (1999). History of forensic psychology. In A. K. Hess & I. B. Weiner (eds.), *Handbook of forensic psychology*, 2nd edition (pp. 3-23). New York: John Wiley & Sons.
- Bersoff, D. N. (1999). Preparing for two cultures: Education and training in law and psychology. In R. Roesch & S.D. Hart (eds.), *Psychology and law: The state of the discipline*. New York: Plenum.
- Bersoff, D. N. (1986). Psychologists and the Judicial System: Broader perspectives. *Law and Human Behavior*, 10, 151-165.

- Bersoff, D. N., Goodman-Delahunty, J., Grisso, J. T., Hans, V. P., Poythress, N. G. Jr., & Roesch, R. G. (1997). Training in law and psychology: Models from the Villanova conference. *American Psychologist*, 52, (12), 1301-1310.
- Blackburn, R. (1996). What is forensic psychology? *Legal & Criminological Psychology*, 1, 3-16.
- Bowles, N. (1999). The Delphi technique. *Nursing Standard*, 13, (45), 32-36.
- Brigham, J. C. (1999). What is forensic psychology, anyway? *Law and Human Behavior*, 23, 273-298.
- Brigham, J. C. & Grisso, J. T. (2003). Forensic Psychology. In D. K. Freedheim & I. B. Wiener (eds.), *Handbook of psychology: Volume 1, history of psychology* (pp. 391-411). Hoboken, NJ: John Wiley & Sons.
- Committee on Ethical Guidelines for Forensic Psychologists (1991). Speciality guidelines for forensic psychologists. *Law and Human Behavior*, 15, 655-665.
- Cooke, G. (1998). Forensic Psychology. In Salvatore Cullari (Ed), *Foundations of Clinical Psychology* (pp. 403-423). Boston, MA: Allyn and Bacon.
- Cooper, J. & Neuhaus, I. M. (2000). The "hired gun" effect: Assessing the effect of pay, frequency of testifying, and credentials on the perception of expert testimony. *Law and Human Behavior*, 24, 149-171.
- Cortina, J. M. (1993). What is Coefficient Alpha? An examination of theory and applications. *Journal of Applied Psychology*, 78, 98-104.
- Crocker, L. & Algina, J. (1986). *Introduction to Classical & Modern Test Theory*. New York: CBS College Publishing.

- Dalkey N. & Helmer, O. (1963). An experimental application of the Delphi method to the use of experts. *Management Science*, 9, 458.
- Daubert v Merrel Dow Pharmaceuticals*, 509 U.S. 579 (1993).
- Delbecq, A. L., Van de Ven, A. H., & Gustafson, D. H. (1975). The Delphi Technique. *Group Techniques for Program Planning: A Guide to Nominal Group and Delphi Processes* (pp. 83-107). Glenview, IL: Scott, Foresman and Company.
- Fein, R., Appelbaum, K., Barnum, R., Baxter, P., Grisso, T., & Leavitt, N. (1991). The designated forensic professional program: A state government-university partnership to improve forensic mental health services. *Journal of Mental Health Administration*, 18, 223-230.
- Fish, L. S. & Busby, D. M. (1996). The Delphi method. In D. H. Sprenkle & S. M. Moon (Eds.), *Research methods in family therapy* (pp. 469-482). New York: Guilford.
- Fleming, M., Pedimont, R., & Hiam, C. (1990). Images of madness: Features films in teaching psychology. *Teaching of Psychology*, 17, 185-187.
- Foley, L. (1993). *A psychological view of the legal system*. Madison, WI: Brown & Benchark.
- Freeman, R. J., & Roesch, R. (1992). Psycholegal education: Training for forum and function. In D. K. Kagehiro & W.S. Laufer (Eds.), *Handbook of psychology and law* (pp. 567-576). New York: Springer-Verlag.
- Frye v. United States*, 293 Fed. 1013 (D.C. Cir. 1923).

- Fulero, S. F., Green, E., Hans, V., Nietzel, M. T., Small, M. A., & Wrightsman, L. S. (1999). Undergraduate education in legal psychology. *Law and Human Behavior*, 23, 137-153.
- Garner, B. A., BcDaniel, B. R. & Schultz, D. W.. (Eds.). (1996). *Black's Law Dictionary*. St. Paul, MN; West Publishing.
- Goldstein, A. M. (2003). Overview of Forensic Psychology. In A. M. Goldstein & I. B. Weiner (eds.), *Handbook of psychology: Volume 11, forensic psychology* (pp. 3-20). Hoboken, NJ: John Wiley & Sons, Inc.
- Goode, S. & Wellborn III, O. G. (1995) *Courtroom Evidence Handbook, Fourth Edition, Student Edition*. St. Paul, MN: West Publishing.
- Greenberg, S. A. & Shuman, D. W. (1997). Irreconcilable conflict between therapeutic and forensic roles. *Professional Psychology: Research and Practice*, 28, (1), 50-57.
- Greene, E. (1987). An undergraduate course in psychology and law. *Teaching of Psychology*, 14, 238-239.
- Grimm, L. G. & Yarnold, P. R. (1995). *Reading and Understanding Multivariate Statistics*. Washington, DC: American Psychological Association.
- Grisso, T., Sales, B. D., & Bayless, S. (1982). Law-related courses and programs in graduate psychology departments. *American Psychologist*, 37, 267-278.
- Grove, W. M., & Barden, R. C. (1999). Protecting the integrity of the legal system: The admissibility of testimony from mental health experts under *Daubert/Kumho* analyses. *Psychology, Public Policy, and Law*, 5, 224-242.

- Hafemeister, T. L., Ogloff, J. R., & Small, M. A. (1990). Training and careers in law and psychology: The perspectives of students and graduates of dual degree programs. *Behavioral Sciences and the Law*, 8, 263-283.
- Hair, J. F. Jr, Anderson, R. E., Tatham, R. L., & Black, W. C. (1998). *Multivariate Data Analysis, 5th Edition*. Upper Saddle River, NJ: Prentice Hall.
- Heilbrun, K. (1992). The role of psychological testing in forensic assessment. *Law and Human Behavior*, 16, 257-272.
- Heilbrun, K. S. (2000, July 20). *Petition for the recognition of a specialty in professional psychology*. Submitted on behalf of the American Board of Forensic Psychology and the American Psychology-Law Society to the American Psychological Association.
- Heppner, P.P, Kivlighan, Jr. D. M., & Wampold, B. E. (1999). Research design in counseling (2nd ed.). Belmont, CA: Wadsworth.
- Hess, A. K. (1998). Accepting forensic case referrals: Ethical and professional considerations. *Professional Psychology: Research and Practice*, 29, 109-114.
- Hess, A. K. (1999a). Defining forensic psychology. In A. K. Hess & I. B. Weiner (Eds). *Handbook of forensic psychology, 2nd edition*. (pp. 24-47). New York: John Wiley & Sons.
- Hess, A. K. (1999b). Practicing principled forensic psychology: Legal, ethical and moral considerations. In A. K. Hess & I. B. Weiner (eds.), *The Handbook of forensic psychology, 2nd edition* (pp. 673-699). New York: John Wiley & Sons.
- Hess, A. K. & Weiner, I. B. (1999). *Handbook of Forensic Psychology, 2nd Edition*. New York: John Wiley & Sons.

- Huck, S. W. (2003). *Reading Statistics and Research*, 3rd Edition. New York: Addison Wesley Longman.
- Janda, L. H, England, K., Lovejoy, D. & Drury, K. (1998). Attitudes toward psychology relative to other disciplines. *Professional Psychology: Research and Practice*, 29, 140-143.
- Jenkins, D. A. & Smith, T. E. (1994). Applying Delphi methodology in family therapy research. *Contemporary Family Therapy*, 5, 411-430.
- Jonassen, D. H., Hannum, W. H., & Tessmer, M. (1989). Structured group interviews: Delphi technique. *Handbook of Task Analysis Procedures* (pp. 397-400). New York: Praeger.
- Jonassen, D. H., Hannum, W. H., & Tessmer, M. (1998). Structured group interviews: Delphi techniques. *Task Analysis Methods for Instructional Design* (pp. 267-299). Mahwah, NJ: Lawrence Erlbaum Associates.
- Klutschkowski, F. (1992). The identification of training components for substance abuse counselors: A Delphi study. (Doctoral dissertation, East Texas State University, 1992). *Dissertation Abstracts International*, 53 (11), 3803.
- Knapp, S. & VandeCreek, L. (2001). Ethical issues in personality assessment in forensic psychology. *Journal of personality assessment*, 77, 242-254.
- Kolasa, B. J. (1972). Psychology and law. *American Psychologist*, 27, 499-503.
- Kumho Tire Co. v Carmichael*, 526 U.S. 137 (1999).
- Kuna, D. P. (1978). One-sided portrayal of Munsterberg. *American Psychologist*, 33 (7) 700.

- Linstone, H. A. & Turoff, M. (1975). *The Delphi method: Techniques and Applications* (p. 10-36). Reading, MA: Addison-Wesley.
- Liss, M. B. (1992). Psychology and law courses: Content and materials. *Law and Human Behavior, 16*, 463-471.
- Loh, W. D. (1981). Perspectives on psychology and law. *Journal of Applied Social Psychology, 11*, 314-355.
- Melton, G. B. (1990). Realism in psychology and humanism in law: Psycholegal studies at Nebraska. *Nebraska Law Review, 69*, 251-277.
- Melton, G. B., Monahan, J., & Saks, M. J. (1987). Psychologists as law professors. *American Psychologist, 43*, 502-509.
- Melton, G. B., Huss, T., & Tomkins, A. J. (1999). Training in forensic psychology and the law. In A. K. Hess & I. B. Weiner (Eds.), *Handbook of forensic psychology, 2nd edition* (pp. 700-720). New York: John Wiley & Sons.
- Melton, G. B., Petrila, J., Poythress, N. G., & Slobogin, C.. (1997). *Psychological Evaluations for the Courts: A Handbook for Mental Health Professionals and Lawyers*. New York: Guilford.
- Monahan, J. (1980). Who is the client? Washington: American Psychological Association.
- Monahan, J. & Loftus, E. F. (1982). The psychology of law. *Annual Reviews, 33*, 441-475.
- Mossman, D. (1999). "Hired guns," whores," and "prostitutes": Case law references to clinicians of ill repute. *Journal of the American Academy of Psychiatry and Law, 27*, 414-425.

- Munsterberg, H. (1908). *On the Witness Stand: Essays on Psychology and Crime*. Garden City, NY: Doubleday.
- Ogloff, J. R. P. (1999). Graduate training in law and psychology at Simon Fraser University. *Professional Psychology: Research and Practice*, 30, 99-103.
- Ogloff, J. R. P. (2000). Two steps forward and one step backward: The law and psychology movement(s) in the 20th Century. *Law and Human Behavior*, 24, 457-483.
- Ogloff, J. R. P., Tomkins, A. J., & Bersoff, D. N. (1996). Education and training in law/criminal justice: Historical foundations, present structures, and future developments. *Criminal Justice and Behavior*, 23, 200-235.
- Otto, R. K. & Heilbrun, K. (2002). The practice of forensic psychology: A look toward the future in light of the past. *American Psychologist*, 57, 5-18.
- Otto, R., Heilbrun, K., & Grisso, T. (1990). Training and credentialing in forensic psychology. *Behavioral Sciences and the Law*, 8, 217-231.
- Packer, I. K. & Borum, R. (2003). Forensic training and practice. In A. M. Goldstein (Ed.) *Handbook of psychology: Volume 11, Forensic psychology* (pp. 21-32). Hoboken, NJ: John Wiley & Sons, Inc.
- Perry, N. W., Huss, M. T., & McAuliff, B. D. (1996). An active-learning approach to teaching the undergraduate psychology and law course. *Teaching of Psychology*, 23, 76-81.
- Redding, R. E., Floyd, M. Y., & Hawk, G. L. (2001). What judges and lawyers think about the testimony of mental health experts: A survey of the courts and bar. *Behavioral Sciences and the Law*, 19, 583-594.

- Reid, W. H. (2003). Why nonforensic clinicians should decline forensic referrals. *Journal of Psychiatric Practice, 9*, 163-166.
- Resnick, P. (2002). Insanity defense evaluations, competence to stand trial, and child-murder by parents. Paper presentation sponsored by Winnebago Mental Health Institute Continuing Medication Education Program. Oshkosh, WI.
- Rogers M. R. & Lopez, E. C.. (2002). Identifying critical cross-cultural school psychology competencies. *Journal of School Psychology, 40*, 2, 115-141.
- Ryan, J. J. & Fletcher, J. (2003). Preliminary suggested readings in forensic psychology. *Psychological Reports, 92*, 770-772.
- Schmidt, R. C. (1997). Managing Delphi surveys using nonparametric statistical techniques. *Decision Sciences 28*, 763-774.
- Shapiro, D. (2003). Ethical issues in forensic psychological evaluation. In B. Van Dorsten (ed.), *Forensic psychology: From classroom to courtroom* (pp. 35-64). New York: Kluwer Academic/Plenum Publishers.
- Spillmann, J. & Spillmann, L. (1993). The rise and fall of Hugo Munsterberg. *Journal of the History of the Behavioral Sciences, 29*, 322-338.
- Stoltenberg, C. D., Kashubeck-West, S., Biever, J. L., Patterson, T., & Welch, I. D. (2000). Training models in counseling psychology: Scientist-practitioner versus practitioner-scholar practitioner. *The Counseling Psychologist, 28*, 622-640.
- Swenson, L. (1993). *Psychology and law for the helping professions*. Pacific Grove, CA: Brooks/Cole.
- Tapp, J. L. (1976). Psychology and the law: An overture. *Annual Reviews, 27*, 359-404.

- Tomkins, A. J., & Ogloff, J. R. P. (1990). Training and career options in psychology and law. *Behavioral Sciences and the Law*, 8, 205-216.
- Weissman, H. N. & DeBow, D. M. (2003). Ethical principles and professional competencies. In A. M. Goldstein & I. B. Weiner (eds.), *Handbook of psychology: Volume 11, forensic psychology* (pp. 33-54). Hoboken, NJ: John Wiley & Sons.
- Wigmore, J. H. (1909). Professor Muensterberg and the psychology of testimony. *Illinois Law Review*, 3, 399-445.
- Woodyard, C. L. (1997). Indicators of impairment in incoming and ongoing master's level counseling students. (Doctoral dissertation, Texas A&M University – Commerce, 1997). *Dissertation Abstracts International*, 58 (3), 755.
- Wrightsman, L. S., Nietzel, M. T., & Fortune, W. H. (1997). *Psychology and the legal system*. (4th ed.). Pacific Grove, CA: Brooks/Cole.

Appendix A: Recruitment Letter

Date

Name

Business

Address

City, State Zip

Dear ,

I am contacting you because you have been identified by your peers as someone who is very knowledgeable concerning the area of forensic psychology, or the area where psychology and law intersect, in the State of Wisconsin. *May personalize this paragraph if I have some personal relationship with the person.*

My name is Deborah Fischer and I am a doctoral candidate in Marquette University's Counseling Psychology program. I am currently conducting research for my dissertation: "Current Trends and the Predicted Future of Forensic Psychology in the State of Wisconsin, A Delphi Survey." The purpose of this study is to gain expert opinion on the interaction of psychology with the legal realm in the State of Wisconsin.

The research method I have chosen is the Delphi Method, which requires a panel of **EXPERTS** to answer a written survey. I have chosen to solicit expert opinions from three different groups of professionals who each have a different perspective on this topic: judges, attorneys, and forensic psychologists. The validity and reliability of this study depends on the quality and expertise of the persons who complete the surveys. Your expertise in this area leads me to ask for your help.

The methodology requires approximately 20 experts from each of these three areas. As the sole means of data collection is opinions from the experts, it is crucial that the individuals who participate have a great deal of knowledge in this area. This is why I am contacting you as a potential expert, because you have specialized knowledge of the role of psychologists in the legal realm that separates you from others in your profession.

As an expert, your role would be to complete a series of three surveys, which would have an approximate total time commitment of around two to three hours. The first survey would consist of approximately five open-ended questions asking for your expert opinion. This survey would take no more than one hour of your time. The next survey would follow several weeks later and would consist of around 200 questions formulated from the experts' responses. You would be required to indicate on a scale of one to seven how much you agree or disagree with the responses. This survey would take approximately 20 to 30 minutes of your time. The final survey, which would follow several weeks later, would also ask you to indicate on a scale of one to seven how much you agree with each statement, however this time you would be presented with feedback

as to how the other experts answered each question. This survey would also take approximately 20 to 30 minutes of your time. **It is very important that, if you commit to this project, you remain in the study for all three rounds of the survey.**

Rest assured, all responses and the identity of all experts will be kept confidential.

I plan to begin data collection in early June 2004 and complete data collection by Thanksgiving 2004. I hope that you will be able to offer your expert opinion on these very important issues concerning forensic psychology in Wisconsin. Copies of the results will be available to you upon request.

I will be contacting you in the next few days via telephone to discuss your interest in assisting with this very important study. It would also be very helpful if you could provide at least two nominations for additional participants for this study. Attorneys, judges, and forensic psychologists throughout Wisconsin who possess superior knowledge of forensic psychology in this state are all potential subjects.

Thank you for your time,

Sincerely,

Deborah Fischer
4724 N. 105th Street
Wauwatosa, WI 53225

Deborah.fischer@marquette.edu
(414) 535-9664 or (414) 378-9660

Appendix B: Qualifications of Experts

Qualifications of the Expert Judges Panel

Total = 20

Demographic Information	Average	Range
Average Age of Sample	56	45-74
Years as a Judge	15	5-31
Knowledge of mental health issues related to the law	4.8	3-7
How helpful do you think psychologists are to the legal system	5.26	3-7

Speicalized Training	# Yes	# No
Possess J.D. Degree	20	0
Specialized training related to mental health issues	10	10
Familiar with psychological research	10	10

Forensic Expertise	Less Than 50	50 to 100	100 to 200	200 to 500	Over 500	None	Did not answer
Approximate number of psychological evaluations/reports reviewed	0	0	5	8	6	N/A	1
Approximate number of psychologists testified as expert witness in your court	8	6	2	3	0	N/A	1
Approximate number of psychologists appointed	3	3	4	5	4	N/A	1
	1-5	6-110	11-15	16-20	Over 20	None	Did not answer
Approximate number of amicus briefs written by psychologists or submitted by psychological organizations to Wisconsin state or federal courts read	5	0	0	0	1	13	1

Forensic Areas typically worked in	# Yes	# NO
Alcohol and Other Drug Abuse Evaluations	17	3
Amicus Brief	0	20
AODA Treatment of Offenders	16	4
Chapter 980	14	6
Child Custody	18	2
Civil Commitments	17	3
Competency	20	0
Criminal Profiling/Assist Police with Case	1	19
Fitness for duty Evaluations	1	19
Mitigating Circumstances Evaluations	6	14
NGI	20	0
Pre-Sentencing Evaluations	19	1

Forensic Areas typically worked in	# Yes	# NO
Public Policy/Advocacy Issues	3	17
Research on Legal Process	2	18
Risk Assessment	8	12
Sentencing Evaluations	18	2
Sex Offender Treatment	16	4
Termination of Parental Rights	18	2
Therapeutic Jurisprudence	2	18
Treatment of Offenders	9	11
Workers Compensation	2	18
Civil Areas	10	10
**Other	0	20

Qualifications of the Expert Attorney Panel

Total = 18

Demographic Information	Average	Range
Average Age of Sample	50	39-63
Years as an Attorney	24	11-32
Years Licensed in WI	22	9-32
Knowledge of mental health issues related to the law	4.83	3-6
How helpful do you think psychologists are to the legal system	4.94	1-7

Specialized Training	# Yes	# No
Possess J.D. Degree	18	0
Specialized training related to mental health issues	12	6
Familiar with psychological research	16	2

Forensic Expertise	Less Than 50	50 to 100	100 to 200	200 to 500	Over 500	None	Did not answer
Approximate number of times hired a psychologist for a legal matter	10	3	4	1	0	N/A	0
Approximate number of times had psychologist appointed by court	7	6	0	4	1	N/A	0
Approximate number of psychological evaluations reviewed	6	4	1	7	0	N/A	0
Approximate number of clients undergone a psychological evaluation in connection with a case	7	3	2	4	0	N/A	2
Approximate number psychologists testifying as experts questioned on witness stand	15	2	1	0	0	N/A	0
Approximate number of psychologists hired to consult with concerning case strategy	15	3	0	0	0	N/A	0
*Approximate number of times hired a psychologist to assist with voir dire	18	0	0	0	0	N/A	0
Approximate number of times hired a psychologist to assist with an amicus brief	0	0	0	0	0	N/A	0

*Many indicated they had never done this.

Forensic Areas typically worked in	# Yes	# NO
Alcohol and Other Drug Abuse Evaluations	16	2
Amicus Brief	0	18
AODA Treatment of Offenders	8	10
Chapter 980	3	15
Child Custody	14	4
Civil Commitments	4	14
Competency	10	8
Criminal Profiling/Assist Police with Case	1	17
Fitness for duty Evaluations	1	17
Mitigating Circumstances Evaluations	4	14
NGI	7	11
Pre-Sentencing Evaluations	9	9

Forensic Areas typically worked in	# Yes	# NO
Public Policy/Advocacy Issues	3	15
Research on Legal Process	2	16
Risk Assessment	4	14
Sentencing Evaluations	6	12
Sex Offender Treatment	3	15
Termination of Parental Rights	8	10
Therapeutic Jurisprudence	0	18
Treatment of Offenders	4	14
Workers Compensation	1	17
Civil Areas	1	17
**Other	6	12

** Other areas listed included: mediation/collaborative divorce mediation, divorce and post divorce, preparation for cross-examination of psychological experts, child abuse/neglect, and appeals.

Qualifications of the Expert Forensic Psychologist Panel

Total = 23

Demographic Information	Average	Range
Average Age of Sample	52	33-64
Years as a Psychologist	19	*0-34
Years Licensed in WI	17	*0-32
Knowledge of mental health issues related to the law	5.29	4-6
How helpful do you think psychologists are to the legal system	5.78	4-7

*0 was doctoral level therapist for almost 30 years

Degree Possessed			
Ph.D.	Psy.D.	Ph.D. & J.D.	Ed.D.
18	2	2	1

Specialized training in psychology and law/forensic psychology: YES = 19

NO = 1

Forensic Expertise	Less Than 50	50 to 100	100 to 200	200 to 500	Over 500	None
	Approximate number of forensic psychological evaluations conducted	4	2	3	7	7
Approximate number of times testified as an expert witness in court	9	7	4	1	2	N/A
Approximate number of times consulted with an attorney about case strategy	11	6	1	3	2	N/A
*Approximate number of times assisted with the voir dire process	22	1	0	0	0	N/A
Approximate number of times assisted with an amicus brief	1	1	0	0	0	21
Approximate number of times hired by the prosecution	19	3	0	0	1	N/A
Approximate number of times hired by the defense	16	2	3	0	2	N/A
Approximate number of times hired by the court	7	2	3	7	4	N/A

*Many indicated they had never done this.

Forensic Areas typically worked in	# Yes	# NO
Alcohol and Other Drug Abuse Evaluations	2	21
Amicus Brief	0	23
AODA Treatment of Offenders	1	22
Chapter 980	5	18
Child Custody	15	8
Civil Commitments	12	11
Competency	12	11
Criminal Profiling/Assist Police with Case	0	23
Fitness for duty Evaluations	2	21
Mitigating Circumstances Evaluations	5	18
NGI	10	13
Pre-Sentencing Evaluations	5	18

Forensic Areas typically worked in	# Yes	# NO
Public Policy/Advocacy Issues	1	22
Research on Legal Process	1	22
Risk Assessment	13	10
Sentencing Evaluations	5	18
Sex Offender Treatment	7	16
Termination of Parental Rights	14	9
Therapeutic Jurisprudence	0	23
Treatment of Offenders	8	15
Workers Compensation	3	20
Civil Areas	7	16
**Other	8	15

**Other areas included: research on treatment and risk assessment, guardianship/conservator, personal injury, juvenile court, abuse and neglect, CHIPS, deportation, disability evaluations, divorce coaching in collaborative law model, IME's, adoption/foster care, educational training or legal experts and law students.

Appendix C: First Survey

**Forensic Psychology in Wisconsin
First Survey**

1. Please describe particular instances or situations in which psychologists and/or psychology have been helpful in legal settings in Wisconsin.

2. Please describe particular instances or situations in which psychologists and/or psychology have been harmful in legal settings in Wisconsin.

3. Please list as many activities as you can in which you, in your expert opinion, feel psychologists should interact with the law/legal system in Wisconsin in the future.

4. Please list at least five areas you feel forensic psychology/psychologists will be the most helpful to the law/legal system in the next five to ten years?

Other comments:

Appendix D: Participants' Comments

Participants' Comments

First Survey

Other comments:

Judges

- Psychologists and psychiatrists are often considered interchangeable. A psychiatrist is usually better qualified to determine which medications are to be prescribed.
- Thank you for allowing me the time to answer your questions.

Attorneys

- Overall, I believe that psychologists conduct themselves in a very professional manner and are very helpful in assisting parents and children to adjust to a divorce situation. Educating parents as to the psychological needs of children can be extremely helpful and co-parenting counseling has had many benefits from my perspective.
- The helpfulness of an opinion from a psychologist often involves the kind of trust that has been established between the attorney and the psychologist over time.
- I think custody evaluations will be a less important role as divorce practice moves towards mediation & collaborative divorce – but psychologists may play a big role in helping the couple negotiate their divorce.
- Broadly, we need to reconceive what we are doing in our criminal justice system because we can't afford it as it is presently constituted – I think psychologists should be at the table as we ask: "what do we do now?"
- I think there will be increasingly less use of forensic (court-ordered evals) psychologists in family law
- Thank you for permitting me to participate. I wish I could have been more helpful.

Psychologists

- I am proud of psychology's contribution to the forensic arena and am pleased to be a part of that.
- Sorry that I as an LMIT don't know much about forensic psychology. I wish there could be more active advocacy for children and parents.

- Judges are relying more and more on psychologist evaluations for decision making purposes. Perhaps we may be getting ahead of ourselves in terms of qualified forensic psychologists to keep quality control.
- Some of this may seem redundant but psychologists in Wisconsin already enjoy status and freedom to practice as long as appropriately trained.
- Please include me for feedback upon completion of your study/survey. Thanks

Second Survey

Judges

- C-16 - Under WI law, all persons are deemed competent to testify.
- Questions J52-J58 – The questions were too narrow for a response. They assumed that there was no basis for such recommendation. If they were part of the assessment and used in addition too, it may very well be a reasonable tool to use. It would allow for expansion of our tools. We shouldn't.
- In "Future Contributions" I circled mostly "7's" because I believe the field is always evolving and will improve.

Attorneys

- I didn't understand what ques. I2 was asking – a psychologist as an eyewitness? A psychologist testifying about the reliability of eyewitness testimony?
- I didn't understand ques. I12. What are "inadequate defense accusations"?
- My answers in Section One about future contributions were influenced by my belief that government is making less funding available in general for court services and is likely to do so in the future. I think the picture is bleak for adequate funding of treatment of the mentally ill and mental health services to the incarcerated and those on probation and parole. Winnebago Mental Health Institute provides top-notch services, but convicted criminals in the prison system do not receive adequate services and are not likely to in the future because of the cost to taxpayers.
- The format for the questions need a little improvement... same for the type of questions.
- H6 - appropriate for what?
- J10 – how can court testimony have a scientific basis? Do you mean the scientific basis for the opinion that you are expressing in your testimony?
- J27 – what do you mean by collateral resources? collateral to whom (or what)?
- Basically, I answered N/A to the above questions because I understood them to be ambiguous.

- A-13/A-15 decided by Supreme Court in Colorado V Conley – no longer questions court can entertain – issue is if deals with ‘state action’.
- Question J37 – I don’t understand the question.
- Question J43 – Aren’t all expert opinions to some degree subjective?? And shouldn’t they be??
- Question J51 – too freighted as pejorative ..they can only do these evaluations by court order... questions suggests that experts do this on their own in cases.....
- J60 – Really can’t be done easily in Wisconsin unless judges and lawyers are asleep at counsel table...

- Too many questions- some seem slanted and some are repetitive.

Psychologists

- I found it hard to answer some of the questions because of how they were phrased.

- In some areas I have had to guess ? rakes than offer an opinion based on knowledge. Where this would have been too ? extreme I have written DK.
- There is a ? hot difference of opinion regarding forensic testimony by treaters. Where one treater is providing treatment designed to reduce risk of offending it is commonplace that treaters of at least informal expert opinions to legal decision makers (example: when there is considerations of whether to revoke an offender in treatment from parole). there is a strong distinction between this situation and other kinds of treatment situations where there is general agreement that treaters should not also act as forensic experts.

- E-12 Parental Alienation Syndrome is not a diagnosis and is losing support as a ‘syndrome’.
- J-12 Don’t understand statement

- I did not respond to item J64 because I believe that Hypnosis can be used in a valid manner, but “questionable suggestive techniques” cannot.

- J63 Some statements were too vague to provide a response

- Good luck on this.

- Overall, this survey is way too fine grained, laborious. Look out for loss of generalizability issues, and for ‘fatigue’ in responders.

- B2 Does not make sense, so interpreted that psychologists do participate in juvenile issues.

- I couldn't answer several questions because of double meaning or implied answers.
- Good luck
- C11-12-13 These are psychological evaluations not related to forensic issues.

Third Survey

Judges

- This was difficult to complete
- It took me several sittings to get through the exercise; & It was difficult to follow the questions using double sided copy going front to back and then back to front.
- Simplify design, layout, and coordination of questions with answer sheet.
- I hope my delay in completing survey has caused no great inconvenience.
- Regarding the series of questions dealing with judges, lawyers, other professionals and parents participating in education related to all forensic psych. issues, we need much more of it.

Attorneys

- It took me 2.5 hours to complete this survey. I began to grow resentful of the time commitment. I hope you find the results satisfactory and worthwhile enough to justify all the collective professional hours devoted to responding. I answered DK to questions I could not understand because too general or too vague or confusing (multiple questions requiring a single answer) – hope it didn't interfere with the analysis.
- Good luck – let us know where the results are published.
- Congratulations on the baby! Best wishes and I hope you are getting some sleep!
- I never received a page with the “question 66”

Psychologists

- In general, I found these questionnaires way too detailed to allow for real thought – so many items that to put considerable thought into the answers would have taken hours and hours – time I did not have. I wish you could have limited it in volume.
- The format this was done in was extremely difficult and the blue paper drove me nuts!
- Hope you are enjoying your new baby. Sorry this took me so long.

Appendix E: Second Survey

ID # _____

Forensic Psychology in WI

Second Survey Page 1

#	Item	Current		Helpfulness							Future Contributions								
		Yes/No		Not Helpful	1	2	3	4	5	6	7	NA	None	1	2	3	4	5	6
A1	Criminal Law areas overall	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A2	Factors involved in assisting courts in making determinations under Ch. 971 Not Guilty by Reason of Mental Disease or Defect (NGI) and subsequent commitment & conditional release.	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A3	Chapter 971.14 - Competency to Stand Trial	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A4	Conducting violence risk assessments	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A5	Evaluation of incarcerated offenders	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A6	Evaluation of offenders in the community	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A7	Evaluations of sex offenders to determine appropriate course of treatment	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A8	Evaluation of sex offenders for future risk of offending	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A9	Evaluation of prognosis for recovery in sex offenders	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A10	Using psycho-sexual evaluation to determine the risk to re-offend for sexual offenders	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A11	Evaluation to determine if a victim or offender suffered psychological damage secondary to an offense	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A12	Conducting presentence evaluations for convicted adults	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A13	Evaluations to determine competence to understand Miranda rights	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A14	Assessing the risks of community placements for adult offenders	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A15	Evaluating whether or not a retarded adult has given an involuntary confession	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A16	Evaluation of drunk drivers	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A17	Creating and providing court ordered treatment	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A18	Treatment of incarcerated offenders	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A19	Treatment of offenders in the community	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A20	Treatment of individuals involved in deferred prosecution agreements	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A21	Treatment of sex offenders	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A22	Treatment of drunk drivers	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A23	Treatment for domestic violence	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A24	Criminal profiling	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A25	Assist in determining mitigating factors to consider at sentencing	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A26	Assist in determining witness credibility	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A27	Assist in advancing or rebutting an insanity defense at trial	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A28	Assist in supervision planning	Y N		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

ID # _____

Forensic Psychology in WI

Second Survey Page 2

#	Item	Current		Helpfulness							Future Contributions								
		Yes	No	Not Helpful	1	2	3	4	5	6	7	NA	None	1	2	3	4	5	6
A29	Assist in bail decisions	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
A30		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B1	Juvenile Court issues overall	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B2	Assist in any case involving minors	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	For juveniles, evaluation of maturational competence to proceed	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B3		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B4	Conducting presentence evaluations for convicted children & juveniles	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Evaluation of potential community placements for juveniles	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B5		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B6	Evaluation of alcohol and/or drug abuse (AODA) issues in juveniles	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Evaluating whether or not a child/juvenile in a delinquency case has given an involuntary confession	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B7		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B8	Assessing risk for future juvenile offense	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Conducting presentence evaluations for convicted adolescents	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
B9		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C1	Civil Law areas overall	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Factors involved in assisting courts in determinations under Ch. 51, Civil Commitment by reason of Mental Disease or Defect, and subsequent commitment and conditional release	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C2		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Factors involved in assisting courts in determinations under Ch. 55, Protective Placment evaluations and subsequent commitment and conditional release	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C3		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C4	Evaluations and/or expert testimony regarding fitness for duty	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Evaluations and/or expert testimony regarding psychological trauma	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C5		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C6	Evaluations and/or expert testimony to detect possible malingering	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Evaluations and/or expert testimony to determine fitness to practice a profession	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C7		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C8	Evaluation and/or expert testimony to determine if a person has the mental capacity to enter into legal contracts	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Evaluation and/or expert testimony to determine if the person has the mental capacity to make decisions regarding medical treatment/medication	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C9		Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C10	Evaluation of impairments of aging	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C11	Evaluation of learning disabilities	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

#	Item	Current Yes/No	Helpfulness							Future Contributions								
			Not Helpful						Very Helpful	None Contribution						High		
C12	M-Team evaluations	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C13	Assessment to determine specialized school placements	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C14	Factors involved in assisting courts in determinations under Ch. 980, Sexually Violent Persons and subsequent commitment and conditional release	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C15	Evaluations for competency under Ch. 880	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C16	Evaluations to determine competence to testify	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C17	Evaluations to determine competence to proceed pro se	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C18	Evaluations to determine competence to give informed consent	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C19	Evaluations to determine competence to make a will	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C20	Assessing dementia related to competency issues in legal settings, such as in changing the power of attorney	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C21	Assist in will challenges in determining undue influence	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C22	Assist in determining personal injury damages in employment issues (i.e. Title VII)	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C23	Assist in determining personal injury damages in accidents, such as head injury, dog bites, etc.	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C24	Assist in determining damages in products liability cases	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C25	Assisting juries in deciding monetary value of a psychological harm claim	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C26	Assist triers of fact in determining liability and damage claims in civil actions involving emotional impact	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
C27	Assist in prevention of deportation of person that would be killed if returned to homeland	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D1	Family Law areas overall	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D2	Evaluations and/or expert testimony regarding child custody	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D3	Evaluations and/or expert testimony regarding placement of children	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D4	Evaluations and/or expert testimony regarding termination of parental rights	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D5	Evaluation and/or expert testimony regarding whether out of home placement should continue or cease	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

#	Item	Current Yes/No	Helpfulness							Future Contributions								
			Not Helpful							Very Helpful	None Contribution							High
D6	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment in response to delinquent behaviors	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D7	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment for difficult family issues	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D8	Evaluation and/or expert testimony regarding juveniles to identify mental illness/deficiency	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D9	Evaluation and/or expert testimony regarding juveniles to identify emerging mental illnesses	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D10	Evaluation and/or expert testimony regarding attachment disorder in children	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D11	Evaluation and/or expert testimony regarding juveniles to identify the best treatment response for a mental illness/deficiency	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D12	Evaluation and/or expert testimony regarding foster and adoptable children with special needs	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D13	Evaluation and/or expert testimony regarding assessment of risk for abuse of children	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D14	Evaluation of earning capacity factors	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D15	Assessing alcohol and/or drug abuse (AODA) issues in a parent	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D16	Developing standard criteria that can be utilized in evaluating child placement in custody decisions	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D17	Treatment recommendations in CHIPS cases	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D18	Treatment recommendations in delinquency cases	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D19	Co-parenting counseling	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D20	Counseling to resolve marital disputes	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D21	Individual counseling in an effort to avoid litigation	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D22	Marital counseling in an effort to avoid litigation	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D23	Divorce adjustment counseling	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D24	Adjustment counseling for children placed in the middle of divorce disputes	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D25	Offering divorce coaching in the collaborative divorce model	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D26	Serving as a mediator in divorce situations	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D27	Assisting the judge in deciding visitation schedules	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D28	Assist in determining foster child or adoptive child placement	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D29	Assist in determining false childhood memories versus abuse	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D30	Assist in distinguishing between diagnoses which impact child rearing and those that do not impair	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
D31	Testifying on research related to gay/lesbian parenting issues	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

#	Item	Current Yes/No	Helpfulness					Future Contributions										
			Not Helpful		Very Helpful			None	Contribution			High						
			1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E1	Education	Y N																
E2	Education of the courts concerning the difficulty of prediction	Y N																
E3	Provide information to the courts in juvenile cases where diagnosis issues are much more difficult to discern	Y N																
E4	Explanations of certain diagnostic categories not familiar to the court or lay people on juries	Y N																
E5	Education concerning etiological, or suspected causal factors, influencing mental health problems	Y N																
E6	Explanations of psychological instruments and their proper use and/or misuse in forensic settings	Y N																
E7	Explanation of various treatment approaches to the court and/or juries	Y N																
E8	Education for judges and attorneys concerning the legitimacy of psychology in evaluating and diagnosing human behavior	Y N																
E9	Explanation concerning what psychologists and/or therapists can and cannot do with respect to treatment and evaluations	Y N																
E10	Informing the court about relevant research findings related to specific issues, e.g. actuarial based probabilities of reoffense, behavioral style, limits of scientific knowledge regarding custody/visitation and the impact of divorce/loss on children	Y N																
E11	Providing information related to addictions	Y N																
E12	Providing insight into parental alienation syndrome	Y N																
E13	Providing insight into post-traumatic stress disorders	Y N																
E14	Providing insight concerning issues related to abuse	Y N																
E15	Education of parents as to what would be in the best interest of children at different stages of their lives	Y N																
E16	Education for parents and other caretakers concerning appropriate discipline of children	Y N																
E17	Education of court system about the cycle of violence in domestic violence cases	Y N																
E18	Education concerning child development	Y N																
E19	Facilitate discussion on relevant psychology-law issues	Y N																
E20	Television discussion or programs to educate the public concerning the psychology/law interaction	Y N																
E21	Joint educational programs for psychologists and judges/attorneys aimed at developing a better understanding of each profession's needs and their respective fields	Y N																

DOUBLE SIDED SURVEY
OVER

#	Item	Current Yes/No	Helpfulness							Future Contributions								
			Not Helpful					Very Helpful	NA	None					High Contribution	NA		
E22	Education offered to police on how to best elicit information from emotionally vulnerable or youthful victims/witnesses without unintentionally shaping the information.	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E23	Training for attorneys who serve as Guardians ad Litem for both children and adults	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E24	Education of attorneys and judges concerning family dynamics	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E25	Educating the legal system regarding quality and ethical standards for psychological practice	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E26	Seminar in which those from the legal community have the opportunity to experience an assessment and learn how the assessment results are integrated into a psychological report	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E27	Creating an understanding of and ability to deal with the behavior of children/adults who have been the victim of fetal alcohol syndrome or drug usage by the parents	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E28	Provide information to the courts about medication and how psychologists and therapists interact with psychiatrists	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
E29	Joint trainings between the Wisconsin Psychological Association, Wisconsin Bar Association, and the Wisconsin Judicial Education Department to become part of legal education and judicial education seminars, allowing the legal profession, judiciary and psychologists to discuss issues brought up in this survey	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
	Research		1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F1	Conducting research on issues related to addiction	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F2	Research with law enforcement to learn the most reliable, effective ways to conduct line-ups and show-ups.	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F3	Review of civil and criminal court processes regarding mental health issues	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F4	Assist in program evaluation	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F5	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F6	Study of jury selection procedures to help avoid, rather than produce, distortion in jury selection.	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
F7	Study of jury deliberations	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

#	Item	Current		Helpfulness							Future Contributions									
		Yes	No	Not Helpful	1	2	3	4	5	6	7	NA	None	1	2	3	4	5	6	7
F8	Empirical evaluation of many of the tenets of faith embedded within the legal process, e.g. the view that jury instructions are extremely significant to the outcome of jury verdicts to the point that even slight misstatements should require all parties to the beginning and start over	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F9	Study of human capacity to make certain observation or perceptions, as in eyewitness identification, recognition of hazards, effectiveness of various warnings relied upon by manufactures to shield themselves from liability	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F10	Research on the policy implications of various evidentiary rules and the trial process itself			1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F11	Assist in developing a non-adversarial system to decide child custody cases	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F12	Improve "dangerousness"/risk assessment evaluations	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F13	Evaluation and analysis of impact of celebrity status of criminal defendants in outcome of criminal trials	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F14	Evaluation of the behavioral effects of the legal process upon the participants of that process	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F15	Assessment of efficacy of prisons and treatment options following convictions - "does it work?"	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F16	Assessment of efficacy of probation & parole systems - "does it work?"	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F17	Assessment of entire juvenile justice system - "does it do what we want it to do?"	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F18	Studies regarding the impact of divorce on children over several years	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F19	Create a judicial bench book of common psychological terms, basic psychological research findings, and indications for treatment and prognosis	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F20	Develop standard criteria for dealing with evaluation for people dealing with criminal competency or general competency under Ch. 880, Guardianships	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
F21	Improve diagnosis and treatment of disorders such as Conduct Disorder and Attention Deficit Hyperactivity Disorder (ADHD)	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
G1	Advocacy issues overall	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
G2	Conferences to propose legislation to make divorce less adversarial	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
G3	Provide research to assist in creating amicus briefs	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	
G4	Assist in defining concepts underpinning "violent sexual offender"	Y	N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	

DOUBLE SIDED SURVEY
OVER

#	Item	Current Yes/No	Helpfulness							Future Contributions										
			Not Helpful	1	2	3	4	5	6	7	NA	None Contribution	1	2	3	4	5	6	7	NA
G5	Advocacy and/or testimony before government agencies regarding laws applicable to the practice of psychology and/or insurance issues, and/or the ability to provide services	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
G6	Present to public appropriately tailored sentencing plan that also meets the treatment needs of the offender	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
G7	Help to develop a sentencing system that would be effective in changing criminal behavior	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
G8	Become active in helping to reform the child custody system	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
G9	Provide research, testimony, and information for public policy debates and legislative debates	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
Professional Practice of Psychologists		Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H1	Determining guidelines for appropriate psychological evaluations	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H2	Establish clearer standards of practice for dispositional evaluations, juvenile and mentally ill/mentally retarded adults	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H3	Establish clearer standards of practice for competency to stand trial and other types of competency exams	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H4	Establish clearer standards of practice for Not Guilty by Reason of Mental Disease or Defect evaluations and treatment	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H5	Assist in determining ethical versus unethical behavior by psychologists and other mental health professionals	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H6	Assist in identifying appropriate treatment records	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H7	Provide appropriate treatment relative to specific diagnostic categories	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
H8	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
General		Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
I1	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
I2	Eyewitness identification testimony	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
I3	Assist in jury selection	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
I4	Assist attorneys in determining case strategies	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
I5	Assist attorneys in the cross-examination of other mental health professionals	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		
I6	Consulting with attorneys on how to cross-examine witnesses	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA		

DOUBLE SIDED SURVEY
OVER

#	Item	Current Yes/No	Helpfulness							Future Contributions								
			Not Helpful	1	2	3	4	5	6	7	NA	None Contribution	1	2	3	4	5	6
I17	Supervision, support, and training of other staff engaged in risk assessment	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I18	Supervision, support, and training of other staff engaged in assessment of treatment needs	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I19	Supervision, support, and training of other staff engaged in providing treatment to offenders	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I10	Designing systems providing assessment of risk, treatment needs, and provision of treatment	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I11	Testing and evaluation of persons seeking legal or judicial positions	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I12	Minimizing likelihood of inadequate defense accusations for attorneys	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I13	Assist in bringing definitions of words such as "insanity" or "dangerousness" closer together between the legal and forensic worlds.	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I14	Assist in understanding mental retardation in the death penalty context and in other contexts	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I15	Differential diagnosis, such as identifying different types of dementias in the aging population	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I16	Terrorist profiling	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I17	Offer assistance to victims of crimes	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I18	Assist victims to testify	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
I19	Genetic studies and their relevance to legal cases	Y N	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

PLEASE PROCEED TO SECTION TWO

DOUBLE SIDED SURVEY
OVER

**Current Trends and Predicted Future of Forensic Psychology in Wisconsin:
Phase II**

Section Two

Items J1 through J66:

Harmful Scale: This scale asks you, in your expert opinion, how harmful you feel the behavior/act described in the item is. While this may or may not be an issue that you have encountered, this item is asking for your expert opinion on how harmful you feel this particular behavior/act is if it *were* to occur. Rate the item with the number 7 (Very Harmful) if you feel this item is very harmful. Rate the item with the number 1 (Not Harmful) if you feel the behavior/act described in the item is not harmful. Please use the numbers in between to reflect the variations between these extremes.

Prevalence Scale: This scale asks how prevalent you feel the behavior/act described in the item is currently in Wisconsin. Again, it is asking for your expert opinion of how widespread this item is in Wisconsin overall, *not* how often you have encountered this item in your practice or courtroom. If you feel the behavior described in the item occurs very often, rate the item 7 (Very Prevalent). If you feel it does not, to your knowledge, occur in Wisconsin, indicate 1 (Not prevalent). Please use the numbers in between to reflect the variations between these extremes.

Please note that **Harmful** and **Prevalence** are intended to be independent ratings. For example, you may indicate that an item is very harmful, however it may be a problem that is very rarely encountered in Wisconsin (Not Prevalent).

You may again indicate that you do not feel comfortable offering an opinion on an item by marking NA.

#	Item	Harm							Prevalent								
		Not Harmful	1	2	3	4	5	6	7	NA	Not Prevalent	1	2	3	4	5	6
J1	Psychology's overall effect upon the courts	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J2	Psychologists' influences in legal settings in Wisconsin.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J3	When psychologists practice outside of the scope of their competence	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J4	When psychologists practice in a haphazard or unprofessional manner	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J5	Practicing without proper training or knowledge of Forensic Psychology	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J6	Lack of specific knowledge of the law that intersects with their psychological expertise, or lack of understanding of relevant legal issues.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J7	Lack of knowledge of all/any state law that intersects with the practice of psychology	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J8	Court evaluations that fail to correctly address the referral question	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

ID # _____

Forensic Psychology in WI

Second Survey Page

#	Item	Harm							Prevalent																								
		Not Harmful							Very Harmful							Not Prevalent							Very Prevalent										
J9	Lack of knowledge of the different criteria for decision-making for the various courts.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J10	Unprepared on the scientific basis of court testimony	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J11	Incomplete or unprofessional conduct in forensic activities	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J12	Basing a professional opinion on erroneous facts	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J13	Poor report writing	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J14	Misuse of testing instruments in forensic evaluations	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J15	Misinformation to the court and attorneys relative to proper evaluation and/or treatment	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J16	Poor work product, which tarnishes the reputation of psychologists in general and holds all up to ridicule	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J17	Late reports	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J18	Lack of thorough evaluations	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J19	Conducting a forensic evaluation without corroborating evidence	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J20	"Bilking" the system to make excessive amounts of money on particular cases, e.g. excessive charges for child custody evaluations.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J21	Overuse of psychologists in the courtroom in family litigation, leading to increased cost and confusion of issues	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J22	Rendering opinions in custody/placement cases where mental illness is NOT an issue	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J23	Assisting in family court on matters of placement & custody (psychological studies drive wedges between parties & their families, are extremely expensive and tend to prolong trials which also adds to the overall cost of trial)	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J24	Inappropriate interview techniques during an alleged child sexual misconduct case which subsequently contributes to inaccurate memories	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J25	In custody evaluations, writing recommendations without seeing both parents	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J26	Providing judgmental opinions of the other spouse without having the benefit of input from that spouse	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J27	In custody evaluations, making recommendations on placement without collateral resources	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J28	In custody evaluations, not relying on extensive analysis of background information and the current status of both parents and the children	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

ID # _____

Forensic Psychology in WI

Second Survey Page

#	Item	Harm					Prevalent										
		Not Harmful			Very Harmful	NA	Not Prevalent			Very Prevalent	NA						
J29	Submitting a child to many evaluations by many forensic "experts" in an abuse or custody case as opposed to one evaluation by a neutral, competent evaluator	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J30	Failing to recognize sexual abuse of a child	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J31	Biased psychological evaluations, or acting as "hired guns," or essentially supporting the opinion of the person who hired him/her.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J32	Giving "pet diagnoses," or seeming to give the same diagnosis to almost all clients.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J33	Working too closely with an attorney, not setting firm boundaries and not producing an independent assessment and analysis	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J34	When psychologists step in the role of "judge," rather than as a witness	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J35	Agreeing to work for adversarial counsel instead of insisting on court appointment	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J36	Offering opinions regarding a defendant when the psychologist has not seen the defendant.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J37	When treating psychologists give opinions regarding questions they have not objectively evaluated	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J38	Providing expert opinions on an issue when the psychologist has only functioned or is currently functioning as a treating therapist	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J39	When psychologists play dual roles as treater and evaluator	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J40	When treating psychologists refuse to release records when authorized consent has been given in writing.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J41	When psychologists make psychological tests available to attorneys who are not trained to interpret them.	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J42	Going beyond the data in making conclusions	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J43	Lack of research to support findings and relying on subjective opinion	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J44	Professing to have all the answers	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J45	Arrogance and/or resistance, as well as other types of inappropriate behavior in the courtroom	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J46	Offering expert testimony without data to support opinion	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J47	Offering conflicting evaluations	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA
J48	Conducting a criminal evaluation when not knowledgeable in the area which leads to an overly optimistic prognosis for the client's rehabilitation	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA

DOUBLE SIDED SURVEY
OVER

ID # _____

Forensic Psychology in WI

Second Survey Page

#	Item	Harm							Prevalent																		
		Not Harmful							Very Harmful							Not Prevalent							Very Prevalent				
J49	Giving the appearance of more psychological certainty than is warranted	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J50	"Junk Science" testimony in the courtroom absent good data, e.g. "battered woman's syndrome"	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J51	Evaluations of persons or alleged criminals in order to avoid responsibility for a crime because of mental disease or defect	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J52	Evaluations that attempt to alleviate a person's criminal responsibility based on race, sex, neighborhood, or peer group influence	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J53	Evaluations that predict future human behavior	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J54	Determining risk to re-offend for sexual offenders by use of psycho-sexual evaluation	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J55	Using "risk scales," which can carry undue weight	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J56	Using poorly developed protocol for determinations in 980 (sex predator) cases	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J57	Assessing the probability of sexually violent persons reoffending if released from civil confinement	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J58	Evaluating and treating sexual offenders who do not fit the diagnostic criteria for paraphilia	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J59	Evaluations of juveniles for the purpose of providing opinions that the juvenile lacked maturity to knowingly and intelligently waive their constitutional rights under Miranda	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J60	Offering as scientific theory opinions that are not embraced by the psychological community in general	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J61	Offering a viewpoint as opposed to addressing a dispute in a neutral fashion	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J62	In mediating divorce issues, attempting to render opinions on financial issues without sufficient facts or legal knowledge	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J63	Making determinations based on monetary considerations	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J64	Hypnotically refreshed recollection and questionable suggestive techniques	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										
J65	Recommending the release of someone from a civil commitment who goes on to commit a crime	1	2	3	4	5	6	7	NA	1	2	3	4	5	6	7	NA										

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
1	Criminal Law areas overall	13	0	13	6.46	5-7	13	6.46	5-7
2	Factors involved in assisting courts in making determinations under Ch. 971 Not Guilty by Reason of Mental Disease or Defect (NGI) and subsequent commitment & conditional release.	18	1	19	6.53	5-7	19	6.63	6-7
3	Chapter 971.14 - Competency to Stand Trial	20	0	20	6.55	5-7	20	6.60	6-7
4	Conducting violence risk assessments	15	5	18	4.50	2-7	20	4.90	2-7
5	Evaluation of incarcerated offenders	19	1	19	5.16	3-7	20	5.30	4-7
6	Evaluation of offenders in the community	17	2	17	5.00	3-7	18	5.22	4-7
7	Evaluations of sex offenders to determine appropriate course of treatment	20	0	20	5.35	3-7	20	5.95	2-7
8	Evaluation of sex offenders for future risk of offending	20	0	20	4.70	3-7	20	5.50	2-7
9	Evaluation of prognosis for recovery in sex offenders	18	2	19	4.37	2-6	20	5.40	2-7
10	Using psycho-sexual evaluation to determine the risk to re-offend for sexual offenders	18	2	18	4.44	2-6	18	5.17	2-7
11	Evaluation to determine if a victim or offender suffered psychological damage secondary to an offense	12	7	14	3.50	2-7	16	4.13	1-7
12	Conducting presentence evaluations for convicted adults	16	4	17	5.24	3-7	18	5.33	2-7
13	Evaluations to determine competence to understand Miranda rights	11	9	13	3.69	2-6	18	3.33	1-6
14	Assessing the risks of community placements for adult offenders	17	3	19	5.21	3-7	20	4.90	1-7
15	Evaluating whether or not a retarded adult has given an involuntary confession	14	5	15	4.93	3-7	17	4.29	1-7
16	Evaluation of drunk drivers	11	9	14	3.43	1-7	14	3.29	1-5
17	Creating and providing court ordered treatment	17	3	17	5.41	3-7	18	5.44	1-7
18	Treatment of incarcerated offenders	17	3	17	4.94	3-7	18	4.94	1-7
19	Treatment of offenders in the community	16	4	16	5.88	4-7	19	5.37	3-7
20	Treatment of individuals involved in deferred prosecution agreements	16	4	17	4.76	1-7	18	5.22	3-7
21	Treatment of sex offenders	19	1	19	5.21	2-7	20	5.45	1-7
22	Treatment of drunk drivers	15	5	15	4.40	2-7	17	4.82	1-7
23	Treatment for domestic violence	17	3	17	5.00	3-7	19	5.21	1-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
24	Criminal profiling	8	10	10	2.70	1-5	14	2.88	1-5
25	Assist in determining mitigating factors to consider at sentencing	13	7	13	4.31	2-7	16	4.13	1-7
26	Assist in determining witness credibility	5	14	10	1.90	1-5	15	2.20	1-5
27	Assist in advancing or rebutting an insanity defense at trial	19	1	19	5.53	4-7	20	5.65	1-7
28	Assist in supervision planning	14	6	16	4.69	2-7	17	4.82	1-7
29	Assist in bail decisions	8	12	12	3.25	1-6	17	3.41	1-6
30	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	16	3	18	5.28	2-7	20	4.75	1-7
31	Juvenile Court issues overall	14	0	11	5.73	5-6	12	5.58	2-7
32	Assist in <i>any</i> case involving minors	12	5	13	4.77	1-6	14	5.00	1-7
33	For juveniles, evaluation of maturational competence to proceed	12	3	14	5.21	1-7	14	4.86	1-7
34	Conducting presentence evaluations for convicted children & juveniles	14	3	15	5.47	3-6	15	5.40	2-7
35	Evaluation of potential community placements for juveniles	16	1	17	5.47	4-7	17	5.47	2-7
36	Evaluation of alcohol and/or drug abuse (AODA) issues in juveniles	12	3	13	5.69	4-7	15	5.27	1-7
37	Evaluating whether or not a child/juvenile in a delinquency case has given an involuntary confession	8	8	10	4.40	2-7	13	4.23	1-7
38	Assessing risk for future juvenile offense	13	3	14	4.57	2-6	14	4.86	2-7
39	Conducting presentence evaluations for convicted adolescents	13	4	15	5.40	5-7	15	5.13	2-7
40	Civil Law areas overall	11	0	8	5.13	4-7	8	5.25	4-7
41	Factors involved in assisting courts in determinations under Ch. 51, Civil Commitment by reason of Mental Disease or Defect, and subsequent commitment and conditional release	20	0	20	6.25	4-7	20	6.55	4-7
42	Factors involved in assisting courts in determinations under Ch. 55, Protective Placment evaluations and subsequent commitment and conditional release	20	0	20	6.30	4-7	20	6.50	4-7
43	Evaluations and/or expert testimony regarding fitness for duty	7	9	7	5.14	2-7	10	4.70	1-7
44	Evaluations and/or expert testimony regarding psychological trauma	19	1	19	5.37	3-7	19	5.53	3-7
45	Evaluations and/or expert testimony to detect possible malingering	19	0	19	5.11	2-7	19	5.16	2-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
46	Evaluations and/or expert testimony to determine fitness to practice a profession	15	4	14	5.00	2-7	15	4.80	1-7
47	Evaluation and/or expert testimony to determine if a person has the mental capacity to enter into legal contracts	15	4	18	5.11	1-7	19	4.84	1-7
48	Evaluation and/or expert testimony to determine if the person has the mental capacity to make decisions regarding medical treatment/medication	19	1	20	5.85	1-7	20	6.05	1-7
49	Evaluation of impairments of aging	18	0	18	6.39	5-7	18	6.67	5-7
50	Evaluation of learning disabilities	16	2	17	6.12	4-7	17	6.41	4-7
51	M-Team evaluations	18	0	16	5.75	4-7	16	6.00	5-7
52	Assessment to determine specialized school placements	15	2	13	5.92	4-7	13	6.08	4-7
53	Factors involved in assisting courts in determinations under Ch. 980, Sexually Violent Persons and subsequent commitment and conditional release	19	1	20	5.95	4-7	20	6.30	4-7
54	Evaluations for competency under Ch. 880	18	0	18	6.22	4-7	18	6.44	5-7
55	Evaluations to determine competence to testify	12	8	14	4.07	1-6	16	3.94	1-7
56	Evaluations to determine competence to proceed pro se	9	11	13	4.46	1-7	15	3.93	1-7
57	Evaluations to determine competence to give informed consent	11	8	14	5.29	3-7	16	4.88	1-7
58	Evaluations to determine competence to make a will	17	3	18	5.44	3-7	19	5.11	2-7
59	Assessing dementia related to competency issues in legal settings, such as in changing the power of attorney	17	3	20	5.40	3-7	20	5.25	1-7
60	Assist in will challenges in determining undue influence	18	2	20	4.45	1-6	20	4.60	1-7
61	Assist in determining personal injury damages in employment issues (i.e. Title VII)	12	7	13	4.46	1-6	13	4.62	1-7
62	Assist in determining personal injury damages in accidents, such as head injury, dog bites, etc.	15	5	18	4.33	1-7	18	4.39	1-7
63	Assist in determining damages in products liability cases	12	7	16	4.00	1-7	16	4.31	1-7
64	Assisting juries in deciding monetary value of a psychological harm claim	14	6	16	4.44	1-7	18	4.39	1-7

DOUBLE SIDED SURVEY
OVER

Judges		Forensic Psychology in WI				Final Survey Page 4			
Judges Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
65	Assist triers of fact in determining liability and damage claims in civil actions involving emotional impact	16	4	19	4.74	1-7	19	4.69	1-7
66	Assist in prevention of deportation of person that would be killed if returned to homeland	3	13	5	2.80	1-5	7	2.86	1-6
67	Family Law areas overall	12	0	11	5.36	4-7	11	5.36	3-7
68	Evaluations and/or expert testimony regarding child custody	20	0	20	5.45	3-7	20	5.90	3-7
69	Evaluations and/or expert testimony regarding placement of children	20	0	20	5.50	3-7	20	6.00	3-7
70	Evaluations and/or expert testimony regarding termination of parental rights	19	1	19	5.68	3-7	19	6.10	3-7
71	Evaluation and/or expert testimony regarding whether out of home placement should continue or cease	19	1	19	5.37	3-7	19	5.63	3-7
72	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment in response to delinquent behaviors	15	2	16	5.38	4-6	16	5.38	2-7
73	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment for difficult family issues	15	2	16	5.38	4-6	16	5.25	2-7
74	Evaluation and/or expert testimony regarding juveniles to identify mental illness/deficiency	16	1	16	6.06	4-7	16	6.00	3-7
75	Evaluation and/or expert testimony regarding juveniles to identify emerging mental illnesses	13	3	15	5.33	3-7	15	5.53	2-7
76	Evaluation and/or expert testimony regarding attachment disorder in children	13	1	13	5.15	3-6	13	5.31	4-7
77	Evaluation and/or expert testimony regarding juveniles to identify the best treatment response for a mental illness/deficiency	15	2	16	6.00	5-7	16	5.81	2-7
78	Evaluation and/or expert testimony regarding foster and adoptable children with special needs	14	3	15	5.60	3-6	16	5.44	2-7
79	Evaluation and/or expert testimony regarding assessment of risk for abuse of children	14	1	15	5.07	2-7	15	5.27	2-7
80	Evaluation of earning capacity factors	13	4	13	4.77	3-6	14	5.00	2-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
81	Assessing alcohol and/or drug abuse (AODA) issues in a parent	15	3	15	5.40	4-7	17	5.41	2-7
82	Developing standard criteria that can be utilized in evaluating child placement in custody decisions	11	6	15	3.80	1-6	18	4.78	1-7
83	Treatment recommendations in CHIPS cases	17	1	17	5.71	4-7	17	5.65	2-7
84	Treatment recommendations in delinquency cases	17	1	17	5.53	4-7	17	5.59	2-7
85	Co-parenting counseling	17	1	17	5.59	3-7	17	6.00	4-7
86	Counseling to resolve marital disputes	19	1	18	5.11	2-7	18	5.33	2-7
87	Individual counseling in an effort to avoid litigation	8	9	10	4.30	2-6	12	4.33	2-7
88	Marital counseling in an effort to avoid litigation	14	3	14	4.50	2-6	15	4.73	2-7
89	Divorce adjustment counseling	14	2	14	5.29	4-6	15	5.33	2-7
90	Adjustment counseling for children placed in the middle of divorce disputes	15	1	16	5.69	3-7	17	5.35	2-7
91	Offering divorce coaching in the collaborative divorce model	11	4	11	5.18	3-7	12	4.67	1-7
92	Serving as a mediator in divorce situations	10	5	12	5.59	5-6	13	4.92	1-7
93	Assisting the judge in deciding visitation schedules	11	4	14	4.57	2-7	15	3.87	1-7
94	Assist in determining foster child or adoptive child placement	12	3	14	5.43	3-7	15	5.27	2-7
95	Assist in determining false childhood memories versus abuse	12	3	13	3.92	1-6	13	4.38	1-7
96	Assist in distinguishing between diagnoses which impact child rearing and those that do not impair	10	5	12	4.83	2-7	12	4.67	2-7
97	Testifying on research related to gay/lesbian parenting issues	8	4	11	5.09	3-7	11	4.45	2-6
98	Education in psychology and law issues	12	2	10	5.60	2-7	10	5.50	3-7
99	Education of the courts concerning the difficulty of prediction	9	10	14	4.57	1-7	16	4.56	1-7
100	Provide information to the courts in juvenile cases where diagnosis issues are much more difficult to discern	14	4	16	4.56	2-6	16	4.94	2-7
101	Explanations of certain diagnostic categories not familiar to the court or lay people on juries	16	3	18	5.28	1-7	18	5.28	1-7
102	Education concerning etiological, or suspected causal factors, influencing mental health problems	15	3	17	5.35	2-7	17	5.41	2-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
103	Explanations of psychological instruments and their proper use and/or misuse in forensic settings	16	3	18	5.00	1-7	18	5.28	1-7
104	Explanation of various treatment approaches to the court and/or juries	18	2	19	5.26	2-7	19	5.32	2-7
105	Education for judges and attorneys concerning the legitimacy of psychology in evaluating and diagnosing human behavior	15	5	19	5.05	2-7	19	5.47	3-7
106	Explanation concerning what psychologists and/or therapists can and cannot do with respect to treatment and evaluations	17	2	18	5.00	1-7	20	5.35	1-7
107	Informing the court about relevant research findings related to specific issues, e.g. actuarial based probabilities of reoffense, behavioral style, limits of scientific knowledge regarding custody/visitation and the impact of divorce/loss on children	15	4	18	5.00	1-7	18	5.33	1-7
108	Providing information related to addictions	18	1	18	5.33	2-7	18	5.89	4-7
109	Providing insight into parental alienation syndrome	15	3	15	5.33	3-7	16	5.75	4-7
110	Providing insight into post-traumatic stress disorders	19	1	20	5.30	2-7	20	5.70	3-7
111	Providing insight concerning issues related to abuse	18	1	19	5.00	2-7	19	5.42	3-7
112	Education of parents as to what would be in the best interest of children at different stages of their lives	15	3	15	5.73	4-7	17	5.76	3-7
113	Education for parents and other caretakers concerning appropriate discipline of children	16	2	15	5.33	2-7	17	5.59	2-7
114	Education of court system about the cycle of violence in domestic violence cases	17	2	18	5.67	3-7	18	5.94	3-7
115	Education concerning child development	16	2	17	5.29	2-7	17	5.65	2-7
116	Facilitate discussion on relevant psychology-law issues	15	5	19	5.00	2-7	19	5.16	3-7
117	Television discussion or programs to educate the public concerning the psychology/law interaction	10	6	16	4.63	2-7	16	4.56	2-7
118	Joint educational programs for psychologists and judges/attorneys aimed at developing a better understanding of each profession's needs and their respective fields	15	4	20	5.70	3-7	20	5.75	3-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
119	Education offered to police on how to best elicit information from emotionally vulnerable or youthful victims/witnesses without unintentionally shaping the information.	12	5	15	5.40	1-7	16	5.19	1-7
120	Training for attorneys who serve as Guardians ad Litem for both children and adults	18	2	18	5.56	4-7	19	5.63	3-7
121	Education of attorneys and judges concerning family dynamics	15	5	17	5.12	3-7	18	5.22	3-7
122	Educating the legal system regarding quality and ethical standards for psychological practice	14	5	17	4.53	1-7	17	4.82	1-7
123	Seminar in which those from the legal community have the opportunity to experience an assessment and learn how the assessment results are integrated into a psychological report	11	6	13	4.46	1-7	17	4.53	1-7
124	Creating an understanding of and ability to deal with the behavior of children/adults who have been the victim of fetal alcohol syndrome or drug usage by the parents	14	3	17	5.06	3-7	18	5.17	2-7
125	Provide information to the courts about medication and how psychologists and therapists interact with psychiatrists	13	5	16	4.81	1-7	18	4.94	1-7
126	Joint trainings between the Wisconsin Psychological Association, Wisconsin Bar Association, and the Wisconsin Judicial Education Department to become part of legal education and judicial education seminars, allowing the legal profession, judiciary and psychologists to discuss issues brought up in this survey	12	8	16	5.94	5-7	20	5.75	2-7
127	Research in psychology and law issues	0	0	3	5.00	4-6	3	5.33	4-7
128	Conducting research on issues related to addiction	17	1	18	5.72	5-7	19	5.89	4-7
129	Research with law enforcement to learn the most reliable, effective ways to conduct line-ups and show-ups.	13	5	15	5.27	3-7	16	5.50	4-7
130	Review of civil and criminal court processes regarding mental health issues	11	8	16	4.81	2-6	18	5.06	1-7
131	Assist in program evaluation	12	6	15	5.07	3-6	17	5.18	3-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
132	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	15	5	19	5.74	4-7	20	5.80	2-7
133	Study of jury selection procedures to help avoid, rather than produce, distortion in jury selection.	10	8	15	3.80	2-6	16	3.88	2-7
134	Study of jury deliberations	10	8	14	3.64	1-6	16	4.00	1-7
135	Empirical evaluation of many of the tenets of faith embedded within the legal process, e.g. the view that jury instructions are extremely significant to the outcome of jury verdicts to the point that even slight misstatements should require all parties to the beginning and start over	3	15	12	3.50	1-7	16	3.50	1-7
136	Study of human capacity to make certain observation or perceptions, as in eyewitness identification, recognition of hazards, effectiveness of various warnings relied upon by manufactures to shield themselves from liability	15	5	15	4.87	1-7	16	4.69	1-7
137	Research on the policy implications of various evidentiary rules and the trial process itself	1	7	10	3.70	1-7	14	3.14	1-7
138	Assist in developing a non-adversarial system to decide child custody cases	12	5	16	5.44	3-7	19	5.68	2-7
139	Improve "dangerousness"/risk assessment evaluations	16	3	19	5.47	4-7	19	5.84	3-7
140	Evaluation and analysis of impact of celebrity status of criminal defendants in outcome of criminal trials	6	11	11	3.00	1-6	14	3.29	1-7
141	Evaluation of the behavioral effects of the legal process upon the participants of that process	9	9	14	3.14	1-6	16	3.75	1-7
142	Assessment of efficacy of prisons and treatment options following convictions - "does it work?"	15	4	19	4.58	1-7	19	4.95	1-7
143	Assessment of efficacy of probation & parole systems - "does it work?"	15	4	19	4.63	1-7	19	4.95	1-7
144	Assessment of entire juvenile justice system - "does it do what we want it to do?"	13	5	17	4.82	2-7	18	5.39	2-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
145	Studies regarding the impact of divorce on children over several years	16	1	18	4.61	2-6	18	5.61	1-7
146	Create a judicial bench book of common psychological terms, basic psychological research findings, and indications for treatment and prognosis	7	11	14	5.57	1-7	19	5.47	1-7
147	Develop standard criteria for dealing with evaluation for people dealing with criminal competency or general competency under Ch. 880, Guardianships	10	7	16	5.19	1-7	17	5.59	1-7
148	Improve diagnosis and treatment of disorders such as Conduct Disorder and Attention Deficit Hyperactivity Disorder (ADHD)	15	3	16	5.44	2-7	18	6.00	4-7
149	Legal advocacy issues overall	4	2	5	4.60	2-6	4	5.00	4-7
150	Conferences to propose legislation to make divorce less adversarial	5	11	13	4.46	1-7	16	4.63	1-7
151	Provide research to assist in creating amicus briefs	3	13	12	2.67	1-6	13	3.00	1-7
152	Assist in defining concepts underpinning "violent sexual offender"	13	5	16	4.63	2-7	16	5.00	2-7
153	Advocacy and/or testimony before government agencies regarding laws applicable to the practice of psychology and/or insurance issues, and/or the ability to provide services	12	5	14	4.07	1-7	14	4.50	1-7
154	Present to public appropriately tailored sentencing plan that also meets the treatment needs of the offender	8	10	13	4.08	1-6	15	4.20	1-7
155	Help to develop a sentencing system that would be effective in changing criminal behavior	9	10	15	5.67	2-7	19	5.42	1-7
156	Become active in helping to reform the child custody system	10	8	15	4.73	2-7	17	5.24	2-7
157	Provide research, testimony, and information for public policy debates and legislative debates	14	5	17	3.88	1-7	17	4.71	1-7
158	Determining guidelines for appropriate psychological evaluations	15	3	17	5.47	2-7	17	6.06	5-7
159	Establish clearer standards of practice for dispositional evaluations, juvenile and mentally ill/mentally retarded adults	13	4	16	5.25	2-7	16	5.75	4-7
160	Establish clearer standards of practice for competency to stand trial and other types of competency exams	14	4	16	5.69	3-7	17	5.94	3-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
161	Establish clearer standards of practice for Not Guilty by Reason of Mental Disease or Defect evaluations and treatment	14	4	16	5.63	1-7	17	5.88	1-7
162	Assist in determining ethical versus unethical behavior by psychologists and other mental health professionals	14	3	15	4.93	2-7	15	5.53	2-7
163	Assist in identifying appropriate treatment records	12	4	12	4.75	2-7	12	5.67	3-7
164	Provide appropriate treatment relative to specific diagnostic categories	16	1	16	5.69	2-7	16	6.31	5-7
165	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	15	4	17	5.00	2-7	17	5.65	1-7
166	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	17	2	19	5.26	1-7	19	6.05	2-7
167	Eyewitness identification testimony	16	3	17	4.24	1-7	17	4.71	3-7
168	Assist in jury selection	14	5	17	3.12	1-6	17	3.48	1-7
169	Assist attorneys in determining case strategies	11	7	13	3.00	1-6	14	3.21	1-7
170	Assist attorneys in the cross-examination of other mental health professionals	16	2	16	4.81	1-7	16	5.13	1-7
171	Consulting with attorneys on how to cross-examine witnesses	13	5	15	3.67	1-6	17	4.12	1-7
172	Supervision, support, and training of other staff engaged in risk assessment	12	4	13	4.46	1-6	13	5.08	1-7
173	Supervision, support, and training of other staff engaged in assessment of treatment needs	13	5	14	4.57	1-7	14	5.07	1-7
174	Supervision, support, and training of other staff engaged in providing treatment to offenders	13	5	15	5.13	2-7	15	5.40	3-7
175	Designing systems providing assessment of risk, treatment needs, and provision of treatment	16	4	16	5.13	2-7	16	5.69	4-7
176	Testing and evaluation of persons seeking legal or judicial positions	2	15	9	2.67	1-6	14	3.07	1-7
177	Psychologists assist in minimizing likelihood of inadequate defense accusations for attorneys	6	9	10	2.80	1-7	12	2.59	1-7

DOUBLE SIDED SURVEY
OVER

Judges Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
178	Assist in bringing definitions of words such as "insanity" or "dangerousness" closer together between the legal and forensic worlds.	12	7	18	4.72	1-7	19	4.68	1-7
179	Assist in understanding mental retardation in the death penalty context and in other contexts	14	2	15	4.87	1-7	15	4.93	1-7
180	Differential diagnosis, such as identifying different types of dementias in the aging population	19	1	18	4.06	2-6	18	4.72	2-7
181	Terrorist profiling	13	4	13	3.46	1-7	15	4.20	1-7
182	Offer assistance to victims of crimes	17	1	18	5.78	4-7	18	5.78	4-7
183	Assist victims to testify	12	5	15	4.40	1-6	16	4.75	1-7
184	Genetic studies and their relevance to legal cases	9	7	13	3.92	1-6	13	4.69	1-7

DOUBLE SIDED SURVEY
OVER

Current Trends and Predicted Future of Forensic Psychology in Wisconsin: Final Survey
Judges Section Two - Items 1-65

or may not be an issue that you have encountered, this item is asking for your expert opinion on how harmful you feel this particular behavior/act is if it *were* to occur. Rate the item with the number 7 (Very Harmful) if you feel this item is very harmful. Rate the item with the number 1 (Not Harmful) if you feel the behavior/act described in the item is not harmful. Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Prevalence Scale: This scale asks how prevalent you feel the behavior/act described in the item is currently in Wisconsin. Again, it is asking for your expert opinion of how widespread this item is in Wisconsin overall, *not* how often you have encountered this item in your practice or courtroom. If you feel the behavior described in the item occurs very often, rate the item 7 (Very Prevalent). If you feel it does not, to your knowledge, occur in Wisconsin, indicate 1 (Not prevalent). Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Please note that **Harmful** and **Prevalence** are intended to be independent ratings. For example, you may indicate that an item is very harmful, however it may be a problem that is very rarely encountered in Wisconsin (Not Prevalent).

You may again indicate that you do not feel comfortable offering an opinion on an item by marking DK.

Mark all answers on the enclosed separate answer sheet for Section II, items 1-65. Return only the completed answer sheets.

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
1	Psychology's overall effect upon the courts	19	2.32	1-5	19	3.89	1-7
2	Psychologists' influences in legal settings in Wisconsin.	19	2.47	1-5	19	3.74	2-7
3	When psychologists practice outside of the scope of their competence	19	5.79	2-7	19	3.00	2-7
4	When psychologists practice in a haphazard or unprofessional manner	19	6.32	3-7	19	2.37	1-6
5	Practicing without proper training or knowledge of Forensic Psychology	18	6.22	2-7	17	2.47	1-5
6	Lack of specific knowledge of the law that intersects with their psychological expertise, or lack of understanding of relevant legal issues.	19	5.42	2-7	19	3.16	1-5
7	Lack of knowledge of all/any state law that intersects with the practice of psychology	19	5.37	2-7	19	3.00	1-6
8	Court evaluations that fail to correctly address the referral question	19	5.32	2-7	19	2.84	1-6
9	Lack of knowledge of the different criteria for decision-making for the various courts.	19	5.21	2-7	19	3.11	1-6

DOUBLE SIDED SURVEY
OVER

Judges		Forensic Psychology in WI			Final Survey Page		
#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
10	Unprepared on the scientific basis of court testimony	20	5.45	2-7	20	2.60	1-6
11	Incomplete or unprofessional conduct in forensic activities	20	5.95	3-7	20	2.30	1-5
12	Basing a professional opinion on erroneous facts	20	6.00	2-7	20	2.90	1-6
13	Poor report writing	20	4.85	2-6	20	3.10	2-6
14	Misuse of testing instruments in forensic evaluations	19	5.84	3-7	18	2.61	1-6
15	Misinformation to the court and attorneys relative to proper evaluation and/or treatment	20	6.15	3-7	20	2.40	1-5
16	Poor work product, which tarnishes the reputation of psychologists in general and holds all up to ridicule	20	6.00	3-7	20	2.05	1-4
17	Late reports	20	4.75	2-7	20	3.05	1-6
18	Lack of thorough evaluations	20	5.40	2-7	20	2.80	1-5
19	Conducting a forensic evaluation without corroborating evidence	20	5.50	3-7	19	3.26	1-6
20	"Bilking" the system to make excessive amounts of money on particular cases, e.g. excessive charges for child custody evaluations.	20	5.65	2-7	19	2.63	1-5
21	Overuse of psychologists in the courtroom in family litigation, leading to increased cost and confusion of issues	20	5.45	2-7	19	3.58	1-7
22	Rendering opinions in custody/placement cases where mental illness is NOT an issue	20	3.15	1-6	19	4.63	2-7
23	Assisting in family court on matters of placement & custody (psychological studies drive wedges between parties & their families, are extremely expensive and tend to prolong trials which also adds to the overall cost of trial)	17	3.71	1-7	16	4.31	2-7
24	Inappropriate interview techniques during an alleged child sexual misconduct case which subsequently contributes to inaccurate memories	20	6.25	3-7	18	2.61	1-6
25	In custody evaluations, writing recommendations without seeing both parents	19	5.58	2-7	18	2.83	1-6
26	Providing judgmental opinions of the other spouse without having the benefit of input from that spouse	19	5.68	2-7	18	2.83	1-6
27	In custody evaluations, making recommendations on placement without collateral resources	19	5.11	2-7	18	3.33	1-7
28	In custody evaluations, not relying on extensive analysis of background information and the current status of both parents and the children	19	5.37	2-7	18	2.89	1-5

DOUBLE SIDED SURVEY
OVER

Judges

Forensic Psychology in WI

Final Survey Page

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
29	Submitting a child to many evaluations by many forensic "experts" in an abuse or custody case as opposed to one evaluation by a neutral, competent evaluator	18	6.17	5-7	18	3.22	1-6
30	Failing to recognize sexual abuse of a child	19	6.69	5-7	17	2.82	1-5
31	Biased psychological evaluations, or acting as "hired guns," or essentially supporting the opinion of the person who hired him/her.	19	6.21	4-7	19	4.00	1-7
32	Giving "pet diagnoses," or seeming to give the same diagnosis to almost all clients.	17	6.18	3-7	18	3.56	1-6
33	Working too closely with an attorney, not setting firm boundaries and not producing an independent assessment and analysis	19	5.63	4-7	19	3.26	1-6
34	When psychologists step in the role of "judge," rather than as a witness	18	5.33	3-7	19	3.37	1-7
35	Agreeing to work for adversarial counsel instead of insisting on court appointment	19	2.79	1-6	19	4.32	1-7
36	Offering opinions regarding a defendant when the psychologist has not seen the defendant.	20	5.70	2-7	20	2.25	1-5
37	When treating psychologists give opinions regarding questions they have not objectively evaluated	19	5.74	1-7	18	2.50	1-5
38	Providing expert opinions on an issue when the psychologist has only functioned or is currently functioning as a treating therapist	19	4.11	1-6	19	3.26	1-6
39	When psychologists play dual roles as treater and evaluator	20	4.40	1-6	20	3.20	2-5
40	When treating psychologists refuse to release records when authorized consent has been given in writing.	20	5.50	2-7	19	2.11	1-6
41	When psychologists make psychological tests available to attorneys who are not trained to interpret them.	18	3.56	1-6	17	3.41	1-6
42	Going beyond the data in making conclusions	19	5.00	1-7	18	3.67	2-6
43	Lack of research to support findings and relying on subjective opinion	20	5.25	2-7	19	3.53	2-7
44	Professing to have all the answers	19	5.58	2-7	17	2.71	1-7
45	Arrogance and/or resistance, as well as other types of inappropriate behavior in the courtroom	19	5.68	2-7	20	2.60	1-5
46	Offering expert testimony without data to support opinion	20	5.60	1-7	20	2.75	1-6
47	Offering conflicting evaluations	18	4.89	2-7	18	2.56	1-5
48	Conducting a criminal evaluation when not knowledgeable in the area which leads to an overly optimistic prognosis for the client's rehabilitation	20	5.55	2-7	18	2.79	1-7

DOUBLE SIDED SURVEY
OVER

Judges		Forensic Psychology in WI			Final Survey Page		
#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
49	Giving the appearance of more psychological certainty than is warranted	20	5.65	2-7	19	3.47	2-6
50	"Junk Science" testimony in the courtroom absent good data, e.g. "battered woman's syndrome"	20	5.15	3-7	19	3.26	2-6
51	Evaluations of persons or alleged criminals in order to avoid responsibility for a crime because of mental disease or defect	18	3.00	1-7	17	4.65	2-7
52	Evaluations that attempt to alleviate a person's criminal responsibility based on race, sex, neighborhood, or peer group influence	19	5.05	1-7	18	2.39	1-5
53	Evaluations that predict future human behavior	19	4.16	1-7	19	4.05	2-7
54	Determining risk to re-offend for sexual offenders by use of psycho-sexual evaluation	18	3.61	1-7	18	4.72	2-7
55	Using "risk scales," which can carry undue weight	17	4.12	1-6	16	4.19	2-7
56	Using poorly developed protocol for determinations in 980 (sex predator) cases	18	5.33	2-7	16	3.18	1-6
57	Assessing the probability of sexually violent persons reoffending if released from civil confinement	19	3.47	1-7	19	5.16	2-7
58	Evaluating and treating sexual offenders who do not fit the diagnostic criteria for paraphilia	14	2.86	1-5	11	4.81	2-7
59	Evaluations of juveniles for the purpose of providing opinions that the juvenile lacked maturity to knowingly and intelligently waive their constitutional rights under Miranda	17	2.47	1-5	15	2.47	1-6
60	Offering as scientific theory opinions that are not embraced by the psychological community in general	20	5.40	2-7	19	2.26	1-4
61	Offering a viewpoint as opposed to addressing a dispute in a neutral fashion	20	4.85	1-7	19	3.58	1-5
62	In mediating divorce issues, attempting to render opinions on financial issues without sufficient facts or legal knowledge	19	5.42	3-7	16	2.31	1-5
63	Making determinations based on monetary considerations	20	6.10	2-7	17	2.06	1-4
64	Hypnotically refreshed recollection and questionable suggestive techniques	20	6.00	3-7	19	2.32	1-6
65	Recommending the release of someone from a civil commitment who goes on to commit a crime	17	5.82	1-7	16	2.69	1-5

Thank You!
DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
1	Criminal Law areas overall	11	7	10	6.10	3-7	11	6.18	3-7
2	Factors involved in assisting courts in making determinations under Ch. 971 Not Guilty by Reason of Mental Disease or Defect (NGI) and subsequent commitment & conditional release.	16	2	15	6.33	3-7	16	6.31	3-7
3	Chapter 971.14 - Competency to Stand Trial	16	2	15	6.53	3-7	16	6.50	3-7
4	Conducting violence risk assessments	11	4	14	4.07	1-7	15	4.53	1-7
5	Evaluation of incarcerated offenders	12	3	14	4.64	2-7	15	4.80	2-7
6	Evaluation of offenders in the community	10	4	13	4.78	2-7	14	4.86	2-7
7	Evaluations of sex offenders to determine appropriate course of treatment	16	0	15	5.20	2-7	16	5.44	2-7
8	Evaluation of sex offenders for future risk of offending	13	2	13	3.92	1-7	14	4.29	2-7
9	Evaluation of prognosis for recovery in sex offenders	14	1	14	4.00	2-7	15	4.73	2-7
10	Using psycho-sexual evaluation to determine the risk to re-offend for sexual offenders	13	2	12	4.00	2-7	13	4.46	2-7
11	Evaluation to determine if a victim or offender suffered psychological damage secondary to an offense	10	5	13	4.54	1-7	15	4.60	1-7
12	Conducting presentence evaluations for convicted adults	14	1	14	5.36	3-7	15	5.60	4-7
13	Evaluations to determine competence to understand Miranda rights	9	6	13	4.08	1-7	14	4.21	1-7
14	Assessing the risks of community placements for adult offenders	11	4	14	4.21	2-6	15	4.47	2-7
15	Evaluating whether or not a retarded adult has given an involuntary confession	12	3	13	4.77	1-7	14	4.93	1-7
16	Evaluation of drunk drivers	7	8	14	3.57	1-6	15	3.87	1-7
17	Creating and providing court ordered treatment	13	3	15	5.00	2-7	16	5.00	2-7
18	Treatment of incarcerated offenders	14	1	14	4.57	2-6	15	5.13	3-7
19	Treatment of offenders in the community	14	1	14	4.43	1-6	15	5.33	3-7
20	Treatment of individuals involved in deferred prosecution agreements	10	5	14	4.21	1-6	13	5.23	1-7
21	Treatment of sex offenders	14	1	14	4.21	1-7	15	5.00	2-7
22	Treatment of drunk drivers	12	3	14	3.57	1-6	15	4.13	1-7
23	Treatment for domestic violence	14	2	15	4.73	1-7	16	4.94	2-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
24	Criminal profiling	10	5	14	3.50	1-7	15	3.93	1-7
25	Assist in determining mitigating factors to consider at sentencing	12	3	14	5.00	2-7	15	5.20	2-7
26	Assist in determining witness credibility	6	9	14	2.36	1-5	15	2.40	1-5
27	Assist in advancing or rebutting an insanity defense at trial	15	3	14	5.86	2-7	15	5.87	2-7
28	Assist in supervision planning	12	3	14	4.71	2-7	15	5.00	2-7
29	Assist in bail decisions	3	11	11	2.90	1-6	12	2.83	1-5
30	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	8	5	13	4.23	1-7	14	4.36	1-7
31	Juvenile Court issues overall	13	1	12	5.25	3-7	13	5.08	3-7
32	Assist in <i>any</i> case involving minors	10	2	10	4.40	2-6	12	4.42	2-6
33	For juveniles, evaluation of maturational competence to proceed	12	2	12	5.00	3-6	14	5.14	3-7
34	Conducting presentence evaluations for convicted children & juveniles	13	1	12	4.67	3-6	13	5.00	3-7
35	Evaluation of potential community placements for juveniles	12	2	11	4.60	3-6	12	5.17	3-7
36	Evaluation of alcohol and/or drug abuse (AODA) issues in juveniles	13	1	12	4.92	2-7	13	5.31	3-7
37	Evaluating whether or not a child/juvenile in a delinquency case has given an involuntary confession	12	2	12	4.42	1-6	13	4.38	1-7
38	Assessing risk for future juvenile offense	13	5	11	3.36	1-6	11	3.82	1-7
39	Conducting presentence evaluations for convicted adolescents	11	2	11	4.73	2-6	12	4.92	2-7
40	Civil Law areas overall	9	9	8	5.13	3-6	9	5.33	3-7
41	Factors involved in assisting courts in determinations under Ch. 51, Civil Commitment by reason of Mental Disease or Defect, and subsequent commitment and conditional release	15	3	15	6.13	4-7	16	6.50	5-7
42	Factors involved in assisting courts in determinations under Ch. 55, Protective Placment evaluations and subsequent commitment and conditional release	16	2	15	6.07	4-7	16	6.38	5-7
43	Evaluations and/or expert testimony regarding fitness for duty	10	3	9	4.78	3-6	9	5.00	3-7
44	Evaluations and/or expert testimony regarding psychological trauma	14	1	14	5.50	3-7	14	5.86	3-7
45	Evaluations and/or expert testimony to detect possible malingering	9	5	12	4.67	1-7	12	5.17	1-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
46	Evaluations and/or expert testimony to determine fitness to practice a profession	12	4	15	4.20	1-6	15	4.53	1-7
47	Evaluation and/or expert testimony to determine if a person has the mental capacity to enter into legal contracts	14	4	16	5.50	2-7	16	5.63	2-7
48	Evaluation and/or expert testimony to determine if the person has the mental capacity to make decisions regarding medical treatment/medication	16	1	16	5.31	1-7	17	5.77	1-7
49	Evaluation of impairments of aging	15	3	14	5.64	3-7	14	5.87	3-7
50	Evaluation of learning disabilities	14	1	13	5.92	4-7	14	6.07	4-7
51	M-Team evaluations	12	2	13	5.46	1-7	13	5.77	1-7
52	Assessment to determine specialized school placements	11	2	13	4.85	2-6	13	5.08	1-7
53	Factors involved in assisting courts in determinations under Ch. 980, Sexually Violent Persons and subsequent commitment and conditional release	16	2	15	4.80	2-7	16	5.19	2-7
54	Evaluations for competency under Ch. 880	17	1	16	5.75	3-7	17	6.06	3-7
55	Evaluations to determine competence to testify	14	3	15	4.47	1-7	16	4.56	1-7
56	Evaluations to determine competence to proceed pro se	8	7	15	1.47	1-2	12	4.17	1-6
57	Evaluations to determine competence to give informed consent	13	2	13	5.15	1-7	14	5.14	1-7
58	Evaluations to determine competence to make a will	12	4	14	4.86	2-7	14	5.00	2-7
59	Assessing dementia related to competency issues in legal settings, such as in changing the power of attorney	14	3	14	5.14	2-7	15	5.27	2-7
60	Assist in will challenges in determining undue influence	10	6	12	4.67	1-7	13	4.62	1-7
61	Assist in determining personal injury damages in employment issues (i.e. Title VII)	9	5	8	3.88	1-5	9	3.78	1-5
62	Assist in determining personal injury damages in accidents, such as head injury, dog bites, etc.	9	6	10	4.70	2-7	11	4.27	1-7
63	Assist in determining damages in products liability cases	9	6	9	4.22	2-7	10	3.80	1-7
64	Assisting juries in deciding monetary value of a psychological harm claim	10	5	11	4.37	4.36	12	4.33	1-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
65	Assist triers of fact in determining liability and damage claims in civil actions involving emotional impact	12	3	11	4.55	2-7	12	4.42	2-7
66	Assist in prevention of deportation of person that would be killed if returned to homeland	3	11	10	3.40	1-6	11	2.55	1-5
67	Family Law areas overall	9	0	5	5.80	5-7	6	6.33	5-7
68	Evaluations and/or expert testimony regarding child custody	18	0	17	5.29	3-7	17	5.53	3-7
69	Evaluations and/or expert testimony regarding placement of children	18	0	17	5.53	4-7	17	5.65	3-7
70	Evaluations and/or expert testimony regarding termination of parental rights	14	1	15	5.73	4-7	15	5.87	3-7
71	Evaluation and/or expert testimony regarding whether out of home placement should continue or cease	16	0	15	5.33	3-7	15	5.73	2-7
72	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment in response to delinquent behaviors	11	4	12	5.17	3-7	13	4.77	1-7
73	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment for difficult family issues	14	2	15	5.13	3-7	15	4.73	1-7
74	Evaluation and/or expert testimony regarding juveniles to identify mental illness/deficiency	15	1	15	5.73	3-7	16	5.81	2-7
75	Evaluation and/or expert testimony regarding juveniles to identify emerging mental illnesses	12	3	15	5.33	3-7	16	5.56	1-7
76	Evaluation and/or expert testimony regarding attachment disorder in children	14	1	15	5.27	2-7	16	5.63	2-7
77	Evaluation and/or expert testimony regarding juveniles to identify the best treatment response for a mental illness/deficiency	14	2	13	5.46	3-7	15	5.67	2-7
78	Evaluation and/or expert testimony regarding foster and adoptable children with special needs	13	2	13	5.31	3-7	14	5.50	3-7
79	Evaluation and/or expert testimony regarding assessment of risk for abuse of children	14	1	14	4.93	2-7	14	4.86	2-7
80	Evaluation of earning capacity factors	9	8	13	3.31	1-6	13	3.23	1-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
81	Assessing alcohol and/or drug abuse (AODA) issues in a parent	16	1	18	4.72	1-7	18	4.94	1-7
82	Developing standard criteria that can be utilized in evaluating child placement in custody decisions	11	5	18	3.89	1-7	18	4.11	1-7
83	Treatment recommendations in CHIPS cases	16	1	17	5.35	3-7	17	5.47	3-7
84	Treatment recommendations in delinquency cases	15	1	16	5.06	3-7	16	5.25	3-7
85	Co-parenting counseling	15	1	15	5.00	2-7	15	5.13	2-7
86	Counseling to resolve marital disputes	18	0	17	5.00	3-7	17	5.29	3-7
87	Individual counseling in an effort to avoid litigation	10	6	13	4.31	1-7	13	4.46	1-7
88	Marital counseling in an effort to avoid litigation	12	4	14	4.79	1-7	14	4.93	1-7
89	Divorce adjustment counseling	14	3	14	5.14	1-7	14	5.14	1-7
90	Adjustment counseling for children placed in the middle of divorce disputes	16	1	16	5.56	3-7	16	5.56	2-7
91	Offering divorce coaching in the collaborative divorce model	14	3	15	5.00	1-7	15	5.40	1-7
92	Serving as a mediator in divorce situations	13	4	15	4.47	1-7	15	4.73	1-7
93	Assisting the judge in deciding visitation schedules	13	4	16	3.88	1-6	16	4.31	1-7
94	Assist in determining foster child or adoptive child placement	11	4	13	4.85	2-6	14	5.14	2-7
95	Assist in determining false childhood memories versus abuse	16	1	15	3.47	1-7	16	3.88	1-7
96	Assist in distinguishing between diagnoses which impact child rearing and those that do not impair	16	1	17	4.47	1-7	17	4.53	1-7
97	Testifying on research related to gay/lesbian parenting issues	12	4	13	4.85	2-7	14	5.00	2-7
98	Education in psychology and law issues	10	2	10	4.50	2-6	10	4.80	2-7
99	Education of the courts concerning the difficulty of prediction	10	7	15	4.13	1-7	15	4.60	2-7
100	Provide information to the courts in juvenile cases where diagnosis issues are much more difficult to discern	11	4	14	4.36	2-7	14	4.43	2-7
101	Explanations of certain diagnostic categories not familiar to the court or lay people on juries	15	1	16	4.88	2-7	16	5.19	2-7
102	Education concerning etiological, or suspected causal factors, influencing mental health problems	15	1	15	4.87	2-6	15	4.93	2-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
103	Explanations of psychological instruments and their proper use and/or misuse in forensic settings	16	1	16	5.00	1-6	16	5.19	2-7
104	Explanation of various treatment approaches to the court and/or juries	15	2	16	5.00	3-6	16	5.13	2-7
105	Education for judges and attorneys concerning the legitimacy of psychology in evaluating and diagnosing human behavior	14	3	16	5.00	3-6	16	5.19	3-7
106	Explanation concerning what psychologists and/or therapists can and cannot do with respect to treatment and evaluations	12	4	15	5.00	2-6	16	4.94	2-7
107	Informing the court about relevant research findings related to specific issues, e.g. actuarial based probabilities of reoffense, behavioral style, limits of scientific knowledge regarding custody/visitation and the impact of divorce/loss on children	15	2	16	4.50	1-7	17	4.88	1-7
108	Providing information related to addictions	16	1	16	5.19	1-7	16	5.50	1-7
109	Providing insight into parental alienation syndrome	13	3	14	4.79	1-7	15	5.27	1-7
110	Providing insight into post-traumatic stress disorders	16	1	16	4.88	2-7	17	5.41	2-7
111	Providing insight concerning issues related to abuse	15	1	16	4.75	2-7	17	5.24	3-7
112	Education of parents as to what would be in the best interest of children at different stages of their lives	13	3	15	4.67	1-7	17	4.94	1-7
113	Education for parents and other caretakers concerning appropriate discipline of children	12	4	15	4.67	1-7	17	4.82	1-7
114	Education of court system about the cycle of violence in domestic violence cases	13	2	16	5.00	1-7	16	5.06	2-7
115	Education concerning child development	14	2	17	5.00	1-7	17	5.12	2-7
116	Facilitate discussion on relevant psychology-law issues	9	7	14	4.50	1-7	15	4.53	2-7
117	Television discussion or programs to educate the public concerning the psychology/law interaction	7	9	13	4.00	1-6	14	4.00	1-7
118	Joint educational programs for psychologists and judges/attorneys aimed at developing a better understanding of each profession's needs and their respective fields	7	10	15	4.53	2-7	16	4.88	2-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
119	Education offered to police on how to best elicit information from emotionally vulnerable or youthful victims/witnesses without unintentionally shaping the information.	5	8	11	5.00	1-7	13	5.00	1-7
120	Training for attorneys who serve as Guardians ad Litem for both children and adults	15	2	17	5.29	2-7	17	5.76	2-7
121	Education of attorneys and judges concerning family dynamics	10	6	16	5.00	2-7	16	5.19	2-7
122	Educating the legal system regarding quality and ethical standards for psychological practice	8	8	15	5.20	2-7	15	5.27	3-7
123	Seminar in which those from the legal community have the opportunity to experience an assessment and learn how the assessment results are integrated into a psychological report	5	12	15	5.20	3-7	18	5.39	2-7
124	Creating an understanding of and ability to deal with the behavior of children/adults who have been the victim of fetal alcohol syndrome or drug usage by the parents	6	9	12	5.17	1-7	13	5.08	2-7
125	Provide information to the courts about medication and how psychologists and therapists interact with psychiatrists	6	10	15	4.87	2-7	15	4.80	2-7
126	Joint trainings between the Wisconsin Psychological Association, Wisconsin Bar Association, and the Wisconsin Judicial Education Department to become part of legal education and judicial education seminars, allowing the legal profession, judiciary and psychologists to discuss issues brought up in this survey	2	14	13	5.23	3-7	14	5.57	3-7
127	Research in psychology and law issues	1	0	5	6.00	4-7	4	6.00	5-7
128	Conducting research on issues related to addiction	15	0	16	4.88	1-7	16	5.56	4-7
129	Research with law enforcement to learn the most reliable, effective ways to conduct line-ups and show-ups.	6	7	10	4.80	2-7	11	4.82	2-7
130	Review of civil and criminal court processes regarding mental health issues	8	7	12	4.67	2-6	13	5.00	3-6
131	Assist in program evaluation	6	9	11	4.45	1-6	11	4.36	1-6

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
132	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	8	7	14	5.00	1-7	15	5.27	2-7
133	Study of jury selection procedures to help avoid, rather than produce, distortion in jury selection.	7	6	12	3.75	1-7	13	4.15	1-7
134	Study of jury deliberations	10	4	14	4.00	1-7	14	4.29	1-7
135	Empirical evaluation of many of the tenets of faith embedded within the legal process, e.g. the view that jury instructions are extremely significant to the outcome of jury verdicts to the point that even slight misstatements should require all parties to the beginning and start over	2	12	10	3.60	1-6	11	3.64	1-7
136	Study of human capacity to make certain observation or perceptions, as in eyewitness identification, recognition of hazards, effectiveness of various warnings relied upon by manufactures to shield themselves from liability	11	5	13	3.54	1-6	15	4.47	1-7
137	Research on the policy implications of various evidentiary rules and the trial process itself	1	5	10	2.40	1-5	11	3.00	1-7
138	Assist in developing a non-adversarial system to decide child custody cases	9	7	15	4.80	1-7	15	4.87	2-7
139	Improve "dangerousness"/risk assessment evaluations	12	4	15	4.60	1-7	16	4.56	1-7
140	Evaluation and analysis of impact of celebrity status of criminal defendants in outcome of criminal trials	2	12	10	2.20	1-5	11	2.27	1-5
141	Evaluation of the behavioral effects of the legal process upon the participants of that process	4	11	12	3.00	1-5	13	2.85	1-6
142	Assessment of efficacy of prisons and treatment options following convictions - "does it work?"	10	6	13	4.54	2-7	14	5.14	2-7
143	Assessment of efficacy of probation & parole systems - "does it work?"	9	7	13	4.23	2-7	14	5.14	2-7
144	Assessment of entire juvenile justice system - "does it do what we want it to do?"	8	7	12	4.33	2-7	13	5.23	2-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
145	Studies regarding the impact of divorce on children over several years	13	4	14	5.29	2-7	15	5.67	2-7
146	Create a judicial bench book of common psychological terms, basic psychological research findings, and indications for treatment and prognosis	4	12	14	5.14	2-7	16	5.13	2-7
147	Develop standard criteria for dealing with evaluation for people dealing with criminal competency or general competency under Ch. 880, Guardianships	8	7	12	5.25	3-7	13	5.69	4-7
148	Improve diagnosis and treatment of disorders such as Conduct Disorder and Attention Deficit Hyperactivity Disorder (ADHD)	12	3	13	5.08	2-7	14	5.43	3-7
149	Legal advocacy issues overall	7	2	6	4.00	1-7	5	4.40	3-7
150	Conferences to propose legislation to make divorce less adversarial	6	9	12	4.42	1-7	14	4.71	1-7
151	Provide research to assist in creating amicus briefs	6	8	10	3.90	1-6	13	3.69	1-6
152	Assist in defining concepts underpinning "violent sexual offender"	9	5	13	4.54	1-7	14	4.93	2-7
153	Advocacy and/or testimony before government agencies regarding laws applicable to the practice of psychology and/or insurance issues, and/or the ability to provide services	10	4	13	4.23	2-6	14	4.57	1-7
154	Present to public appropriately tailored sentencing plan that also meets the treatment needs of the offender	8	7	13	3.92	1-7	15	4.73	1-7
155	Help to develop a sentencing system that would be effective in changing criminal behavior	5	10	12	4.67	2-7	14	4.43	1-7
156	Become active in helping to reform the child custody system	8	8	14	4.79	1-7	15	4.93	2-7
157	Provide research, testimony, and information for public policy debates and legislative debates	11	6	15	4.73	2-7	16	4.88	2-7
158	Determining guidelines for appropriate psychological evaluations	13	1	12	5.75	3-7	11	5.82	4-7
159	Establish clearer standards of practice for dispositional evaluations, juvenile and mentally ill/mentally retarded adults	8	5	11	5.18	2-7	12	5.25	2-7
160	Establish clearer standards of practice for competency to stand trial and other types of competency exams	8	5	11	5.45	2-7	12	5.33	2-7

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
#	Item	# Yes	# No	#	Mean	Range	#	Mean	Range
161	Establish clearer standards of practice for Not Guilty by Reason of Mental Disease or Defect evaluations and treatment	8	5	11	5.27	2-7	12	5.17	2-7
162	Assist in determining ethical versus unethical behavior by psychologists and other mental health professionals	9	5	13	5.31	2-7	13	5.46	3-7
163	Assist in identifying appropriate treatment records	7	6	10	4.00	1-6	11	3.91	1-6
164	Provide appropriate treatment relative to specific diagnostic categories	7	5	10	5.70	4-7	10	5.40	4-7
165	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	6	7	10	4.20	2-7	12	4.00	1-7
166	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	9	7	14	5.21	1-7	15	5.60	2-7
167	Eyewitness identification testimony	11	4	12	4.23	1-7	13	4.00	1-7
168	Assist in jury selection	14	2	14	3.79	1-7	15	4.00	1-7
169	Assist attorneys in determining case strategies	12	4	14	3.93	1-7	15	3.80	1-7
170	Assist attorneys in the cross-examination of other mental health professionals	17	1	17	5.65	4-7	17	5.65	3-7
171	Consulting with attorneys on how to cross-examine witnesses	10	7	16	4.00	1-7	16	4.00	1-7
172	Supervision, support, and training of other staff engaged in risk assessment	8	6	11	4.91	3-7	12	5.17	4-7
173	Supervision, support, and training of other staff engaged in assessment of treatment needs	8	6	11	4.64	2-7	12	4.92	2-7
174	Supervision, support, and training of other staff engaged in providing treatment to offenders	10	5	13	4.85	3-7	14	5.36	4-7
175	Designing systems providing assessment of risk, treatment needs, and provision of treatment	8	6	11	4.18	1-7	12	4.67	2-7
176	Testing and evaluation of persons seeking legal or judicial positions	3	12	11	2.73	1-7	13	2.23	1-7
177	Psychologists assist in minimizing likelihood of inadequate defense accusations for attorneys	1	13	8	1.50	1-4	10	1.80	1-5

DOUBLE SIDED SURVEY
OVER

Attorneys Section One		Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
#	Item								
178	Assist in bringing definitions of words such as "insanity" or "dangerousness" closer together between the legal and forensic worlds.	6	9	13	3.54	1-7	14	3.93	1-7
179	Assist in understanding mental retardation in the death penalty context and in other contexts	9	7	12	5.08	2-7	13	5.38	2-7
180	Differential diagnosis, such as identifying different types of dementias in the aging population	11	3	13	5.46	3-7	14	5.93	3-7
181	Terrorist profiling	5	9	11	3.00	1-6	13	3.77	1-7
182	Offer assistance to victims of crimes	12	4	15	5.20	1-7	14	5.71	1-7
183	Assist victims to testify	9	7	14	4.57	1-7	15	4.67	1-7
184	Genetic studies and their relevance to legal cases	3	10	11	3.09	1-5	11	2.82	1-6

DOUBLE SIDED SURVEY
OVER

Current Trends and Predicted Future of Forensic Psychology in Wisconsin: Final Survey
Attorneys Section Two - Items 1-65

or may not be an issue that you have encountered, this item is asking for your expert opinion on how harmful you feel this particular behavior/act is if it *were* to occur. Rate the item with the number 7 (Very Harmful) if you feel this item is very harmful. Rate the item with the number 1 (Not Harmful) if you feel the behavior/act described in the item is not harmful. Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Prevalence Scale: This scale asks how prevalent you feel the behavior/act described in the item is currently in Wisconsin. Again, it is asking for your expert opinion of how widespread this item is in Wisconsin overall, *not* how often you have encountered this item in your practice or courtroom. If you feel the behavior described in the item occurs very often, rate the item 7 (Very Prevalent). If you feel it does not, to your knowledge, occur in Wisconsin, indicate 1 (Not prevalent). Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Please note that **Harmful** and **Prevalence** are intended to be independent ratings. For example, you may indicate that an item is very harmful, however it may be a problem that is very rarely encountered in Wisconsin (Not Prevalent).

You may again indicate that you do not feel comfortable offering an opinion on an item by marking DK.

Mark all answers on the enclosed separate answer sheet for Section II, items 1-65. Return only the completed answer sheets.

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
1	Psychology's overall effect upon the courts	17	2.47	1-7	17	4.29	2-7
2	Psychologists' influences in legal settings in Wisconsin.	18	2.67	1-6	18	4.17	2-7
3	When psychologists practice outside of the scope of their competence	18	6.67	5-7	18	3.67	2-7
4	When psychologists practice in a haphazard or unprofessional manner	18	6.83	6-7	18	3.67	2-7
5	Practicing without proper training or knowledge of Forensic Psychology	16	6.50	4-7	16	3.56	1-7
6	Lack of specific knowledge of the law that intersects with their psychological expertise, or lack of understanding of relevant legal issues.	18	5.78	4-7	18	3.67	1-7
7	Lack of knowledge of all/any state law that intersects with the practice of psychology	18	5.44	2-7	18	3.89	1-7
8	Court evaluations that fail to correctly address the referral question	17	5.23	3-7	15	3.20	1-6
9	Lack of knowledge of the different criteria for decision-making for the various courts.	17	5.12	1-7	16	3.63	2-7

DOUBLE SIDED SURVEY
OVER

Attorneys		Forensic Psychology in WI			Final Survey Page		
#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
10	Unprepared on the scientific basis of court testimony	14	6.36	5-7	15	3.60	2-7
11	Incomplete or unprofessional conduct in forensic activities	17	6.41	4-7	16	3.00	1-7
12	Basing a professional opinion on erroneous facts	17	6.71	5-7	16	3.94	2-7
13	Poor report writing	18	5.11	2-7	17	3.82	2-7
14	Misuse of testing instruments in forensic evaluations	15	6.47	5-7	12	2.83	2-7
15	Misinformation to the court and attorneys relative to proper evaluation and/or treatment	17	6.41	5-7	17	3.00	2-7
16	Poor work product, which tarnishes the reputation of psychologists in general and holds all up to ridicule	17	6.24	3-7	17	2.88	2-6
17	Late reports	17	4.53	2-6	16	3.50	1-7
18	Lack of thorough evaluations	17	6.00	3-7	17	3.53	2-6
19	Conducting a forensic evaluation without corroborating evidence	17	6.00	5-7	17	3.71	2-7
20	"Bilking" the system to make excessive amounts of money on particular cases, e.g. excessive charges for child custody evaluations.	17	6.00	4-7	16	3.00	1-7
21	Overuse of psychologists in the courtroom in family litigation, leading to increased cost and confusion of issues	17	5.06	2-7	18	2.94	1-7
22	Rendering opinions in custody/placement cases where mental illness is NOT an issue	16	2.81	1-6	16	5.00	1-7
23	Assisting in family court on matters of placement & custody (psychological studies drive wedges between parties & their families, are extremely expensive and tend to prolong trials which also adds to the overall cost of trial)	17	4.06	1-7	17	3.76	2-7
24	Inappropriate interview techniques during an alleged child sexual misconduct case which subsequently contributes to inaccurate memories	17	6.65	5-7	17	3.47	1-7
25	In custody evaluations, writing recommendations without seeing both parents	16	6.69	6-7	15	3.00	1-7
26	Providing judgmental opinions of the other spouse without having the benefit of input from that spouse	17	6.47	5-7	13	3.38	1-7
27	In custody evaluations, making recommendations on placement without collateral resources	16	5.69	4-7	15	4.27	2-7
28	In custody evaluations, not relying on extensive analysis of background information and the current status of both parents and the children	17	5.65	3-7	15	3.53	2-7

DOUBLE SIDED SURVEY
OVER

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
29	Submitting a child to many evaluations by many forensic "experts" in an abuse or custody case as opposed to one evaluation by a neutral, competent evaluator	17	5.88	4-7	15	3.80	2-7
30	Failing to recognize sexual abuse of a child	18	6.56	5-7	17	2.94	1-7
31	Biased psychological evaluations, or acting as "hired guns," or essentially supporting the opinion of the person who hired him/her.	17	6.12	4-7	17	4.47	2-7
32	Giving "pet diagnoses," or seeming to give the same diagnosis to almost all clients.	17	6.29	5-7	16	3.44	1-7
33	Working too closely with an attorney, not setting firm boundaries and not producing an independent assessment and analysis	17	5.71	3-7	16	3.31	1-7
34	When psychologists step in the role of "judge," rather than as a witness	18	5.22	1-7	17	3.53	1-7
35	Agreeing to work for adversarial counsel instead of insisting on court appointment	17	3.24	1-7	17	4.65	2-7
36	Offering opinions regarding a defendant when the psychologist has not seen the defendant.	16	6.00	2-7	14	2.57	1-7
37	When treating psychologists give opinions regarding questions they have not objectively evaluated	14	5.57	2-7	13	3.31	2-7
38	Providing expert opinions on an issue when the psychologist has only functioned or is currently functioning as a treating therapist	17	4.88	2-7	16	3.19	1-6
39	When psychologists play dual roles as treater and evaluator	18	4.94	1-7	16	3.88	1-7
40	When treating psychologists refuse to release records when authorized consent has been given in writing.	17	6.29	5-7	14	2.07	1-5
41	When psychologists make psychological tests available to attorneys who are not trained to interpret them.	17	4.47	2-7	16	3.31	1-6
42	Going beyond the data in making conclusions	17	4.94	1-7	17	3.53	1-7
43	Lack of research to support findings and relying on subjective opinion	17	5.00	1-7	17	3.71	2-6
44	Professing to have all the answers	17	5.41	2-7	17	3.24	1-7
45	Arrogance and/or resistance, as well as other types of inappropriate behavior in the courtroom	17	5.00	2-7	17	3.59	2-6
46	Offering expert testimony without data to support opinion	17	5.88	4-7	17	3.00	1-7
47	Offering conflicting evaluations	16	4.94	1-7	16	2.81	1-7
48	Conducting a criminal evaluation when not knowledgeable in the area which leads to an overly optimistic prognosis for the client's rehabilitation	15	5.00	2-7	15	3.33	1-7

DOUBLE SIDED SURVEY
OVER

Attorneys

Forensic Psychology in WI

Final Survey Page

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
49	Giving the appearance of more psychological certainty than is warranted	15	5.13	3-7	15	3.67	2-6
50	"Junk Science" testimony in the courtroom absent good data, e.g. "battered woman's syndrome"	16	5.63	2-7	16	3.38	2-5
51	Evaluations of persons or alleged criminals in order to avoid responsibility for a crime because of mental disease or defect	15	3.67	1-7	13	4.54	2-7
52	Evaluations that attempt to alleviate a person's criminal responsibility based on race, sex, neighborhood, or peer group influence	15	4.27	2-7	13	3.77	2-7
53	Evaluations that predict future human behavior	16	4.38	2-7	16	4.31	2-7
54	Determining risk to re-offend for sexual offenders by use of psycho-sexual evaluation	14	4.14	2-7	11	3.64	2-7
55	Using "risk scales," which can carry undue weight	11	5.36	3-7	10	3.80	2-6
56	Using poorly developed protocol for determinations in 980 (sex predator) cases	12	6.08	5-7	9	3.78	2-7
57	Assessing the probability of sexually violent persons reoffending if released from civil confinement	13	4.62	2-7	12	4.50	2-7
58	Evaluating and treating sexual offenders who do not fit the diagnostic criteria for paraphilia	10	4.90	1-7	9	3.11	1-7
59	Evaluations of juveniles for the purpose of providing opinions that the juvenile lacked maturity to knowingly and intelligently waive their constitutional rights under Miranda	14	3.50	1-7	11	2.91	2-6
60	Offering as scientific theory opinions that are not embraced by the psychological community in general	15	5.60	3-7	15	3.47	2-6
61	Offering a viewpoint as opposed to addressing a dispute in a neutral fashion	16	4.31	1-7	16	3.19	1-7
62	In mediating divorce issues, attempting to render opinions on financial issues without sufficient facts or legal knowledge	15	5.93	4-7	13	3.00	1-5
63	Making determinations based on monetary considerations	17	6.06	1-7	16	2.44	1-6
64	Hypnotically refreshed recollection and questionable suggestive techniques	13	5.77	3-7	12	2.50	1-6
65	Recommending the release of someone from a civil commitment who goes on to commit a crime	14	5.43	1-7	13	2.37	1-4

Thank You!
DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
1	Criminal Law areas overall	19	0	18	6.28	3-7	17	6.41	4-7
2	Factors involved in assisting courts in making determinations under Ch. 971 Not Guilty by Reason of Mental Disease or Defect (NGI) and subsequent commitment & conditional release.	23	0	23	6.43	4-7	23	6.39	4-7
3	Chapter 971.14 - Competency to Stand Trial	23	0	23	6.47	5-7	23	6.52	5-7
4	Conducting violence risk assessments	22	1	23	5.61	4-7	23	6.09	4-7
5	Evaluation of incarcerated offenders	22	1	23	5.78	3-7	23	5.91	4-7
6	Evaluation of offenders in the community	22	1	22	5.68	3-7	22	6.05	4-7
7	Evaluations of sex offenders to determine appropriate course of treatment	23	0	22	5.95	3-7	22	6.09	3-7
8	Evaluation of sex offenders for future risk of offending	23	0	22	5.59	4-7	22	6.14	5-7
9	Evaluation of prognosis for recovery in sex offenders	22	0	22	4.95	1-7	22	5.50	1-7
10	Using psycho-sexual evaluation to determine the risk to re-offend for sexual offenders	21	1	22	5.27	2-7	21	5.71	2-7
11	Evaluation to determine if a victim or offender suffered psychological damage secondary to an offense	22	1	23	5.52	3-7	22	5.86	4-7
12	Conducting presentence evaluations for convicted adults	19	4	22	5.27	2-7	22	5.45	1-7
13	Evaluations to determine competence to understand Miranda rights	18	4	22	6.00	4-7	22	6.05	4-7
14	Assessing the risks of community placements for adult offenders	21	2	23	5.09	2-7	23	5.48	4-7
15	Evaluating whether or not a retarded adult has given an involuntary confession	18	4	21	5.24	3-7	21	5.62	4-7
16	Evaluation of drunk drivers	14	6	21	4.38	1-7	22	4.82	1-7
17	Creating and providing court ordered treatment	21	1	22	5.59	4-7	22	5.73	2-7
18	Treatment of incarcerated offenders	22	0	22	5.59	4-7	22	6.00	4-7
19	Treatment of offenders in the community	21	1	22	5.68	4-7	22	6.00	4-7
20	Treatment of individuals involved in deferred prosecution agreements	21	1	22	5.59	3-7	22	5.95	4-7
21	Treatment of sex offenders	23	0	23	5.30	2-7	23	5.57	2-7
22	Treatment of drunk drivers	18	2	21	4.81	2-7	22	5.18	3-7
23	Treatment for domestic violence	22	1	23	5.70	3-7	23	6.04	4-7

DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
24	Criminal profiling	15	4	20	4.15	2-7	19	4.68	3-7
25	Assist in determining mitigating factors to consider at sentencing	21	2	23	5.39	3-7	23	5.65	3-7
26	Assist in determining witness credibility	13	5	19	4.28	2-6	17	4.94	3-7
27	Assist in advancing or rebutting an insanity defense at trial	23	0	23	5.65	3-7	23	6.00	4-7
28	Assist in supervision planning	18	3	20	5.35	3-7	20	5.50	3-7
29	Assist in bail decisions	4	13	16	3.63	1-6	17	3.76	1-7
30	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	14	5	20	5.25	3-7	21	5.57	3-7
31	Juvenile Court issues overall	19	1	20	6.15	4-7	20	6.35	4-7
32	Assist in <i>any</i> case involving minors	18	5	20	5.50	3-7	20	5.80	2-7
33	For juveniles, evaluation of maturational competence to proceed	20	3	23	6.00	3-7	23	6.30	3-7
34	Conducting presentence evaluations for convicted children & juveniles	18	5	23	5.65	3-7	23	5.57	1-7
35	Evaluation of potential community placements for juveniles	17	4	22	5.50	2-7	21	5.95	3-7
36	Evaluation of alcohol and/or drug abuse (AODA) issues in juveniles	22	1	22	5.90	3-7	23	6.09	4-7
37	Evaluating whether or not a child/juvenile in a delinquency case has given an involuntary confession	15	7	21	4.71	2-7	21	5.19	2-7
38	Assessing risk for future juvenile offense	22	0	22	5.32	3-7	22	5.77	4-7
39	Conducting presentence evaluations for convicted adolescents	17	6	23	5.39	2-7	23	5.52	2-7
40	Civil Law areas overall	17	6	15	6.40	5-7	15	6.53	5-7
41	Factors involved in assisting courts in determinations under Ch. 51, Civil Commitment by reason of Mental Disease or Defect, and subsequent commitment and conditional release	23	0	23	6.39	5-7	23	6.57	6-7
42	Factors involved in assisting courts in determinations under Ch. 55, Protective Placment evaluations and subsequent commitment and conditional release	22	0	22	6.45	5-7	22	6.55	5-7
43	Evaluations and/or expert testimony regarding fitness for duty	20	1	21	5.62	2-7	21	5.86	3-7
44	Evaluations and/or expert testimony regarding psychological trauma	23	0	23	5.96	3-7	23	6.22	4-7
45	Evaluations and/or expert testimony to detect possible malingering	23	0	23	5.52	4-7	23	6.17	5-7

DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
46	Evaluations and/or expert testimony to determine fitness to practice a profession	18	3	21	5.14	3-7	20	5.45	3-7
47	Evaluation and/or expert testimony to determine if a person has the mental capacity to enter into legal contracts	19	3	21	5.86	4-7	21	6.10	3-7
48	Evaluation and/or expert testimony to determine if the person has the mental capacity to make decisions regarding medical treatment/medication	22	1	23	5.91	4-7	23	6.04	4-7
49	Evaluation of impairments of aging	22	1	23	6.26	4-7	23	6.65	5-7
50	Evaluation of learning disabilities	23	0	22	6.41	5-7	22	6.55	5-7
51	M-Team evaluations	21	1	20	6.25	4-7	21	6.33	4-7
52	Assessment to determine specialized school placements	20	1	19	6.21	5-7	20	6.30	5-7
53	Factors involved in assisting courts in determinations under Ch. 980, Sexually Violent Persons and subsequent commitment and conditional release	23	0	22	6.00	4-7	22	6.09	3-7
54	Evaluations for competency under Ch. 880	21	1	19	6.32	4-7	19	6.37	4-7
55	Evaluations to determine competence to testify	17	4	19	5.53	1-7	20	5.70	1-7
56	Evaluations to determine competence to proceed pro se	14	3	17	5.24	1-7	16	5.56	1-7
57	Evaluations to determine competence to give informed consent	21	1	22	5.91	3-7	23	6.00	3-7
58	Evaluations to determine competence to make a will	20	2	22	5.95	4-7	22	6.14	5-7
59	Assessing dementia related to competency issues in legal settings, such as in changing the power of attorney	22	1	23	6.26	5-7	23	6.39	5-7
60	Assist in will challenges in determining undue influence	11	9	18	4.56	1-7	18	4.94	1-7
61	Assist in determining personal injury damages in employment issues (i.e. Title VII)	22	1	21	5.33	3-7	21	5.38	3-7
62	Assist in determining personal injury damages in accidents, such as head injury, dog bites, etc.	22	1	21	5.52	4-7	21	5.48	4-7
63	Assist in determining damages in products liability cases	16	4	20	4.85	2-7	20	5.25	2-7
64	Assisting juries in deciding monetary value of a psychological harm claim	15	7	19	4.21	1-6	18	4.56	1-7

DOUBLE SIDED SURVEY
OVER

Psychologists		Forensic Psychology in WI				Final Survey Page 4			
#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
65	Assist triers of fact in determining liability and damage claims in civil actions involving emotional impact	19	3	20	5.60	3-7	20	5.80	4-7
66	Assist in prevention of deportation of person that would be killed if returned to homeland	8	13	15	4.13	1-7	15	4.00	1-7
67	Family Law areas overall	16	7	16	6.31	5-7	16	6.50	6-7
68	Evaluations and/or expert testimony regarding child custody	23	0	23	6.17	3-7	23	6.52	4-7
69	Evaluations and/or expert testimony regarding placement of children	23	0	23	6.22	4-7	23	6.50	4-7
70	Evaluations and/or expert testimony regarding termination of parental rights	23	0	23	6.17	4-7	23	6.39	4-7
71	Evaluation and/or expert testimony regarding whether out of home placement should continue or cease	22	1	23	5.91	3-7	23	6.26	4-7
72	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment in response to delinquent behaviors	22	1	22	5.77	3-7	22	5.91	3-7
73	Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment for difficult family issues	21	2	21	6.00	4-7	22	6.14	4-7
74	Evaluation and/or expert testimony regarding juveniles to identify mental illness/deficiency	23	0	23	6.35	5-7	23	6.43	5-7
75	Evaluation and/or expert testimony regarding juveniles to identify emerging mental illnesses	20	3	21	5.71	3-7	21	5.95	4-7
76	Evaluation and/or expert testimony regarding attachment disorder in children	20	2	21	5.95	3-7	22	6.05	4-7
77	Evaluation and/or expert testimony regarding juveniles to identify the best treatment response for a mental illness/deficiency	22	1	21	5.95	4-7	22	6.00	4-7
78	Evaluation and/or expert testimony regarding foster and adoptable children with special needs	21	2	20	5.85	5-7	21	5.86	4-7
79	Evaluation and/or expert testimony regarding assessment of risk for abuse of children	20	2	20	5.80	4-7	20	6.05	5-7
80	Evaluation of earning capacity factors	9	12	14	3.57	1-6	13	3.92	1-6

DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
81	Assessing alcohol and/or drug abuse (AODA) issues in a parent	22	1	22	6.00	4-7	22	6.09	4-7
82	Developing standard criteria that can be utilized in evaluating child placement in custody decisions	18	2	22	5.64	2-7	21	6.10	3-7
83	Treatment recommendations in CHIPS cases	22	1	22	6.00	3-7	23	6.17	4-7
84	Treatment recommendations in delinquency cases	22	1	22	5.91	2-7	23	6.13	3-7
85	Co-parenting counseling	22	1	21	5.90	3-7	21	6.05	3-7
86	Counseling to resolve marital disputes	23	0	23	6.00	3-7	23	6.30	4-7
87	Individual counseling in an effort to avoid litigation	18	3	19	5.37	2-7	19	5.42	2-7
88	Marital counseling in an effort to avoid litigation	21	1	21	5.38	3-7	21	5.81	3-7
89	Divorce adjustment counseling	22	1	22	6.00	3-7	22	6.23	4-7
90	Adjustment counseling for children placed in the middle of divorce disputes	22	1	22	6.05	3-7	22	6.18	3-7
91	Offering divorce coaching in the collaborative divorce model	18	4	19	5.63	3-7	20	6.35	5-7
92	Serving as a mediator in divorce situations	21	2	22	5.55	2-7	22	6.00	4-7
93	Assisting the judge in deciding visitation schedules	21	1	21	5.90	3-7	21	6.05	4-7
94	Assist in determining foster child or adoptive child placement	21	1	21	5.95	4-7	21	6.10	4-7
95	Assist in determining false childhood memories versus abuse	22	1	23	4.17	1-7	23	4.61	1-7
96	Assist in distinguishing between diagnoses which impact child rearing and those that do not impair	20	3	21	5.00	1-7	20	5.70	2-7
97	Testifying on research related to gay/lesbian parenting issues	19	4	22	5.23	3-7	22	5.59	3-7
98	Education in psychology and law issues	18	5	17	6.00	4-7	17	6.29	5-7
99	Education of the courts concerning the difficulty of prediction	18	2	20	5.20	3-7	20	5.50	3-7
100	Provide information to the courts in juvenile cases where diagnosis issues are much more difficult to discern	21	2	23	5.61	3-7	23	5.96	4-7
101	Explanations of certain diagnostic categories not familiar to the court or lay people on juries	21	2	23	5.91	4-7	21	5.43	2-7
102	Education concerning etiological, or suspected causal factors, influencing mental health problems	19	4	22	5.68	2-7	22	6.05	3-7

DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
103	Explanations of psychological instruments and their proper use and/or misuse in forensic settings	22	1	22	6.18	4-7	23	5.61	3-7
104	Explanation of various treatment approaches to the court and/or juries	21	2	23	6.09	4-7	22	5.91	3-7
105	Education for judges and attorneys concerning the legitimacy of psychology in evaluating and diagnosing human behavior	20	3	22	5.91	3-7	22	6.18	4-7
106	Explanation concerning what psychologists and/or therapists can and cannot do with respect to treatment and evaluations	20	3	23	5.87	4-7	23	6.17	4-7
107	Informing the court about relevant research findings related to specific issues, e.g. actuarial based probabilities of reoffense, behavioral style, limits of scientific knowledge regarding custody/visitation and the impact of divorce/loss on children	22	1	22	5.82	3-7	22	6.36	4-7
108	Providing information related to addictions	22	1	22	5.68	3-7	22	5.95	3-7
109	Providing insight into parental alienation syndrome	21	1	22	5.50	2-7	22	6.00	3-7
110	Providing insight into post-traumatic stress disorders	23	0	23	5.91	4-7	23	6.30	4-7
111	Providing insight concerning issues related to abuse	23	0	23	5.87	3-7	23	6.22	3-7
112	Education of parents as to what would be in the best interest of children at different stages of their lives	21	2	21	5.86	2-7	21	6.19	4-7
113	Education for parents and other caretakers concerning appropriate discipline of children	21	1	23	5.87	4-7	23	6.26	4-7
114	Education of court system about the cycle of violence in domestic violence cases	21	2	22	5.82	3-7	22	6.05	4-7
115	Education concerning child development	19	4	22	5.91	3-7	22	6.18	4-7
116	Facilitate discussion on relevant psychology-law issues	21	2	22	5.73	4-7	22	6.00	4-7
117	Television discussion or programs to educate the public concerning the psychology/law interaction	17	4	20	5.30	2-7	19	5.89	4-7
118	Joint educational programs for psychologists and judges/attorneys aimed at developing a better understanding of each profession's needs and their respective fields	18	3	20	5.90	3-7	21	6.19	4-7

DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
119	Education offered to police on how to best elicit information from emotionally vulnerable or youthful victims/witnesses without unintentionally shaping the information.	14	8	17	5.29	3-7	19	6.00	4-7
120	Training for attorneys who serve as Guardians ad Litem for both children and adults	15	7	18	5.89	3-7	19	6.32	5-7
121	Education of attorneys and judges concerning family dynamics	19	4	22	5.73	3-7	22	6.00	4-7
122	Educating the legal system regarding quality and ethical standards for psychological practice	18	5	22	5.27	1-7	22	5.59	1-7
123	Seminar in which those from the legal community have the opportunity to experience an assessment and learn how the assessment results are integrated into a psychological report	10	10	18	5.00	1-7	19	5.53	1-7
124	Creating an understanding of and ability to deal with the behavior of children/adults who have been the victim of fetal alcohol syndrome or drug usage by the parents	18	4	21	4.95	2-7	21	5.43	3-7
125	Provide information to the courts about medication and how psychologists and therapists interact with psychiatrists	16	6	21	4.76	1-7	21	4.90	1-7
126	Joint trainings between the Wisconsin Psychological Association, Wisconsin Bar Association, and the Wisconsin Judicial Education Department to become part of legal education and judicial education seminars, allowing the legal profession, judiciary and psychologists to discuss issues brought up in this survey	14	8	18	5.89	4-7	20	6.20	4-7
127	Research in psychology and law issues			11	6.09	4-7	11	6.27	5-7
128	Conducting research on issues related to addiction	20	1	22	5.77	4-7	22	6.14	4-7
129	Research with law enforcement to learn the most reliable, effective ways to conduct line-ups and show-ups.	11	7	17	5.18	3-7	17	5.53	3-7
130	Review of civil and criminal court processes regarding mental health issues	15	7	21	5.57	4-7	20	5.95	4-7
131	Assist in program evaluation	18	1	19	5.47	3-7	19	5.84	4-7

DOUBLE SIDED SURVEY
OVER

#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
132	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	17	4	21	5.76	4-7	21	6.00	4-7
133	Study of jury selection procedures to help avoid, rather than produce, distortion in jury selection.	14	6	17	5.82	4-7	18	5.83	3-7
134	Study of jury deliberations	11	7	17	5.00	3-7	16	5.06	3-7
135	Empirical evaluation of many of the tenets of faith embedded within the legal process, e.g. the view that jury instructions are extremely significant to the outcome of jury verdicts to the point that even slight misstatements should require all parties to the beginning and start over	6	10	12	4.08	1-6	11	4.36	1-7
136	Study of human capacity to make certain observation or perceptions, as in eyewitness identification, recognition of hazards, effectiveness of various warnings relied upon by manufactures to shield themselves from liability	12	8	16	4.69	3-7	16	4.94	3-7
137	Research on the policy implications of various evidentiary rules and the trial process itself	5	6	16	3.94	1-6	15	4.27	1-7
138	Assist in developing a non-adversarial system to decide child custody cases	17	4	20	5.55	3-7	21	6.14	4-7
139	Improve "dangerousness"/risk assessment evaluations	21	1	22	5.55	3-7	22	6.18	5-7
140	Evaluation and analysis of impact of celebrity status of criminal defendants in outcome of criminal trials	9	9	16	3.94	1-7	15	4.00	1-7
141	Evaluation of the behavioral effects of the legal process upon the participants of that process	9	10	18	4.11	1-7	17	4.53	2-6
142	Assessment of efficacy of prisons and treatment options following convictions - "does it work?"	16	5	21	5.14	3-7	20	5.30	1-7
143	Assessment of efficacy of probation & parole systems - "does it work?"	14	7	19	5.05	3-7	18	5.06	1-7
144	Assessment of entire juvenile justice system - "does it do what we want it to do?"	15	6	20	5.05	3-7	19	5.37	1-7

DOUBLE SIDED SURVEY
OVER

Psychologists		Forensic Psychology in WI		Final Survey Page 9					
#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
145	Studies regarding the impact of divorce on children over several years	20	1	22	5.45	3-7	21	6.19	5-7
146	Create a judicial bench book of common psychological terms, basic psychological research findings, and indications for treatment and prognosis	8	11	16	5.00	1-7	18	5.06	2-7
147	Develop standard criteria for dealing with evaluation for people dealing with criminal competency or general competency under Ch. 880, Guardianships	11	9	20	5.35	2-7	20	5.40	2-7
148	Improve diagnosis and treatment of disorders such as Conduct Disorder and Attention Deficit Hyperactivity Disorder (ADHD)	20	1	21	5.48	2-7	20	5.75	2-7
149	Legal advocacy issues overall	14	1	13	5.62	4-7	13	6.00	5-7
150	Conferences to propose legislation to make divorce less adversarial	12	8	18	5.72	3-7	19	5.95	2-7
151	Provide research to assist in creating amicus briefs	9	8	16	4.88	2-7	15	5.00	3-7
152	Assist in defining concepts underpinning "violent sexual offender"	12	6	18	4.94	3-7	17	5.06	2-7
153	Advocacy and/or testimony before government agencies regarding laws applicable to the practice of psychology and/or insurance issues, and/or the ability to provide services	17	2	20	5.10	1-7	19	5.47	1-7
154	Present to public appropriately tailored sentencing plan that also meets the treatment needs of the offender	11	9	19	4.95	1-7	19	5.16	1-7
155	Help to develop a sentencing system that would be effective in changing criminal behavior	9	11	18	4.56	1-7	18	5.33	2-7
156	Become active in helping to reform the child custody system	17	4	19	5.58	3-7	20	6.15	4-7
157	Provide research, testimony, and information for public policy debates and legislative debates	15	6	20	5.45	3-7	19	5.74	2-7
158	Determining guidelines for appropriate psychological evaluations	17	3	19	5.63	4-7	19	6.42	4-7
159	Establish clearer standards of practice for dispositional evaluations, juvenile and mentally ill/mentally retarded adults	17	4	20	5.60	4-7	20	5.90	4-7
160	Establish clearer standards of practice for competency to stand trial and other types of competency exams	14	6	20	5.95	4-7	19	6.21	5-7

DOUBLE SIDED SURVEY
OVER

Psychologists		Forensic Psychology in WI				Final Survey Page 10			
#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
161	Establish clearer standards of practice for Not Guilty by Reason of Mental Disease or Defect evaluations and treatment	14	6	20	5.80	3-7	19	5.89	3-7
162	Assist in determining ethical versus unethical behavior by psychologists and other mental health professionals	20	3	21	5.76	3-7	20	5.85	3-7
163	Assist in identifying appropriate treatment records	16	2	17	5.35	2-7	17	5.47	2-7
164	Provide appropriate treatment relative to specific diagnostic categories	20	1	22	5.64	4-7	22	5.95	4-7
165	Provide quick and concise opinions about criminal defendants and their ability to understand proceedings	19	2	21	5.43	3-7	21	5.62	3-7
166	Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process	16	4	21	5.29	2-7	21	5.57	3-7
167	Eyewitness identification testimony	12	4	16	4.63	1-7	15	5.40	3-7
168	Assist in jury selection	16	3	20	4.35	1-7	20	4.65	2-7
169	Assist attorneys in determining case strategies	18	4	19	4.58	1-7	20	5.05	1-7
170	Assist attorneys in the cross-examination of other mental health professionals	20	1	20	5.20	1-7	20	5.70	1-7
171	Consulting with attorneys on how to cross-examine witnesses	18	3	20	5.05	1-7	20	5.45	2-7
172	Supervision, support, and training of other staff engaged in risk assessment	22	1	22	5.50	3-7	22	5.95	4-7
173	Supervision, support, and training of other staff engaged in assessment of treatment needs	22	0	22	5.82	4-7	22	6.32	5-7
174	Supervision, support, and training of other staff engaged in providing treatment to offenders	21	1	21	5.91	4-7	21	6.23	4-7
175	Designing systems providing assessment of risk, treatment needs, and provision of treatment	18	2	20	5.60	4-7	19	6.11	4-7
176	Testing and evaluation of persons seeking legal or judicial positions	11	9	16	4.81	1-6	18	5.28	2-7
177	Psychologists assist in minimizing likelihood of inadequate defense accusations for attorneys	9	8	14	4.21	1-7	14	4.42	1-6

DOUBLE SIDED SURVEY
OVER

Psychologists		Forensic Psychology in WI				Final Survey Page 11			
#	Item	Current Contributions		Helpfulness			Future Contributions		
		# Yes	# No	#	Mean	Range	#	Mean	Range
178	Assist in bringing definitions of words such as "insanity" or "dangerousness" closer together between the legal and forensic worlds.	12	8	18	5.06	3-7	18	5.56	3-7
179	Assist in understanding mental retardation in the death penalty context and in other contexts	17	3	20	5.20	3-7	19	5.26	2-7
180	Differential diagnosis, such as identifying different types of dementias in the aging population	20	2	21	5.71	3-7	22	6.00	4-7
181	Terrorist profiling	10	9	17	4.12	1-7	17	5.06	2-7
182	Offer assistance to victims of crimes	20	2	20	5.60	3-7	20	5.95	2-7
183	Assist victims to testify	17	4	20	5.25	1-7	20	5.50	1-7
184	Genetic studies and their relevance to legal cases	8	9	17	3.82	2-7	16	4.31	2-7

DOUBLE SIDED SURVEY
OVER

Current Trends and Predicted Future of Forensic Psychology in Wisconsin: Final Survey
Section Two - Items 1-65

or may not be an issue that you have encountered, this item is asking for your expert opinion on how harmful you feel this particular behavior/act is if it *were* to occur. Rate the item with the number 7 (Very Harmful) if you feel this item is very harmful. Rate the item with the number 1 (Not Harmful) if you feel the behavior/act described in the item is not harmful. Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Prevalence Scale: This scale asks how prevalent you feel the behavior/act described in the item is currently in Wisconsin. Again, it is asking for your expert opinion of how widespread this item is in Wisconsin overall, *not* how often you have encountered this item in your practice or courtroom. If you feel the behavior described in the item occurs very often, rate the item 7 (Very Prevalent). If you feel it does not, to your knowledge, occur in Wisconsin, indicate 1 (Not prevalent). Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Please note that **Harmful** and **Prevalence** are intended to be independent ratings. For example, you may indicate that an item is very harmful, however it may be a problem that is very rarely encountered in Wisconsin (Not Prevalent).

You may again indicate that you do not feel comfortable offering an opinion on an item by marking DK.

Mark all answers on the enclosed separate answer sheet for Section II, items 1-65. Return only the completed answer sheets.

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
1	Psychology's overall effect upon the courts	22	2.09	1-5	22	4.77	2-7
2	Psychologists' influences in legal settings in Wisconsin.	22	2.18	1-4	22	4.86	2-7
3	When psychologists practice outside of the scope of their competence	23	6.30	4-7	22	4.00	2-7
4	When psychologists practice in a haphazard or unprofessional manner	23	6.57	1-7	22	3.41	2-6
5	Practicing without proper training or knowledge of Forensic Psychology	23	6.00	3-7	23	4.09	2-6
6	Lack of specific knowledge of the law that intersects with their psychological expertise, or lack of understanding of relevant legal issues.	23	5.70	2-7	23	4.09	2-6
7	Lack of knowledge of all/any state law that intersects with the practice of psychology	23	5.48	2-7	23	3.65	1-7
8	Court evaluations that fail to correctly address the referral question	23	5.74	3-7	22	3.73	2-6
9	Lack of knowledge of the different criteria for decision-making for the various courts.	22	5.27	2-7	21	4.19	2-6

DOUBLE SIDED SURVEY
OVER

Psychologists

Forensic Psychology in WI

Final Survey Page

#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
10	Unprepared on the scientific basis of court testimony	23	5.65	3-7	22	4.09	2-6
11	Incomplete or unprofessional conduct in forensic activities	22	6.32	2-6	22	3.36	4-7
12	Basing a professional opinion on erroneous facts	23	3.36	2-5	22	3.36	2-5
13	Poor report writing	23	4.96	2-7	22	4.23	2-6
14	Misuse of testing instruments in forensic evaluations	23	6.22	3-7	22	3.82	2-6
15	Misinformation to the court and attorneys relative to proper evaluation and/or treatment	20	6.25	5-7	20	3.10	2-6
16	Poor work product, which tarnishes the reputation of psychologists in general and holds all up to ridicule	23	6.17	4-7	22	3.41	2-6
17	Late reports	22	4.86	2-7	21	4.05	1-6
18	Lack of thorough evaluations	22	5.91	3-7	22	3.95	1-6
19	Conducting a forensic evaluation without corroborating evidence	23	5.96	3-7	22	4.27	2-7
20	"Bilking" the system to make excessive amounts of money on particular cases, e.g. excessive charges for child custody evaluations.	23	5.83	2-7	22	3.36	2-6
21	Overuse of psychologists in the courtroom in family litigation, leading to increased cost and confusion of issues	21	5.19	2-7	21	3.38	2-6
22	Rendering opinions in custody/placement cases where mental illness is NOT an issue	21	2.43	1-6	21	5.05	2-7
23	Assisting in family court on matters of placement & custody (psychological studies drive wedges between parties & their families, are extremely expensive and tend to prolong trials which also adds to the overall cost of trial)	19	3.32	1-7	18	4.17	1-7
24	Inappropriate interview techniques during an alleged child sexual misconduct case which subsequently contributes to inaccurate memories	21	6.52	4-7	21	3.81	2-7
25	In custody evaluations, writing recommendations without seeing both parents	22	6.32	2-7	21	3.14	1-7
26	Providing judgmental opinions of the other spouse without having the benefit of input from that spouse	22	6.45	2-7	21	3.29	1-7
27	In custody evaluations, making recommendations on placement without collateral resources	22	5.34	2-7	21	6.14	4-7
28	In custody evaluations, not relying on extensive analysis of background information and the current status of both parents and the children	21	6.14	4-7	21	3.33	2-6

DOUBLE SIDED SURVEY
OVER

Psychologists		Forensic Psychology in WI			Final Survey Page		
#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
29	Submitting a child to many evaluations by many forensic "experts" in an abuse or custody case as opposed to one evaluation by a neutral, competent evaluator	22	6.09	3-7	21	4.00	2-7
30	Failing to recognize sexual abuse of a child	21	6.52	5-7	20	3.25	2-6
31	Biased psychological evaluations, or acting as "hired guns," or essentially supporting the opinion of the person who hired him/her.	23	6.30	4-7	22	4.09	2-7
32	Giving "pet diagnoses," or seeming to give the same diagnosis to almost all clients.	21	6.09	3-7	21	3.24	1-6
33	Working too closely with an attorney, not setting firm boundaries and not producing an independent assessment and analysis	23	6.04	4-7	22	3.41	2-6
34	When psychologists step in the role of "judge," rather than as a witness	20	5.50	3-7	20	3.45	1-6
35	Agreeing to work for adversarial counsel instead of insisting on court appointment	23	4.30	1-7	21	4.62	2-7
36	Offering opinions regarding a defendant when the psychologist has not seen the defendant.	23	5.91	1-7	22	3.14	2-6
37	When treating psychologists give opinions regarding questions they have not objectively evaluated	21	6.05	3-7	20	4.10	1-6
38	Providing expert opinions on an issue when the psychologist has only functioned or is currently functioning as a treating therapist	22	5.55	1-7	22	4.68	2-7
39	When psychologists play dual roles as treater and evaluator	22	5.86	1-7	21	4.33	2-7
40	When treating psychologists refuse to release records when authorized consent has been given in writing.	22	5.27	3-7	21	3.14	1-7
41	When psychologists make psychological tests available to attorneys who are not trained to interpret them.	22	5.81	4-7	21	3.24	2-6
42	Going beyond the data in making conclusions	22	5.82	3-7	21	4.10	2-6
43	Lack of research to support findings and relying on subjective opinion	22	5.50	3-7	21	4.24	2-7
44	Professing to have all the answers	22	6.18	4-7	22	2.95	1-6
45	Arrogance and/or resistance, as well as other types of inappropriate behavior in the courtroom	21	5.71	2-7	21	3.38	1-7
46	Offering expert testimony without data to support opinion	22	5.91	4-7	21	3.43	2-5
47	Offering conflicting evaluations	19	4.89	2-7	19	3.05	1-6
48	Conducting a criminal evaluation when not knowledgeable in the area which leads to an overly optimistic prognosis for the client's rehabilitation	21	5.95	4-7	21	3.48	2-7

DOUBLE SIDED SURVEY
OVER

Psychologists		Forensic Psychology in WI			Final Survey Page		
#	Item	Harm			Prevalent		
		#	Mean	Range	#	Mean	Range
49	Giving the appearance of more psychological certainty than is warranted	23	5.61	4-7	21	4.14	2-6
50	"Junk Science" testimony in the courtroom absent good data, e.g. "battered woman's syndrome"	22	5.77	3-7	20	4.15	2-7
51	Evaluations of persons or alleged criminals in order to avoid responsibility for a crime because of mental disease or defect	20	4.05	1-7	19	4.10	2-7
52	Evaluations that attempt to alleviate a person's criminal responsibility based on race, sex, neighborhood, or peer group influence	22	5.41	3-7	21	2.76	1-6
53	Evaluations that predict future human behavior	21	4.19	1-7	20	4.80	1-7
54	Determining risk to re-offend for sexual offenders by use of psycho-sexual evaluation	19	3.53	1-7	19	4.26	1-7
55	Using "risk scales," which can carry undue weight	20	4.20	1-7	19	3.84	1-6
56	Using poorly developed protocol for determinations in 980 (sex predator) cases	20	5.95	3-7	19	3.21	1-6
57	Assessing the probability of sexually violent persons reoffending if released from civil confinement	19	3.47	1-7	19	5.53	3-7
58	Evaluating and treating sexual offenders who do not fit the diagnostic criteria for paraphilia	15	3.33	1-7	14	5.21	3-7
59	Evaluations of juveniles for the purpose of providing opinions that the juvenile lacked maturity to knowingly and intelligently waive their constitutional rights under Miranda	19	3.32	1-7	19	3.79	2-6
60	Offering as scientific theory opinions that are not embraced by the psychological community in general	23	5.04	1-7	22	3.27	2-5
61	Offering a viewpoint as opposed to addressing a dispute in a neutral fashion	21	4.81	2-7	21	4.14	2-7
62	In mediating divorce issues, attempting to render opinions on financial issues without sufficient facts or legal knowledge	20	6.10	4-7	18	2.67	2-5
63	Making determinations based on monetary considerations	21	6.48	4-7	19	2.74	1-5
64	Hypnotically refreshed recollection and questionable suggestive techniques	20	6.25	4-7	18	2.61	1-5
65	Recommending the release of someone from a civil commitment who goes on to commit a crime	21	5.71	1-7	20	3.25	1-6

Thank You!
DOUBLE SIDED SURVEY
OVER

Deborah L. Fischer

Forensic Psychology in WI Survey
4724 N. 105th Street
Wauwatosa WI, 53225
(414)-535-9664
deborah.fischer@marquette.edu

First of all, I want to thank you for your continued participation in this project and the time you have dedicated thus far. I have heard from a handful of participants that the second survey took longer than anticipated to complete. I am very sorry for this. The reason it is so long is because you and the other participants did an amazingly thorough job of answering the original four open-ended questions. The great news is that we are getting some incredibly useful data. Your continued participation and dedication to this project is genuinely appreciated. You, and the rest of the participants, are doing a great service to the area of psychology and law that will assist in the development and improvement of the interaction between these two diverse and often incompatible areas.

This FINAL (*yeah, big sigh of relief*) survey should take about as long as it took to complete the last one. Let me reassure you, it looks more overwhelming than it actually is. In fact, I anticipate the final survey to be easier than the last because of the feedback you will have from other participants and the fact that you have done this before (*and no one, to my knowledge, died. Although . . . there was that one attorney I never heard from again.*)

The purpose of this final survey is to identify convergence between the answers of the experts, which provides an accurate description of what forensic psychology is like here in Wisconsin. In addition, it allows me the opportunity to make some of the directions more clear to assist you in your responses. It also offers the opportunity for you to revisit the same questions after you have had some time to consider them. This is a very important step in this particular survey methodology, and the final results should be reliable and very informative. This is due in large part to the time and care you and the rest of the participants have put into responding to the questions. Thank you.

ONLY THE DATA FROM THIS THIRD SURVEY IS USED IN THE FINAL RESULTS. Therefore, it is important that you complete and return this survey, otherwise all of your hard work up to this point will not be reflected in the final product.

I am planning on using the information provided by this survey to assist in the development of forensic psychology throughout Wisconsin. I hope to be able to write several journal articles with the data this survey provides, as well as make presentations throughout the state to the different professionals involved in forensic psychological issues. I do not believe in collecting data for data's sake, but rather plan to use this information to educate in an attempt to improve the services offered by psychologists and increase the understanding of psychological issues by those in the legal community.

Information on the simple descriptive statistics used to communicate how other experts responded is included in the directions. I chose statistics that all participants should be familiar with: number of responses, mean (average score), and range of scores. The demographic information, or qualifications of the other experts on the panel in your area, is also included.

This final survey is due DECEMBER 1ST. However, as there is no need to run the results immediately, I can be flexible with this deadline. My main goal is to receive all of the surveys from participants. Therefore, I can be flexible with this due date and can work around your schedule.

Again, thank you for your continued participation. I look forward to your final responses to this survey and to sharing them with you and others in your field. Good luck and HAVE FUN!

Sincerely,

Deborah L. Fischer, M.A.
Doctoral Candidate
Marquette University

Directions for Final Survey

On the following pages are the same items you answered in the second survey. They are the sentences (i.e., items) that reflect the collective observations of *all* survey participants regarding current trends and the predicted future of forensic psychology in Wisconsin. In most instances, respondents' exact wordings were used to remain true to the original content. **This survey is different from the last** in that you are now provided with feedback as to how the other experts in your area responded to these same items. The purpose of this step is to begin to achieve some level of consensus between yourself and the other experts. When answering, consider the responses of your peers, and re-answer the questions with their feedback in mind.

Statistics

The statistics used to communicate the feedback from other participants from your profession are presented in a table following the question. The statistics include the number of participants in your profession who answered the question (#); the mean, or average rating reported by participants in your profession for that item; and the range, or highest and lowest score reported by participants in your profession for that item.

I am still interested in YOUR OPINION (which is based on your experiences, but you may still answer questions on topics that you have little or no experience in but do have knowledge of). Remember, this methodology relies on the OPINIONS of EXPERTS. I realize there are limitations to this methodology, but through the original procedures I used to identify you as a participant in this study, YOU count as an expert in the area of forensic psychology in Wisconsin. Have confidence in your opinions, but don't hesitate to mark "Don't Know" if you feel you do not have enough knowledge of a particular area. However, I encourage you to answer ALL questions (marking only ONE answer per scale). Please do not leave ANY item blank. If you do not feel comfortable making a rating, respond by marking "DK" (for don't know).

If a particular item is unclear to you, or if you have other comments, please note that there is room on the last page for your comments on an item(s) or for general comments. I have comments from the second survey for those of you who included them, so do not feel you need to include the same comments again. All comments will be reported in the final analysis and manuscript.

Please mark all answers on the separate answer sheets. You need return only the answer sheets in the stamped pre-addressed envelope provided.

Appendix G: Answer Sheet

* Answer each item			Section One Items 1-184			* Select only one answer for each item * Leave nothing blank		
1	Yes	No DK	2	Yes	No DK	3	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
4	Yes	No DK	5	Yes	No DK	6	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
7	Yes	No DK	8	Yes	No DK	9	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
10	Yes	No DK	11	Yes	No DK	12	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
13	Yes	No DK	14	Yes	No DK	15	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
16	Yes	No DK	17	Yes	No DK	18	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
19	Yes	No DK	20	Yes	No DK	21	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
22	Yes	No DK	23	Yes	No DK	24	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
25	Yes	No DK	26	Yes	No DK	27	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
29	Yes	No DK	30	Yes	No DK	31	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
32	Yes	No DK	33	Yes	No DK	34	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
35	Yes	No DK	36	Yes	No DK	37	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
38	Yes	No DK	39	Yes	No DK	40	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
41	Yes	No DK	42	Yes	No DK	43	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
44	Yes	No DK	45	Yes	No DK	46	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	
47	Yes	No DK	48	Yes	No DK	49	Yes	No DK
	1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK			1 2 3 4 5 6 7 DK	

Section One Items 1-184

* Answer each item * Select only one answer for each item * Leave nothing blank

49 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

50 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

51 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

52 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

65 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

66 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

67 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

68 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

81 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

82 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

83 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

84 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

53 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

54 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

55 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

56 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

69 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

70 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

71 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

72 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

85 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

86 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

87 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

88 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

57 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

58 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

59 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

60 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

73 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

74 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

75 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

76 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

89 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

90 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

91 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

92 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

61 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

62 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

63 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

64 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

77 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

78 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

79 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

80 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

93 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

94 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

95 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

96 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

Section One Items 1-184

* Answer each item * Select only one answer for each item * Leave nothing blank

97	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	113	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	129	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
98	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	114	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	130	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
99	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	115	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	131	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
100	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	116	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	132	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
101	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	117	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	133	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
102	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	118	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	134	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
103	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	119	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	135	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
104	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	120	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	136	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
105	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	121	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	137	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
106	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	122	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	138	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
107	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	123	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	139	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
108	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	124	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	140	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
109	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	125	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	141	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
110	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	126	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	142	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
111	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	127	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	143	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK
112	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	128	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK	144	Yes No DK 1 2 3 4 5 6 7 DK 1 2 3 4 5 6 7 DK

Section One Items 1-184

* Answer each item

* Select only one answer for each item

* Leave nothing blank

145 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

146 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

147 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

148 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

161 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

162 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

163 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

164 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

177 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

178 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

179 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

180 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

149 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

150 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

151 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

152 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

165 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

166 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

167 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

168 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

161 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

182 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

183 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

184 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

153 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

154 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

155 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

156 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

169 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

170 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

171 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

172 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

157 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

158 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

159 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

160 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

173 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

174 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

175 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

176 Yes No DK
1 2 3 4 5 6 7 DK
1 2 3 4 5 6 7 DK

Section Two Items 1-66		
* Answer each item	* Select only one answer for each item	* Leave nothing blank
1	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
2	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
3	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
4	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
5	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
6	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
7	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
8	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
9	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
10	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
11	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
12	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
13	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
14	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
15	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
16	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
17	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
18	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
19	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
20	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
21	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
22	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
23	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
24	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
25	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
26	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
27	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
28	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
29	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
30	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
31	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
32	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
33	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
34	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
35	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
36	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
37	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
38	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
39	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
40	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
41	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
42	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
43	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
44	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
45	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
46	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
47	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
48	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
49	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
50	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
51	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
52	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
53	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
54	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
55	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
56	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
57	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
58	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
59	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
60	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
61	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
62	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
63	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
64	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
65	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	
66	1 2 3 4 5 6 7 DK	
	1 2 3 4 5 6 7 DK	

Appendix H: Welcome Letter

Dear

Thank you for agreeing to participate in my dissertation research on the current trends and future of forensic psychology in Wisconsin. The purpose of this study is to gain expert opinion on the interaction of psychology with the legal realm in the State of Wisconsin.

Please find the first survey enclosed. The first survey contains four open-ended questions concerning psychology and the law and should take less than an hour for you to complete.

Please return the survey, demographics sheet, and signed consent form no later than JULY 31st. I will be contacting you via phone, letter, and/or email before then to answer any questions and make sure you received your research packet.

The second survey, which is constructed from all of the experts' responses to the first survey will follow shortly after I receive most of the participant's completed first surveys. I anticipate that the second survey should be made available to you some time in August. Data collection for this study will take place from early June 2004 to Thanksgiving 2004. Please keep in mind, now that you have committed to this project, it is very important that you remain in the study for all three rounds of the survey.

Thank you again for agreeing to offer your expert opinion on these very important issues concerning forensic psychology in Wisconsin. The quality of this study is greatly improved because you are a participant. Copies of the results will be made available to you upon completion of the study by your request.

Thank you for your time,
Sincerely,

Deborah Fischer
4724 N. 105th Street
Wauwatosa, WI 53225

Deborah.fischer@marquette.edu
(414) 535-9664 or (414) 378-9660

Appendix I: Demographic Sheets

EXPERT JUDGE DEMOGRAPHIC SHEET

Name: _____ Age: _____ Years as a judge _____

Race: African-American Asian-American Caucasian Hispanic Other _____

County/Jurisdictions _____

Area of practice prior to judgeship: _____

Please list professional associations and memberships to which you belong: _____

Which degrees do you currently possess? Ph.D. Psy.D. J.D. MA/MS/MLS _____
(Please indicate in what area)

How knowledgeable are you of mental health issues related to the law?
1 2 3 4 5 6 7
Not at all Extremely

Please list any special training you have had related to mental health issues _____

While you have been a judge, what percentage of time have you spent on the bench in each of the following?

_____ Criminal Felony Court _____ Juvenile Court
_____ Criminal Misdemeanor Court _____ Civil Court
_____ Family Court _____ Criminal Traffic
_____ Probate Court _____ Other

PLEASE FILL OUT THE FOLLOWING IN RELATION TO YOUR EXPERIENCE IN WISCONSIN

In what areas have you heard expert psychological testimony, including testimony related to psychological research?

- Alcohol and Other Drug Abuse Evaluations
 Amicus Brief
 AODA Treatment of Offenders
 Chapter 980
 Child Custody
 Civil Commitments
 Competency (List Types _____)
 Criminal Profiling/Assist Police with Case
 Fitness for Duty Evaluations
 Mitigating Circumstances Evaluations
 NGI
 Pre-Sentencing Evaluations
 Public Policy/Advocacy Issues
 Research on Legal Process
 Risk Assessment
 Sentencing Evaluations
 Sex Offender Treatment
 Termination of Parental Rights
 Therapeutic Jurisprudence
 Treatment of Offenders
 Workers Compensation
 Civil (indicate type)
 Other _____

Please list areas of psychological RESEARCH you are familiar with _____

Approximately how many psychological evaluations/ reports have you reviewed?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many psychologists have testified before you as an expert witness?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you appointed a psychologist?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many amicus briefs written by psychologists or submitted by psychological organizations to Wisconsin state or federal courts have you read?

None 1-5 6-10 11-15 16-20 More than 20

In your expert opinion, how helpful do you think psychologists are to the legal system?

Not helpful at all 1 2 3 4 5 6 7 Extremely helpful

***Please attach a list of publications and presentations you have done related to the area of forensic psychology/psychology and law.**

***If you have a copy of a current resumé/vita, please feel free to attach it.**

THANK YOU!

EXPERT ATTORNEY DEMOGRAPHIC SHEET

Name: _____ Age: _____ Years as an attorney: _____

Race: African-American Asian-American Caucasian Hispanic Other _____

Place of Employment: _____ Length of time employed there? _____

Years licensed to practice law in Wisconsin: _____

Please list professional associations and memberships to which you belong: _____

Which degrees do you currently possess? Ph.D. Psy.D. J.D. MA/MS/MLS _____
(Please indicate in what area)

How knowledgeable are you of mental health issues related to the law?
1 2 3 4 5 6 7
Not at all _____ Extremely

Please list any specialized training you have received related to mental health issues: _____

While an attorney, what percentage of time have you spent working in each of the following?

_____ Criminal Felony Court	_____ Juvenile Court
_____ Criminal Misdemeanor Court	_____ Civil Court
_____ Family Court	_____ Criminal Traffic
_____ Probate Court	_____ Other

Area in which you spend most time practicing _____

PLEASE FILL OUT THE FOLLOWING IN RELATION TO YOUR EXPERIENCE IN WISCONSIN

Indicate areas in which you have used psychological services or research

- | | |
|---|---|
| <input type="checkbox"/> Alcohol and Other Drug Abuse Evaluations | <input type="checkbox"/> Risk Assessment |
| <input type="checkbox"/> Amicus Brief | <input type="checkbox"/> Sentencing Evaluations |
| <input type="checkbox"/> AODA Treatment of Offenders | <input type="checkbox"/> Sex Offender Treatment |
| <input type="checkbox"/> Chapter 980 | <input type="checkbox"/> Termination of Parental Rights |
| <input type="checkbox"/> Child Custody | <input type="checkbox"/> Therapeutic Jurisprudence |
| <input type="checkbox"/> Civil Commitments | <input type="checkbox"/> Treatment of Offenders |
| <input type="checkbox"/> Competency (List Types _____) | <input type="checkbox"/> Workers Compensation |
| <input type="checkbox"/> Criminal Profiling/Assist Police with Case | <input type="checkbox"/> Civil (indicate type) _____ |
| <input type="checkbox"/> Fitness for Duty Evaluations | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Mitigating Circumstances Evaluations | |
| <input type="checkbox"/> NGI | |
| <input type="checkbox"/> Pre-Sentencing Evaluations | |
| <input type="checkbox"/> Public Policy/Advocacy Issues | |
| <input type="checkbox"/> Research on Legal Process | |

EXPERT FORENSIC PSYCHOLOGIST DEMOGRAPHIC SHEET

Name: _____ Age: _____ Years as a psychologist? _____

Race: African-American Asian-American Caucasian Hispanic Other _____

Place of Employment: _____ Length of time employed there? _____

Years licensed as psychologist in Wisconsin _____

Please list professional associations and memberships to which you belong: _____

Which degrees do you currently possess? Ph.D. Psy.D. J.D. MA/MS/MLS _____

(Please indicate in what area)

How knowledgeable are you of mental health issues related to the law?

1 2 3 4 5 6 7
Not at all Extremely

*Please list any special training that you have received related to psychology and law/forensic psychology

While a psychologist, what percentage of time have you spent working in each of the following?

_____ Criminal Felony Court	_____ Juvenile Court
_____ Criminal Misdemeanor Court	_____ Civil Court
_____ Family Court	_____ Criminal Traffic
_____ Probate Court	_____ Other

PLEASE FILL OUT THE FOLLOWING IN RELATION TO YOUR EXPERIENCE IN WISCONSIN

In what forensic areas do you typically work?

- | | |
|---|---|
| <input type="checkbox"/> Alcohol and Other Drug Abuse Evaluations | <input type="checkbox"/> Public Policy/Advocacy Issues |
| <input type="checkbox"/> Amicus Brief | <input type="checkbox"/> Research on Legal Process |
| <input type="checkbox"/> AODA Treatment of Offenders | <input type="checkbox"/> Risk Assessment |
| <input type="checkbox"/> Chapter 980 | <input type="checkbox"/> Sentencing Evaluations |
| <input type="checkbox"/> Child Custody | <input type="checkbox"/> Sex Offender Treatment |
| <input type="checkbox"/> Civil Commitments | <input type="checkbox"/> Termination of Parental Rights |
| <input type="checkbox"/> Competency (List Types _____) | <input type="checkbox"/> Therapeutic Jurisprudence |
| <input type="checkbox"/> Criminal Profiling/Assist Police with Case | <input type="checkbox"/> Treatment of Offenders |
| <input type="checkbox"/> Fitness for duty Evaluations | <input type="checkbox"/> Workers Compensation |
| <input type="checkbox"/> Mitigating Circumstances Evaluations | <input type="checkbox"/> Civil (indicate type) |
| <input type="checkbox"/> NGI | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Pre-Sentencing Evaluations | |

Approximately how many forensic psychological evaluations you have conducted?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you testified as an expert witness in a court of law?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you consulted with an attorney concerning case strategy?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you assisted with the voir dire process?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Have you ever assisted with an amicus brief? Yes No

Approximate number of times:

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you been hired by the prosecution?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you been hired by the defense?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

Approximately how many times have you been hired by the court?

Less than 50 50 to 100 100 to 200 200 to 500 Over 500

In your expert opinion, how helpful do you think psychologists are to the legal system?

Not helpful at all 1 2 3 4 5 6 7 Extremely helpful

***Please attach a list of publications and presentations you have done related to the area of forensic psychology/psychology and law.**

***If you have a copy of a current vita, please feel free to attach it.**

THANK YOU!

Appendix J: Consent Form

Marquette University Agreement of Consent for Research Participants

Code Number (to be filled in by researcher): _____

Principle Investigator's Home Contact Information

Deborah L. Fischer
4724 N. 105th Street
Wauwatosa, WI 53225
414-535-9664

Professional Contact Information

Department of Counseling and Educational Psychology
Marquette University PO Box 1881
Milwaukee, WI 53201
414-288-5889

When I sign this statement, I am giving consent to the following basic considerations:

I understand clearly that the purpose of this study is to examine the current trends and the future of forensic psychology in Wisconsin. I understand that the study consists of three surveys. The first survey is an open ended survey that should take approximately one hour to complete. The second survey, which will arrive about 8 weeks after the first, will have approximately 200 items consisting of respondents' answers to the first survey and should take approximately 30 minutes to complete. The third survey, which will arrive about eight weeks after the second, is similar to the second survey but includes respondents' feedback and should also take approximately 30 minutes to complete. I also understand that there will be approximately 20 attorneys, 20 judges, and 20 forensic psychologists throughout Wisconsin participating in this study for a total of 60 participants.

I understand that the surveys will involve several questions that ask for my opinion on the current status and future trends of the field of psychology throughout Wisconsin. In addition, this study involves the use of one open-ended survey and two surveys that ask me how much I agree or disagree with a brief statement concerning forensic psychology in Wisconsin. I understand that I will also be asked to complete several questionnaires about my age, education level, training related to mental health issues and the law, experience with psychology and the law, and my attitudes concerning forensic psychology in Wisconsin.

I understand that all information I reveal in this study will be kept anonymous. All my data will be assigned an arbitrary code number rather than using my name or other information that could identify me as an individual. When the results of the study are published, I will not be identified by name. I understand that once the data is no longer of use it will be destroyed by shredding the surveys after 5 years from the date the information is collected.

I understand that there is a slight risk that completing a questionnaire regarding my opinions and observations may cause some emotional discomfort. I also understand that the only benefit of my participation is to help improve scientific understanding of the current trends and future of forensic psychology. I understand that participating in this study is completely voluntary and that I may stop participating in the study at any time without penalty or loss of benefits to which I am otherwise entitled. I understand that all data collected prior to my terminating participation in the study will be kept in a secure location.

All my questions about this study have been answered to my satisfaction. I understand that if I later have additional questions concerning this project, I can contact Deborah L. Fischer at (414) 535-9664 or deborah.fischer@marquette.edu. Additional information about my rights as a research participant can be obtained from Marquette University's Office of Research Compliance at 414-288-1479.

Date: _____

(signature of subject giving consent)

Deborah L. Fischer

(signature of researcher)

Location: Marquette University

Appendix L: First Survey Thank You

Deborah L. Fischer
Forensic Psychology in WI Survey
4724 N. 105th Street
Wauwatosa WI, 53225
(414)-535-9664
deborah.fischer@marquette.edu

«Title» «FirstName» «LastName»
«OrganizationName»
«Address»
«City», «State» «PostalCode»

Dear «Title» «LastName»,

Thank you very much for your completed survey. I may be contacting you for clarification on some of your responses. You should expect the second survey to arrive in early September and it will be due back in approximately early October.

Thank you again for your continued participation in this very important research.

Sincerely,



Deborah L. Fischer
Doctoral Candidate
Marquette University

Appendix M: Directions for the Second Survey

Directions for Second Survey

Please sign and return the enclosed consent form. It is identical to the first consent form you signed, however this one includes Marquette University's IRB approval stamp. If you would like a copy of this consent form for your records, please make a separate copy to keep and return the original signed copy.

Please return the completed survey no later than **MONDAY, OCTOBER 4TH**.

On the following pages there are sentences (i.e., items) that reflect the collective observations of *all* survey participants regarding current trends and the predicted future of forensic psychology in Wisconsin. Items that appeared to have a common theme are clustered together and, as much as possible, exact words and phrases submitted by participants during the first wave of this study have been used in creating the items. In an effort to keep this survey down to a manageable number of items, some items that were more specific have been included under a more general item (e.g. specific defenses used for NGI pleas were included under item A1). In addition, responses that were not specific to either the area of *forensic* psychology or *psychology* were not included.

If a particular item is unclear to you, or if you have other comments, please note that there is room on the last page for your comments on an item(s), for general comments, and for any additional items you feel should be included in the survey. Thank you again for your continued involvement.

Section One: Items A1 through I20:

Next to each sentence/item in this section there is a yes/no column and two seven-point scales.

Current Contributions YES/NO Column

Next to each sentence/item in this section is a column asking whether, in your opinion, psychologists are or are not *currently involved* in this area in the state of Wisconsin. This should not be specific to *your* practice or courtroom, but rather should be your expert opinion on whether psychology/psychologists are currently involved in this area in the state. If you mark yes, this indicates that you believe psychology/psychologists currently contribute to this area. If you mark no, this indicates that you do not believe psychology/psychologists currently contribute to this area in the State of Wisconsin.

Helpfulness Scale

This scale asks how helpful psychology/psychologists currently are (if you marked "yes" for Current Contributions) or *could be* (if you marked "no for Current Contributions) to the particular area indicated in the item. Again, it is asking for your expert opinion encompassing practice throughout the entire state, and this may or may not reflect what is currently done in *your* practice or courtroom. Rate the item with the number 7 (Very

Helpful) if you feel psychologists/psychology is (or could be) very helpful in this area, and a number 1 (Not Helpful) if you feel psychologists are not (or would not be) helpful in this area. Please use the numbers in between to reflect the variations between these extremes.

**DOUBLE SIDED SURVEY
OVER**

Future Contribution Scale

This scale asks about the future contribution you feel psychologists/psychology will have to the particular area indicated in the item. Again, it asks for your expert opinion as to the future, and is *not* concerned with how involved psychology/psychologists are in this area now. Rate the number 7 (High Contribution) if you feel psychologists/psychology will contribute to this area a great deal in the future, and a number 1 (No Contribution) if you feel psychologists will not contribute to these areas in the future. Please use the numbers in between to reflect the variations between these extremes.

Please note that the **Current Contributions**, **Helpfulness** and **Future Contributions** are intended to be independent ratings. For example, you may indicate that psychology /psychologists do not currently contribute to an area (a "no" on the **Current Contributions Scale**), that they are/could be very helpful in this area (a "7" on the **Helpfulness Scale**), however for whatever reason (e.g. change in statutes, budget cuts, etc.) it is unlikely psychology/psychologists will contribute to this area in the future (a "1" on the **Future Contributions Scale**).

It is understood that you may feel you do not possess the required knowledge to respond to ALL of the items below. If you do not feel you are knowledgeable enough to answer a specific item (e.g. the item deals with criminal law and you deal mostly with family law) please indicate this by circling NA. However, please do not skip an entire section even if you do not primarily practice in that area. Items may have been classified incorrectly. You may be able to respond to items listed under sections in which you do not primarily practice. **Therefore, please read all items and respond to each item.**

Directions for the Second Section of the survey, the **Harmful and Prevalence Scales** appear on page 11.

Based on a pilot study, it should take you between 30 to 60 minutes to complete this survey.

I will be contacting you in the next couple of weeks to make sure you received the survey and to answer any questions you may have. Please contact me if you have questions or concerns before then. Email – Deborah.fischer@marquette.edu Phone: 414-535-9664

Thank you again for your continued participation in this important study. Currently, everything is on schedule and data collection should be completed by Thanksgiving, 2004. You can expect the third survey to arrive sometime during the final week of October. The third survey will be identical to this survey, however it will include information concerning how other participants in your profession responded. You will also receive demographic information on the other experts in your profession.

Sincerely,

Deborah L. Fischer

DOUBLE SIDED SURVEY
OVER

Doctoral Candidate
Marquette University

**DOUBLE SIDED SURVEY
OVER**

Appendix N: Second Survey Thank You

Deborah L. Fischer

Forensic Psychology in WI Survey

4724 N. 105th Street

Wauwatosa WI, 53225

(414)-535-9664

deborah.fischer@marquette.edu

Thank you for completing the second survey. I may be contacting you if I have any questions concerning your responses or any comments you may have included on the second survey.

The third and final survey should be mailed to you during the last week of October and will be due back the week of Thanksgiving, November 22nd. The final survey is nearly identical to the second survey. However, you will be provided with feedback as to how the other experts in your profession responded to the questions as well as anonymous demographic information concerning the other panel participants from your profession. The purpose of this feedback is to provide you with the information on how other experts in your area perceive forensic psychology in Wisconsin. The goal of this final survey is to achieve some consensus among the panel participants. This will allow accurate conclusions to be drawn from the data, which will result in valid and reliable information that will help to shape the future of forensic psychology.

Again, thank you for your continued participation in this very important research. We are one step closer to answering the questions this study sought out to answer.

Sincerely,

Deborah L. Fischer, M.A.

Appendix O: Final Survey Cover Letter

Deborah L. Fischer

Forensic Psychology in WI Survey
4724 N. 105th Street
Wauwatosa WI, 53225
(414)-535-9664
deborah.fischer@marquette.edu

First of all, I want to thank you for your continued participation in this project and the time you have dedicated thus far. I have heard from a handful of participants that the second survey took longer than anticipated to complete. I am very sorry for this. The reason it is so long is because you and the other participants did an amazingly thorough job of answering the original four open-ended questions. The great news is that we are getting some incredibly useful data. Your continued participation and dedication to this project is genuinely appreciated. You, and the rest of the participants, are doing a great service to the area of psychology and law that will assist in the development and improvement of the interaction between these two diverse and often incompatible areas.

This FINAL (*yeah, big sigh of relief*) survey should take about as long as it took to complete the last one. Let me reassure you, it looks more overwhelming than it actually is. In fact, I anticipate the final survey to be easier than the last because of the feedback you will have from other participants and the fact that you have done this before (*and no one, to my knowledge, died. Although . . . there was that one attorney I never heard from again.*)

The purpose of this final survey is to identify convergence between the answers of the experts, which provides an accurate description of what forensic psychology is like here in Wisconsin. In addition, it allows me the opportunity to make some of the directions more clear to assist you in your responses. It also offers the opportunity for you to revisit the same questions after you have had some time to consider them. This is a very important step in this particular survey methodology, and the final results should be reliable and very informative. This is due in large part to the time and care you and the rest of the participants have put into responding to the questions. Thank you.

ONLY THE DATA FROM THIS THIRD SURVEY IS USED IN THE FINAL RESULTS. Therefore, it is important that you complete and return this survey, otherwise all of your hard work up to this point will not be reflected in the final product.

I am planning on using the information provided by this survey to assist in the development of forensic psychology throughout Wisconsin. I hope to be able to write several journal articles with the data this survey provides, as well as make presentations throughout the state to the different professionals involved in forensic psychological issues. I do not believe in collecting data for data's sake, but rather plan to use this information to educate in an attempt to improve the services offered by psychologists and increase the understanding of psychological issues by those in the legal community.

Information on the simple descriptive statistics used to communicate how other experts responded is included in the directions. I chose statistics that all participants should be familiar with: number of responses, mean (average score), and range of scores. The demographic information, or qualifications of the other experts on the panel in your area, is also included.

This final survey is due DECEMBER 1ST. However, as there is no need to run the results immediately, I can be flexible with this deadline. My main goal is to receive all of the surveys from participants. Therefore, I can be flexible with this due date and can work around your schedule.

Again, thank you for your continued participation. I look forward to your final responses to this survey and to sharing them with you and others in your field. Good luck and HAVE FUN!

Sincerely,

Deborah L. Fischer, M.A.
Doctoral Candidate
Marquette University

Directions for Final Survey

On the following pages are the same items you answered in the second survey. They are the sentences (i.e., items) that reflect the collective observations of *all* survey participants regarding current trends and the predicted future of forensic psychology in Wisconsin. In most instances, respondents' exact wordings were used to remain true to the original content. **This survey is different from the last** in that you are now provided with feedback as to how the other experts in your area responded to these same items. The purpose of this step is to begin to achieve some level of consensus between yourself and the other experts. When answering, consider the responses of your peers, and re-answer the questions with their feedback in mind.

Statistics

The statistics used to communicate the feedback from other participants from your profession are presented in a table following the question. The statistics include the number of participants in your profession who answered the question (#); the mean, or average rating reported by participants in your profession for that item; and the range, or highest and lowest score reported by participants in your profession for that item.

I am still interested in YOUR OPINION (which is based on your experiences, but you may still answer questions on topics that you have little or no experience in but do have knowledge of). Remember, this methodology relies on the OPINIONS of EXPERTS. I realize there are limitations to this methodology, but through the original procedures I used to identify you as a participant in this study, YOU count as an expert in the area of forensic psychology in Wisconsin. Have confidence in your opinions, but don't hesitate to mark "Don't Know" if you feel you do not have enough knowledge of a particular area. However, I encourage you to answer ALL questions (marking only ONE answer per scale). Please do not leave ANY item blank. If you do not feel comfortable making a rating, respond by marking "DK" (for don't know).

If a particular item is unclear to you, or if you have other comments, please note that there is room on the last page for your comments on an item(s) or for general comments. I have comments from the second survey for those of you who included them, so do not feel you need to include the same comments again. All comments will be reported in the final analysis and manuscript.

Please mark all answers on the separate answer sheets. You need return only the answer sheets in the stamped pre-addressed envelope provided.

Appendix P: Final Survey Directions

Forensic Psychology in WI

Section One: Items 1-192

For each sentence/item in this section there is a corresponding yes/no column and two seven-point scales on the separate answer sheet.

Current Contributions YES/NO Column

For each sentence/item in this section, mark on the answer sheet whether, in your opinion, psychologists are or are not *currently involved* in this area in the state of Wisconsin. This should not be specific to *your* practice or courtroom, but rather should be your expert opinion on whether psychology/psychologists are currently involved in this area in the state. If you mark yes, this indicates that you believe psychology/psychologists currently contribute to this area. If you mark no, this indicates that you do not believe psychology/psychologists currently contribute to this area in the State of Wisconsin. **When answering, please take into consideration how the other experts in your area responded to this item.**

Helpfulness Scale

This scale asks how helpful psychology/psychologists currently are (if you marked “yes” for Current Contributions) or *could be* (if you marked “no” for Current Contributions) to the particular area indicated in the item. Again, it is asking for your expert opinion encompassing practice throughout the entire state, and this may or may not reflect what is currently done in *your* practice or courtroom. Rate the item with the number 7 (Very Helpful) if you feel psychologists/psychology is (or could be) very helpful in this area, and a number 1 (Not Helpful) if you feel psychologists are not (or would not be) helpful in this area. Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Future Contribution Scale

This scale asks about the future contribution you feel psychologists/psychology will have to the particular area indicated in the item. Again, it asks for your expert opinion as to the future, and is *not* concerned with how involved psychology/psychologists are in this area now. Rate the number 7 (High Contribution) if you feel psychologists/psychology will contribute to this area a great deal in the future, and a number 1 (No Contribution) if you feel psychologists will not contribute to these areas in the future. Please use the numbers in between to reflect the variations between these extremes. **When answering, please take into consideration how the other experts in your area responded to this item.**

Please note that the **Current Contributions**, **Helpfulness** and **Future Contributions** are intended to be independent ratings. For example, you may indicate that psychology /psychologists do not currently contribute to an area (a “no” on the **Current Contributions Scale**), that they are/could be very helpful in this area (a “7” on the **Helpfulness Scale**), however for whatever reason (e.g. change in statutes, budget cuts, etc.) it is unlikely psychology/psychologists will contribute to this area in the future (a “1” on the **Future Contributions Scale**).

Appendix Q: Final Survey Thank You

Deborah L. Fischer

Forensic Psychology in WI Survey
4724 N. 105th Street
Wauwatosa WI, 53225
(414)-535-9664
deborah.fischer@marquette.edu

January 23, 2005

I would like to thank you for your participation in my dissertation research. I apologize for not acknowledging the return of the final survey before now. My son was born three weeks early, which interfered with my carefully planned timeline making it difficult to write you before now. I am only now able to follow up with several participants who have not yet returned the final survey. Therefore, I have not yet been able to compile the results, not to mention I have also not had the time (or energy).

I am hoping to complete the study by the end of spring. I still plan to attempt to present the findings to different organizations throughout Wisconsin in the hopes that the findings will assist the field of psychology and law. I am happy to send you a copy of the final results via email when they are finished. Please send me an email if you desire a copy of the final results (Deborah.fischer@marquette.edu).

Again, thank you so much for all of the hard work you have put into this project. I am extremely grateful for the time and thoughtfulness you so generously donated.

With heartfelt thanks,

Deborah L. Fischer

Deborah L. Fischer, M.A.
Doctoral Candidate and New Mother
Marquette University

Appendix R: Desperate Plea

Deborah L. Fischer

Forensic Psychology in WI Survey
4724 N. 105th Street
Wauwatosa WI, 53225
(414)-535-9664
deborah.fischer@marquette.edu

February 5, 2005

I am contacting you because I have not yet received the data from your final survey.

I would like to apologize for not following up before now. My son was born three weeks early, (happily) interfering with my carefully planned time-line, and I have had neither the time nor energy before now. As I mentioned in the original cover letter (enclosed), I am still somewhat flexible with the return of this final survey. However, my goal remains the receipt of as many completed surveys as possible, as the answers on this survey are the only ones that are used in the final results. It is therefore essential that I receive your survey. This is why I am sending you another complete survey packet. Please contact me if you feel that you will have difficulty completing the survey in the next few weeks (Deborah.fischer@marquette.edu).

I again thank you for your time and effort in this important study.

Sincerely,

Deborah L. Fischer

Deborah L. Fischer, M.A.
Doctoral Candidate and New Mother
Marquette University

Appendix S: Final Thank You

Deborah L. Fischer

Forensic Psychology in WI Survey
4724 N. 105th Street
Wauwatosa WI, 53225
(414)-535-9664
deborah.fischer@marquette.edu

I would like to thank you for your participation in my dissertation research. I am hoping to complete the data analysis as soon as I can, but with a new baby I am finding it is not as soon as I would like. I still plan to attempt to present the findings to different organizations throughout Wisconsin in the hopes that the findings will assist the field of psychology and law. I am happy to send you a copy of the final results via email when they are finished. Please send me an email if you desire a copy of the final results (Deborah.fischer@marquette.edu).

I am happy to report that I will be continuing my formal training in the area of forensic psychology. I have secured an internship for next fall with the Wisconsin Department of Corrections.

Again, thank you so much for all of the hard work you have put into this project. I am extremely grateful for the time and thoughtfulness you so generously donated.

With heartfelt thanks,

Deborah L. Fischer, M.A.
Doctoral Candidate and New Mother
Marquette University

Appendix T: Final Survey Classification

Item #

All Areas of Forensic Psychology Scale

- 1 Criminal Law areas overall
- 31 Juvenile Court issues overall
- 32 Assist in *any* case involving minors
- 40 Civil Law areas overall
- 67 Family Law areas overall
- 98 Education in psychology and law issues
- 127 Research in psychology and law issues
- 149 Legal advocacy issues overall

Competency

- 3 Chapter 971.14 - Competency to Stand Trial
- 13 Evaluations to determine competence to understand Miranda rights
- 15 Evaluating whether or not a retarded adult has given an involuntary confession
- 30 Provide quick and concise opinions about criminal defendants and their ability to understand proceedings
- 33 For juveniles, evaluation of maturational competence to proceed
- 47 Evaluation and/or expert testimony to determine if a person has the mental capacity to enter into legal contracts
- 48 Evaluation and/or expert testimony to determine if the person has the mental capacity to make decisions regarding medical treatment/medication
- 49 Evaluation of impairments of aging
- 54 Evaluations for competency under Ch. 880
- 55 Evaluations to determine competence to testify
- 56 Evaluations to determine competence to proceed pro se
- 57 Evaluations to determine competence to give informed consent
- 58 Evaluations to determine competence to make a will
- 59 Assessing dementia related to competency issues in legal settings, such as in changing the power of attorney
- 60 Assist in will challenges in determining undue influence

Child Custody

- 42 Factors involved in assisting courts in determinations under Ch. 55, Protective Placement evaluations and subsequent commitment and conditional release
- 68 Evaluations and/or expert testimony regarding child custody
- 69 Evaluations and/or expert testimony regarding placement of children
- 70 Evaluations and/or expert testimony regarding termination of parental rights
- 71 Evaluation and/or expert testimony regarding whether out of home placement should continue or cease

Issues Involving Juveniles

- 34 Conducting presentence evaluations for convicted children & juveniles
- 35 Evaluation of potential community placements for juveniles
- 36 Evaluation of alcohol and/or drug abuse (AODA) issues in juveniles
- 39 Conducting presentence evaluations for convicted adolescents
- 50 Evaluation of learning disabilities

- 51 M-Team evaluations
- 52 Assessment to determine specialized school placements
- 72 Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment in response to delinquent behaviors
- 73 Evaluation and/or expert testimony regarding juveniles to assist the courts in determining the best treatment for difficult family issues
- 75 Evaluation and/or expert testimony regarding juveniles to identify emerging mental illnesses
- 77 Evaluation and/or expert testimony regarding juveniles to identify the best treatment response for a mental illness/deficiency
- 78 Evaluation and/or expert testimony regarding foster and adoptable children with special needs

Expert Testimony with Evaluation of a Client

- 2 Factors involved in assisting courts in making determinations under Ch. 971 Not Guilty by Reason of Mental Disease or Defect (NGI) and subsequent commitment & conditional release.
- 5 Evaluation of incarcerated offenders
- 6 Evaluation of offenders in the community
- 11 Evaluation to determine if a victim or offender suffered psychological damage secondary to an offense
- 12 Conducting presentence evaluations for convicted adults
- 16 Evaluation of drunk drivers
- 41 Factors involved in assisting courts in determinations under Ch. 51, Civil Commitment by reason of Mental Disease or Defect, and subsequent commitment and conditional release
- 44 Evaluations and/or expert testimony regarding psychological trauma
- 45 Evaluations and/or expert testimony to detect possible malingering
- 74 Evaluation and/or expert testimony regarding juveniles to identify mental illness/deficiency
- 81 Assessing alcohol and/or drug abuse (AODA) issues in a parent

Expert Testimony on a Particular Psychological Topic

- 76 Evaluation and/or expert testimony regarding attachment disorder in children
- 97 Testifying on research related to gay/lesbian parenting issues
- 167 Eyewitness identification testimony

Risk Assessment

- 4 Conducting violence risk assessments
- 7 Evaluations of sex offenders to determine appropriate course of treatment
- 8 Evaluation of sex offenders for future risk of offending
- 9 Evaluation of prognosis for recovery in sex offenders
- 10 Using psycho-sexual evaluation to determine the risk to re-offend for sexual offenders
- 14 Assessing the risks of community placements for adult offenders
- 38 Assessing risk for future juvenile offense
- 53 Factors involved in assisting courts in determinations under Ch. 980, Sexually Violent Persons and subsequent commitment and conditional release
- 79 Evaluation and/or expert testimony regarding assessment of risk for abuse of children
- 100 Provide information to the courts in juvenile cases where diagnosis issues are much more difficult to discern

Family Counseling

- 83 Treatment recommendations in CHIPS cases
- 85 Co-parenting counseling
- 86 Counseling to resolve marital disputes
- 87 Individual counseling in an effort to avoid litigation
- 88 Marital counseling in an effort to avoid litigation
- 89 Divorce adjustment counseling
- 90 Adjustment counseling for children placed in the middle of divorce disputes

Treatment in Criminal Settings

- 17 Creating and providing court ordered treatment
- 18 Treatment of incarcerated offenders
- 19 Treatment of offenders in the community
- 20 Treatment of individuals involved in deferred prosecution agreements
- 21 Treatment of sex offenders
- 22 Treatment of drunk drivers
- 23 Treatment for domestic violence
- 84 Treatment recommendations in delinquency cases
- 154 Present to public appropriately tailored sentencing plan that also meets the treatment needs of the offender
- 164 Provide appropriate treatment relative to specific diagnostic categories

Victim Issues

- 182 Offer assistance to victims of crimes
- 183 Assist victims to testify

Specific Topics for Education and Training

- 91 Offering divorce coaching in the collaborative divorce model
- 101 Explanations of certain diagnostic categories not familiar to the court or lay people on juries
- 102 Education concerning etiological, or suspected causal factors, influencing mental health problems
- 104 Explanation of various treatment approaches to the court and/or juries
- 107 Informing the court about relevant research findings related to specific issues, e.g. actuarial based probabilities of reoffense, behavioral style, limits of scientific knowledge regarding custody/visitation and the impact of divorce/loss on children
- 108 Providing information related to addictions
- 109 Providing insight into parental alienation syndrome
- 110 Providing insight into post-traumatic stress disorders
- 111 Providing insight concerning issues related to abuse
- 114 Education of court system about the cycle of violence in domestic violence cases
- 115 Education concerning child development
- 116 Facilitate discussion on relevant psychology-law issues
- 121 Education of attorneys and judges concerning family dynamics
- 125 Provide information to the courts about medication and how psychologists and therapists interact with psychiatrists
- 179 Assist in understanding mental retardation in the death penalty context and in other contexts

- 184 Genetic studies and their relevance to legal cases
- 120 Training for attorneys who serve as Guardians ad Litem for both children and adults

Education of the Bar

- 99 Education of the courts concerning the difficulty of prediction
- 103 Explanations of psychological instruments and their proper use and/or misuse in forensic settings
- 105 Education for judges and attorneys concerning the legitimacy of psychology in evaluating and diagnosing human behavior
- 106 Explanation concerning what psychologists and/or therapists can and cannot do with respect to treatment and evaluations
- 122 Educating the legal system regarding quality and ethical standards for psychological practice
- 123 Seminar in which those from the legal community have the opportunity to experience an assessment and learn how the assessment results are integrated into a psychological report
- 146 Create a judicial bench book of common psychological terms, basic psychological research findings, and indications for treatment and prognosis

Joint Conferences between the Legal and Psychological Professions

- 118 Joint educational programs for psychologists and judges/attorneys aimed at developing a better understanding of each profession's needs and their respective fields
- 126 Joint trainings between the Wisconsin Psychological Association, Wisconsin Bar Association, and the Wisconsin Judicial Education Department to become part of legal education and judicial education seminars, allowing the legal profession, judiciary and psychologists to discuss issues brought up in this survey

Public Education

- 112 Education of parents as to what would be in the best interest of children at different stages of their lives
- 113 Education for parents and other caretakers concerning appropriate discipline of children
- 117 Television discussion or programs to educate the public concerning the psychology/law interaction
- 119 Education offered to police on how to best elicit information from emotionally vulnerable or youthful victims/witnesses without unintentionally shaping the information.

Supervision

- 172 Supervision, support, and training of other staff engaged in risk assessment
- 173 Supervision, support, and training of other staff engaged in assessment of treatment needs
- 174 Supervision, support, and training of other staff engaged in providing treatment to offenders

Advocacy

- 150 Conferences to propose legislation to make divorce less adversarial
- 151 Provide research to assist in creating amicus briefs

- 153 Advocacy and/or testimony before government agencies regarding laws applicable to the practice of psychology and/or insurance issues, and/or the ability to provide services
- 156 Become active in helping to reform the child custody system
- 157 Provide research, testimony, and information for public policy debates and legislative debates
- Program Development and Evaluation**
- 124 Creating an understanding of and ability to deal with the behavior of children/adults who have been the victim of fetal alcohol syndrome or drug usage by the parents
- 131 Assist in program evaluation
- 132 Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process
- 138 Assist in developing a non-adversarial system to decide child custody cases
- 155 Help to develop a sentencing system that would be effective in changing criminal behavior
- 166 Creation of community based, early intervention options to treat mental health issues in an effort to avoid criminal/civil court process
- 175 Designing systems providing assessment of risk, treatment needs, and provision of treatment
- Research on the Legal Process**
- 130 Review of civil and criminal court processes regarding mental health issues
- 133 Study of jury selection procedures to help avoid, rather than produce, distortion in jury selection.
- 134 Study of jury deliberations
- 135 Empirical evaluation of many of the tenets of faith embedded within the legal process, e.g. the view that jury instructions are extremely significant to the outcome of jury verdicts to the point that even slight misstatements should require all parties to the beginning and start over
- 137 Research on the policy implications of various evidentiary rules and the trial process itself
- 141 Evaluation of the behavioral effects of the legal process upon the participants of that process
- 142 Assessment of efficacy of prisons and treatment options following convictions - "does it work?"
- 143 Assessment of efficacy of probation & parole systems - "does it work?"
- 144 Assessment of entire juvenile justice system - "does it do what we want it to do?"
- Improve Standards of Practice**
- 82 Developing standard criteria that can be utilized in evaluating child placement in custody decisions
- 139 Improve "dangerousness"/risk assessment evaluations
- 147 Develop standard criteria for dealing with evaluation for people dealing with criminal competency or general competency under Ch. 880, Guardianships
- 158 Determining guidelines for appropriate psychological evaluations
- 159 Establish clearer standards of practice for dispositional evaluations, juvenile and mentally ill/mentally retarded adults
- 160 Establish clearer standards of practice for competency to stand trial and other types of competency exams

- 161 Establish clearer standards of practice for Not Guilty by Reason of Mental Disease or Defect evaluations and treatment

Clarification of the Legal and /or Psychological Definitions

- 152 Assist in defining concepts underpinning "violent sexual offender"
178 Assist in bringing definitions of words such as "insanity" or "dangerousness" closer together between the legal and forensic worlds.

General Research Helpful to the Area of Forensic Psychology

- 128 Conducting research on issues related to addiction
129 Research with law enforcement to learn the most reliable, effective ways to conduct line-ups and show-ups.
136 Study of human capacity to make certain observation or perceptions, as in eyewitness identification, recognition of hazards, effectiveness of various warnings relied upon by manufactures to shield themselves from liability
145 Studies regarding the impact of divorce on children over several years
148 Improve diagnosis and treatment of disorders such as Conduct Disorder and Attention Deficit Hyperactivity Disorder (ADHD)

Specific Cases Consultation and/or Evaluation

- 37 Evaluating whether or not a child/juvenile in a delinquency case has given an involuntary confession
66 Assist in prevention of deportation of person that would be killed if returned to homeland
95 Assist in determining false childhood memories versus abuse
96 Assist in distinguishing between diagnoses which impact child rearing and those that do not impair
140 Evaluation and analysis of impact of celebrity status of criminal defendants in outcome of criminal trials
180 Differential diagnosis, such as identifying different types of dementias in the aging population
177 Psychologists assist in minimizing likelihood of inadequate defense accusations for attorneys

Fitness for Employment

- 43 Evaluations and/or expert testimony regarding fitness for duty
46 Evaluations and/or expert testimony to determine fitness to practice a profession
176 Testing and evaluation of persons seeking legal or judicial positions

Psychological Ethics

- 162 Assist in determining ethical versus unethical behavior by psychologists and other mental health professionals
163 Assist in identifying appropriate treatment records

Profiling

- 24 Criminal profiling
181 Terrorist profiling

Advice to Court/ Legal System

- 25 Assist in determining mitigating factors to consider at sentencing
- 28 Assist in supervision planning
- 29 Assist in bail decisions
- 92 Serving as a mediator in divorce situations
- 93 Assisting the judge in deciding visitation schedules
- 94 Assist in determining foster child or adoptive child placement

Assist in Determining Various Types of Legal Strategy

- 26 Assist in determining witness credibility
- 168 Assist in jury selection
- 169 Assist attorneys in determining case strategies
- 170 Assist attorneys in the cross-examination of other mental health professionals
- 171 Consulting with attorneys on how to cross-examine witnesses

Provide Information to Issues of Civil Damage

- 61 Assist in determining personal injury damages in employment issues (i.e. Title VII)
- 62 Assist in determining personal injury damages in accidents, such as head injury, dog bites, etc.
- 63 Assist in determining damages in products liability cases
- 65 Assist triers of fact in determining liability and damage claims in civil actions involving emotional impact

Items Dropped Because They Did Not Seem to Fit in Any Scale

- 27 Assist in advancing or rebutting an insanity defense at trial
- 64 Assisting juries in deciding monetary value of a psychological harm claim

Harmfulness and Prevalence Scales

NUMB
Number

General Psychologically Harmful or Unprofessional Behavior

Going Beyond the Data

- 12 Basing a professional opinion on erroneous facts
- 42 Going beyond the data in making conclusions
- 44 Professing to have all the answers
- 47 Offering conflicting evaluations
- 49 Giving the appearance of more psychological certainty than is warranted
- 53 Evaluations that predict future human behavior
- 61 Offering a viewpoint as opposed to addressing a dispute in a neutral fashion

Ethical Violation

- 3 When psychologists practice outside of the scope of their competence
- 4 When psychologists practice in a haphazard or unprofessional manner
- 32 Giving "pet diagnoses," or seeming to give the same diagnosis to almost all clients.

- 39 When psychologists play dual roles as treater and evaluator
- 63 Making determinations based on monetary considerations
- 64 Hypnotically refreshed recollection and questionable suggestive techniques

Lack of Professional Discipline

- 13 Poor report writing
Poor work product, which tarnishes the reputation of psychologists in general and holds all up to
- 16 ridicule
- 17 Late reports
- 18 Lack of thorough evaluations
- 43 Lack of research to support findings and relying on subjective opinion

Harmful Behaviors Forensic Psychologists

Child Custody/ Family Law

- Overuse of psychologists in the courtroom in family litigation, leading to increased cost and
- 21 confusion of issues
- 22 Rendering opinions in custody/placement cases where mental illness is NOT an issue
Assisting in family court on matters of placement & custody (psychological studies drive wedges between parties & their families, are extremely expensive and tend to prolong trials
- 23 which also adds to the overall cost of trial)
Inappropriate interview techniques during an alleged child sexual misconduct case which
- 24 subsequently contributes to inaccurate memories
- 25 In custody evaluations, writing recommendations without seeing both parents
Providing judgmental opinions of the other spouse without having the benefit of input from that
- 26 spouse
- 27 In custody evaluations, making recommendations on placement without collateral resources
In custody evaluations, not relying on extensive analysis of background information and the
- 28 current status of both parents and the children
Submitting a child to many evaluations by many forensic "experts" in an abuse or custody case
- 29 as opposed to one evaluation by a neutral, competent evaluator
In mediating divorce issues, attempting to render opinions on financial issues without sufficient
- 62 facts or legal knowledge

Sex Offenders

- 54 Determining risk to re-offend for sexual offenders by use of psycho-sexual evaluation
- 56 Using poorly developed protocol for determinations in 980 (sex predator) cases
Assessing the probability of sexually violent persons reoffending if released from civil
- 57 confinement
- 58 Evaluating and treating sexual offenders who do not fit the diagnostic criteria for paraphilia

Daubert Issues

- 10 Unprepared on the scientific basis of court testimony
- 50 "Junk Science" testimony in the courtroom absent good data, e.g. "battered woman's syndrome"
Offering as scientific theory opinions that are not embraced by the psychological community in
- 60 general

Legal Issues Impacting Professional Practice

- 7 Lack of knowledge of all/any state law that intersects with the practice of psychology
- 30 Failing to recognize sexual abuse of a child
When treating psychologists refuse to release records when authorized consent has been given
- 40 in writing.

Lack of Forensic Training

- 5 Practicing without proper training or knowledge of Forensic Psychology
Lack of specific knowledge of the law that intersects with their psychological expertise, or lack
- 6 of understanding of relevant legal issues.
- 9 Lack of knowledge of the different criteria for decision-making for the various courts.
- 11 Incomplete or unprofessional conduct in forensic activities

- 45 Arrogance and/or resistance, as well as other types of inappropriate behavior in the courtroom

Psychological Factors to Excuse Criminal Liability

- Conducting a criminal evaluation when not knowledgeable in the area which leads to an overly
- 48 optimistic prognosis for the client's rehabilitation
Evaluations of persons or alleged criminals in order to avoid responsibility for a crime because
- 51 of mental disease or defect
Evaluations that attempt to alleviate a person's criminal responsibility based on race, sex,
- 52 neighborhood, or peer group influence
Evaluations of juveniles for the purpose of providing opinions that the juvenile lacked maturity
- 59 to knowingly and intelligently waive their constitutional rights under Miranda

Specific Instances of Professional Malpractice for Forensic Psychology

- 8 Court evaluations that fail to correctly address the referral question
- 14 Misuse of testing instruments in forensic evaluations
- 15 Misinformation to the court and attorneys relative to proper evaluation and/or treatment
- 19 Conducting a forensic evaluation without corroborating evidence
"Bilking" the system to make excessive amounts of money on particular cases, e.g. excessive
- 20 charges for child custody evaluations.
Biased psychological evaluations, or acting as "hired guns," or essentially supporting the
- 31 opinion of the person who hired him/her.
Working too closely with an attorney, not setting firm boundaries and not producing an
- 33 independent assessment and analysis
- 34 When psychologists step in the role of "judge," rather than as a witness
- 35 Agreeing to work for adversarial counsel instead of insisting on court appointment

- 36 Offering opinions regarding a defendant when the psychologist has not seen the defendant.
When treating psychologists give opinions regarding questions they have not objectively
- 37 evaluated
Providing expert opinions on an issue when the psychologist has only functioned or is currently
- 38 functioning as a treating therapist
When psychologists make psychological tests available to attorneys who are not trained to
- 41 interpret them.
- 46 Offering expert testimony without data to support opinion
- 55 Using "risk scales," which can carry undue weight

65 Recommending the release of someone from a civil commitment who goes on to commit a crime

General

- 1 Psychology's overall effect upon the courts
- 2 Psychologists' influences in legal settings in Wisconsin.

Table A

Inter-item reliabilities for the Helpfulness and Future Contributions scales

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
General Areas - Helpfulness	8	43.27	0.82
General Areas - Future	8	27.03	0.86
Competency Issues - Helpfulness	16	84.94	0.83
Competency Issues - Future	16	89.70	0.85
Child Custody Issues - Helpfulness	6	33.34	0.73
Child Custody Issues - Future	6	35.33	0.75
Juvenile Issues - Helpfulness	12	67.00	0.94
Juvenile Issues - Future	12	70.79	0.91
Expert Testimony Specific to a Client - Helpfulness	11	59.21	0.87
Expert Testimony Specific to a Client - Future	11	62.76	0.77

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
Expert Testimony of a Psychological Topic - Helpfulness	3	14.81	0.51
Expert Testimony of a Psychological Topic - Future	3	15.85	0.56
Risk Assessment - Helpfulness	10	38.05	0.88
Risk Assessment - Future	10	54.10	0.90
Family Counseling - Helpfulness	7	38.05	0.82
Family Counseling - Future	7	39.48	0.86
Treatment in Criminal Settings - Helpfulness	10	50.0	0.94
Treatment in Criminal Settings - Future	10	54.85	0.85
Victim Issues - Helpfulness	2	10.2	0.73
Victim Issues - Future	2	10.80	0.57
Specific Topics for Education and Training in Forensic Psychology - Helpfulness	17	89.18	0.92

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
Specific Topics for Education and Training in Forensic Psychology - Future	17	94.89	0.87
Education of the Bar - Helpfulness	7	36.14	0.81
Education of the Bar - Future	7	38.14	0.71
Joint Conferences - Helpfulness	2	10.48	0.49
Joint Conferences - Future	2	11.30	0.72
Public Education - Helpfulness	4	20.58	0.77
Public Education - Future	4	21.98	0.82
Supervision - Helpfulness	3	15.59	0.92
Supervision - Future	3	16.73	0.90
Advocacy - Helpfulness	5	22.00	0.82
Advocacy - Future	5	24.29	0.84
Program Development - Helpfulness	7	35.29	0.84

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
Program Development - Future	7	37.73	0.83
Legal Process - Helpfulness	9	38.34	0.91
Legal Process - Future	9	41.63	0.84
Improve Standards of Forensic Psychology Practice - Helpfulness	7	36.03	0.81
Standards of Forensic Psychology Practice - Future	7	38.98	0.78
Research Helpful to the Area of Forensic Psychology - Helpfulness	7	38.98	0.78
Research Helpful to the Area of Forensic Psychology - Future	5	27.03	0.75
Clarification of the Legal and/ or Psychological Definitions - Helpfulness	2	9.02	0.71
Clarification of the Legal and/ or Psychological Definitions - Future	2	9.91	0.41
Case Consultation - Helpfulness	7	28.17	0.71

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
Case Consultation - Future	7	29.61	0.69
Fitness for Employment - Helpfulness	3	12.74	0.51
Fitness for Employment - Future	3	13.44	0.48
Psychology Ethics - Helpfulness	2	10.09	0.87
Psychology Ethics - Future	2	10.67	0.76
Profiling - Helpfulness	2	7.03	0.70
Profiling - Future	2	5.03	0.76
Advice to Court/ Legal System - Helpfulness	6	27.17	0.71
Advice to Court/ Legal System - Future	6	22.60	0.78
Legal Strategy - Helpfulness	5	29.94	0.87
Legal Strategy - Future	5	21.58	0.84
Assistance in Civil Damage Issues - Helpfulness	5	22.64	0.80
Assistance in Civil Damage Issues - Future	5	24.16	0.82

Table B
Inter-item reliabilities for the Harmfulness and Prevalence Scales

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
General Psychological Harmful or Unprofessional Behaviors			
Going Beyond the Data - Harmfulness	7	37.18	0.63
Going Beyond the Data - Prevalence	7	23.64	0.85
Ethical Violation - Harmfulness	6	36.43	0.50
Ethical Violation - Prevalence	6	19.05	0.81
Lack of Professional Discipline - Harmfulness	5	27.41	0.47
Lack of Professional Discipline - Prevalence	5	17.07	0.84
Harmful Behaviors Specific to the Area of Forensic Psychology			
General - Harmfulness	2	4.29	0.73

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
General - Prevalence	2	7.98	0.88
Child Custody/ Family Law - Harmfulness	10	53.55	0.78
Child Custody/ Family Law - Prevalence	10	32.62	0.75
Assessment and Treatment of Sex Offenders - Harmfulness	4	17.06	0.55
Assessment and Treatment of Sex Offenders - Prevalence	4	16.97	0.28
Expert Testimony - Harmfulness	3	17.12	0.20
Expert Testimony - Prevalence	3	10.18	0.77
Legal Issues Impacting Professional Practice - Harmfulness	3	17.71	0.20
Legal Issues Impacting Professional Practice - Prevalence	3	9.24	0.72
Lack of Forensic Training - Harmfulness	5	29.29	0.54
Lack of Forensic Training - Prevalence	5	17.59	0.66

Subscale	Number of Items	Mean	Inter-Item Reliability (Cronbach's Alpha)
Psychological Factors to Excuse Criminal Liability - Harmfulness	4	17.31	0.65
Psychological Factors to Excuse Criminal Liability - Prevalence	4	12.94	0.71
Specific Instances of Professional Malpractice for Forensic Psychology - Harmfulness	16	89.10	0.84
Specific Instances of Professional Malpractice for Forensic Psychology - Prevalence	16	51.31	0.88

Table C
Inter-class correlation coefficients for Helpfulness and Future Contributions Scales

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
General Areas - Helpfulness (8 items)	3	83.67	.98	2	59.50	0.96	5	101.80	0.19
General Areas - Future (8 items)	3	85.00	0.97	2	64.50	0.27	5	98.60	0.35
Competency Issues - Helpfulness (15 items)	8	79.25	0.96	1	-	-	5	98.20	0.39
Competency Issues - Future (15 items)	10	85.00	0.89	2	63.00	1.0	4	87.00	-.12
Child Custody Issues - Helpfulness									
Child Custody Issues - Future									
Juvenile Issues - Helpfulness (12 items)	2	27.5	1.00	0	-	-	8	112.13	0.85
Juvenile Issues - Future (12 items)	2	36.50	1.00	3	40.33	-1.14	7	109.29	0.87
Expert Testimony Specific to a Client - Helpfulness (11 items)	8	80.00	0.96	5	67.80	0.94	11	109.73	0.93

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Expert Testimony Specific to a Client - Future (11 items)	8	84.25	0.95	5	75.80	0.94	11	114.18	0.94
Expert Testimony of a Psychological Topic - Helpfulness (3 items)	1	-	-	0	-	-	1	-	-
Expert Testimony of a Psychological Topic - Future (3 items)	1	-	-	0	-	-	0	-	-
Risk Assessment - Helpfulness (10 items)	6	68.33	0.97	7	57.43	0.49	5	96.20	0.71
Risk Assessment - Future (10 items)	6	78.83	0.88	6	61.00	0.69	5	98.60	0.89
Family Counseling - Helpfulness (7 items)	2	21.00	.00	2	25.50	-.58	4	82.50	0.39
Family Counseling - Future (7 items)	2	22.00	1.00	2	46.50	-9.00	4	76.25	0.83
Treatment in Criminal Settings - Helpfulness (10 items)	5	71.00	0.49	7	66.57	0.63	4	83.75	0.90
Treatment in Criminal Settings - Future (10 items)	5	72.60	0.62	7	77.00	0.10	5	101.20	0.87

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Victim Issues - Helpfulness (2 items)	2	53.50	0.95	1	-	-	0	-	-
Victim Issues - Future (2 items)	2	62.00	0.96	1	-	-	0	-	-
Specific Topics for Education and Training in Forensic Psychology - Helpfulness (17 items)	9	78.67	0.79	3	54.67	0.08	10	107.90	0.43
Specific Topics for Education and Training in Forensic Psychology - Future (17 items)	9	81.56	0.79	6	68.00	0.70	8	115.38	-0.00
Education of the Bar - Helpfulness (7 items)	2	11.00	1.0	1	-	-	4	79.50	0.43
Education of the Bar - Future (7 items)	2	16.50	-3.00	2	56.00	-11.00	5	107.20	0.84
Joint Conferences - Helpfulness (2 items)	0	-	-	1	-	-	1	-	-
Joint Conferences - Future (2 items)	0	-	-	2	28.00	-7.00	1	-	-
Public Education - Helpfulness (4 items)	2	43.00	0.89	0	-	-	1	-	-
Public Education - Future (4 items)	2	45.50	1.00	1	-	-	1	-	-

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Supervision - Helpfulness (3 items)	3	39.00	0.96	0	-	-	0	-	-
Supervision - Future (3 items)	3	29.67	0.83	0	-	-	0	-	-
Advocacy - Helpfulness (5 items)	2	51.50	0.27	0	-	-	1	-	-
Advocacy - Future (5 items)	2	55.50	0.73	0	-	-	1	-	-
Program Development - Helpfulness (7 items)	3	67.00	-12.40	1	-	-	1	-	-
Program Development - Future (7 items)	3	70.67	0.69	1	-	-	1	-	-
Legal Process - Helpfulness (9 items)	3	54.33	0.88	0	-	-	2	31.50	0.26
Legal Process - Future (9 items)	3	60.00	0.96	0	-	-	1	-	-
Improve Standards of Forensic Psychology Practice - Helpfulness (7 items)	3	54.33	0.82	1	-	-	4	87.00	-2.08
Improve Standards of Forensic Psychology Practice - Future (7 items)	4	78.75	0.92	1	-	-	4	85.50	0.60

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Research Helpful to the Area of Forensic Psychology - Helpfulness (5 items)	3	70.33	0.47	2	29.00	0.26	2	52.00	-1.67
Research Helpful to the Area of Forensic Psychology - Future (5 items)	3	80.67	0.76	2	41.50	-1.14	2	56.00	-1.67
Clarification of the Legal and/ or Psychological Definitions - Helpfulness (2 items)	1	-	-	0	-	-	0	-	-
Clarification of the Legal and/ or Psychological Definitions - Future (2 items)	1	-	-	0	-	-	0	-	-
Case Consultation - Helpfulness (7 items)	1	-	-	1	-	-	1	-	-
Case Consultation - Future (7 items)	1	-	-	1	-	-	1	-	-
Fitness for Employment - Helpfulness (3 items)	0	-	-	0	-	-	0	-	-
Fitness for Employment - Future (3 items)	0	-	-	0	-	-	0	-	-

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Psychology Ethics - Helpfulness (2 items)	2	24.00	0.56	0	-	-	1	-	-
Psychology Ethics - Future (2 items)	2	26.50	0.56	0	-	-	0	-	-
Profiling - Helpfulness (2 items)	0	-	-	0	-	-	0	-	-
Profiling - Future (2 items)	1	-	-	0	-	-	0	-	-
Advice to Court/ Legal System - Helpfulness (6 items)	1	-	-	0	-	-	2	69.50	0.97
Advice to Court/ Legal System - Future (6 items)	1	-	-	0	-	-	2	91.50	0.95
Legal Strategy - Helpfulness (5 items)	0	-	-	1	-	-	1	-	-
Legal Strategy - Future (5 items)	1	-	-	1	-	-	1	-	-
Assistance in Civil Damage Issues - Helpfulness (4 items)	3	31.33	-1.44	0	-	-	3	77.67	0.43
Assistance in Civil Damage Issues - Future (4 items)	3	37.00	-0.64	0	-	-	2	61.50	-0.24

Table D
Inter-class correlation coefficients for Harm and Prevalence Scales

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
General Psychological Harmful or Unprofessional Behaviors									
Going Beyond the Data - Harmfulness (7 items)	5	72.20	0.92	3	80.00	0.96	6	85.17	0.86
Going Beyond the Data - Prevalence (7 items)	5	43.80	0.80	1	-	-	6	58.17	0.77
Ethical Violation - Harmfulness (6 items)	6	81.83	0.96	3	77.67	0.81	6	92.33	0.42
Ethical Violation - Prevalence (6 items)	5	43.80	0.77	3	48.33	0.98	6	50.17	0.93
Lack of Professional Discipline - Harmfulness (5 items)	5	59.00	0.74	4	74.50	0.93	5	89.00	0.88
Lack of Professional Discipline - Prevalence (5 items)	5	33.60	0.14	2	35.50	0.80	5	60.80	0.71

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Harmful Behaviors Specific to the Area of Forensic Psychology									
General - Harmfulness (2 items)	2	14.50	1.00	2	5.00	1.00	2	9.00	0.00
General - Prevalence (2 items)	2	19.00	-5.00	0	-	-	1	-	-
Child Custody/ Family Law - Harmfulness (10 items)	9	72.44	0.98	8	78.88	0.96	9	87.44	0.96
Child Custody/ Family Law - Prevalence (10 items)	2	24.50	0.89	0	-	-	9	56.00	0.69
Assessment and Treatment of Sex Offenders - Harmfulness (4 items)	1	-	-	0	-	-	0	-	-
Assessment and Treatment of Sex Offenders - Prevalence (4 items)	1	-	-	0	-	-	0	-	-
Expert Testimony - Harmfulness (3 items)	2	27.50	-5.00	2	41.50	0.84	2	50.00	-9.00
Expert Testimony - Prevalence (3 items)	3	34.33	0.35	2	38.00	-1.67	3	46.33	0.94

Subscale	Judges			Attorneys			Psychologists		
	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient	Number of Items	Mean	Interclass correlation coefficient
Legal Issues Impacting Professional Practice - Harmfulness (3 items)	3	83.00	0.93	3	58.67	0.86	3	74.00	0.94
Legal Issues Impacting Professional Practice - Prevalence (3 items)	2	31.50	0.61	1	-	-	3	53.33	0.66
Lack of Forensic Training - Harmfulness (5 items)	5	66.80	0.73	3	87.67	0.85	4	76.00	0.76
Lack of Forensic Training - Prevalence (5 items)	5	32.20	0.79	0	-	-	4	54.50	0.89
Psychological Factors to Excuse Criminal Liability - Harmfulness (4 items)	2	45.00	1.00	0	-	-	2	70.00	0.94
Psychological Factors to Excuse Criminal Liability - Prevalence (4 items)	2	36.00	0.96	0	-	-	2	44.50	0.62
Specific Instances of Professional Malpractice for Forensic Psychology - Harmfulness (16 items)	15	73.60	0.96	10	78.00	0.95	15	92.47	0.90
Specific Instances of Professional Malpractice for Forensic Psychology - Prevalence (16 items)	15	44.07	0.68	5	50.80	0.67	15	54.60	0.72

Table E
Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the helpfulness of forensic psychology to the legal system

Helpfulness	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
General Areas	5.21 ^a	0.54	4.63 ^b	0.82	5.79 ^{ab}	0.54	46	5.63	.000
Competency Issues	5.16 ^a	0.43	4.81 ^b	0.83	5.68 ^{ab}	0.45	46	9.38	.000
Child Custody Issues	5.56 ^a	0.65	5.36 ^b	0.89	6.24 ^{ab}	0.62	46	7.12	.002
Juvenile Issues	5.46	0.45	4.98 ^a	1.03	5.91 ^a	0.56	46	7.02	.002
Evaluation and Expert Testimony Specific to a Client	5.17 ^a	0.39	4.87 ^b	0.77	5.78 ^{ab}	0.54	46	10.80	.000
Expert Testimony of a Psychological Topic	4.80	0.66	4.40 ^a	1.17	5.17 ^a	0.60	46	3.58	.036
Risk Assessment	4.60 ^a	0.67	4.34 ^b	1.03	5.45 ^{ab}	0.58	46	9.85	.000
Family Counseling	5.06 ^a	0.59	4.78 ^b	0.87	5.80 ^{ab}	0.61	46	9.96	.000
Treatment in Criminal Settings	4.97	0.45	4.37 ^a	1.04	5.45 ^a	0.71	46	8.27	.001

Table E
Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the helpfulness of forensic psychology to the legal system

Helpfulness	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Victim Issues	4.90	0.76	4.63	1.39	5.39	1.13	45	1.93	.158
Specific Topics for Education and Training in Forensic Psychology	5.15 ^a	0.41	4.45 ^{ab}	1.00	5.50 ^b	0.67	46	8.82	.001
Education of the Bar	5.03	0.51	4.60 ^a	1.12	5.45 ^a	0.74	46	4.52	.016
Joint Conferences	5.57 ^a	0.68	4.40 ^{ab}	1.18	5.45 ^b	0.90	45	7.09	.002
Public Education	5.19 ^a	0.62	4.17 ^{ab}	1.10	5.55 ^b	0.84	46	10.94	.000
Supervision	5.00	0.68	4.57 ^a	1.13	5.63 ^a	1.04	42	4.60	.016
Advocacy	4.00	0.94	3.79 ^a	1.15	5.10 ^a	1.08	46	7.56	.001
Program Development	5.17 ^a	0.60	4.20 ^{ab}	1.12	5.23 ^b	0.90	46	6.60	.003
Legal Process	4.13	0.62	3.90	1.14	4.70	1.10	46	2.96	.062

Table E
Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the helpfulness of forensic psychology to the legal system

Helpfulness	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Improve Standards of Forensic Psychology Practice	5.08	0.63	4.47 _a	1.15	5.43 _a	0.86	46	4.77	.013
Clarification of the Legal and/ or Psychological Definitions	4.63 _a	0.58	3.69 _{ab}	1.22	5.00 _b	0.85	42	8.03	.001
Research Helpful to the Area of Forensic Psychology	4.95	0.75	4.38	1.30	5.26	0.90	46	3.21	.049
Case Consultation	3.82 _a	0.69	3.42 _b	0.80	4.54 _{ab}	0.68	46	10.53	.000
Fitness for Employment	3.75 _a	0.66	3.69 _b	1.33	5.00 _{ab}	0.85	45	9.82	.000
Psychology Ethics	4.87	0.69	4.32 _a	1.27	5.66 _a	1.23	45	6.15	.004
Profiling	3.11	1.21	3.12	1.33	3.47	1.21	40	3.46	.041
Advice to Court/ Legal System	4.37 _a	0.64	3.95 _b	1.15	5.18 _{ab}	0.51	46	10.57	.000
Legal Strategy	3.35 _a	0.83	3.94 _b	1.17	4.91 _{ab}	0.70	46	12.95	.000

Table E

Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the helpfulness of forensic psychology to the legal system

Helpfulness	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Assistance in Civil Damage Issues	4.36	1.07	3.92 _a	1.25	5.05 _a	0.57	45	5.75	.006

Note - Means with the same letters represent groups that differ significantly from one another (Scheffe significance = .05)

Table F
Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the future contribution of forensic psychology to the legal system

Future Contribution	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
General Areas	5.38 ^a	0.65	5.08 ^b	0.90	6.10 ^{ab}	0.50	46	99.88	.000
Competency Issues	5.40 ^a	0.30	5.23 ^b	0.83	6.00 ^{ab}	0.57	46	6.93	.002
Child Custody Issues	5.87 ^a	0.59	5.86 ^b	0.79	6.57 ^{ab}	0.47	46	7.60	.001
Juvenile Issues	5.72	0.46	5.40 ^a	0.93	6.16 ^a	0.47	46	6.00	.005
Evaluation and Expert Testimony Specific to a Client	5.44 ^a	0.38	5.42 ^b	0.59	6.01 ^{ab}	0.41	46	9.05	.000
Expert Testimony of a Psychological Topic	5.09	0.78	5.18	1.06	5.38	0.98	45	0.42	.661
Risk Assessment	5.16	0.71	4.82 ^a	1.12	5.80 ^a	0.52	46	6.71	.003
Family Counseling	5.33	0.52	5.13 ^a	1.08	5.92 ^a	0.81	46	4.23	.021
Treatment in Criminal Settings	5.44	0.39	5.08 ^a	0.83	5.81 ^a	0.53	46	6.12	.004

Table F
Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the future contribution of forensic psychology to the legal system

Future Contribution	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Victim Issues	5.27	0.59	5.07	1.21	5.61	1.10	45	1.24	.298
Specific Topics for Education and Training in Forensic Psychology	5.35	0.43	4.97 ^a	0.98	5.84 ^a	0.53	46	7.16	.002
Education of the Bar	5.21	0.53	5.03 ^a	0.99	5.74 ^a	0.64	46	4.27	.020
Joint Conferences	5.96 ^a	0.82	5.00 ^{ab}	1.16	5.94 ^b	0.91	45	5.00	.011
Public Education	5.44	0.70	4.66 ^a	1.21	5.85 ^a	0.68	46	7.80	.001
Supervision	5.31	0.58	5.33	0.92	5.87	1.02	42	2.15	0.129
Advocacy	4.40 ^a	1.04	4.35 ^b	1.07	5.40 ^{ab}	1.04	46	5.49	.007
Program Development	5.63 ^a	0.51	4.83 ^a	0.94	5.41	0.92	46	5.49	.007
Legal Process	4.43	0.83	4.45	0.90	4.88	1.05	46	1.25	.296

Table F
Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the future contribution of forensic psychology to the legal system

Future Contribution	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Improve Standards of Forensic Psychology Practice	5.41	0.65	4.90 ^a	1.12	5.75 ^a	0.84	46	3.91	.027
Clarification of the Legal and/ or Psychological Definitions	5.20 ^a	0.70	4.23 ^{ab}	1.11	5.24 ^b	0.77	42	6.07	.005
Research Helpful to the Area of Forensic Psychology	5.63	0.74	4.96	1.27	5.45	0.77	46	1.82	.141
Case Consultation	4.02	0.68	3.90 ^a	0.75	4.70 ^a	0.89	46	5.23	.009
Fitness for Employment	3.82 ^a	0.64	3.86 ^b	1.07	5.21 ^{ab}	1.01	45	12.23	.000
Psychology Ethics	5.17	0.77	5.07	0.83	5.76	1.16	45	2.61	.085
Profiling	3.73	1.46	3.81	1.59	4.5	0.87	42	1.66	.202
Advice to Court/ Legal System	4.61	0.63	4.32 ^a	1.13	5.39 ^a	0.64	46	7.80	.001
Legal Strategy	3.53 ^a	0.83	4.21 ^b	0.93	5.01 ^{ab}	0.84	46	13.16	.000

Table F

Means, Standard Deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the future contribution of forensic psychology to the legal system

Future Contribution	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Assistance in Civil Damage Issues	4.56	0.96	4.36 _a	1.24	5.36 _a	0.64	45	5.31	.009

Note - Means with the same letters represent groups that differ significantly from one another (Scheffe significance = .05)

Table G

Means, standard deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the harmfulness forensic psychology to the legal system

Harmfulness	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
General Psychological Harmful or Unprofessional Behaviors									
Going Beyond the Data	5.25	0.49	5.36	0.44	5.31	0.55	42	0.19	.826
Ethical Violation	5.85	0.34	6.21	0.44	6.21	0.48	42	3.37	.044
Lack of Professional Discipline	5.36	0.28	5.55	0.44	5.56	0.51	42	1.03	.367
Harmful Behaviors Specific to the Area of Forensic Psychology									
General	2.25	0.94	2.27	0.68	1.94	0.68	42	0.90	.413
Child Custody/ Family Law	5.27	0.27	5.16	0.83	5.33	0.60	42	0.32	.729
Assessment and Treatment of Sex Offenders	3.86 _a	0.57	5.02 _{ab}	0.56	4.19 _b	0.71	40	12.19	.000
Expert Testimony	5.50	0.47	5.96	0.62	5.65	0.43	42	3.05	.058

Harmfulness	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
Legal Issues Impacting Professional Practice	5.93	0.27	5.98	0.75	5.81	0.61	42	3.71	.033
Lack of Forensic Training	5.63	0.46	5.87	0.51	5.93	0.40	42	1.77	0.183
Psychological Factors to Excuse Criminal Liability	4.11	0.64	4.41	1.53	4.54	0.80	42	0.61	.548
Specific Instances of Professional Malpractice for Forensic Psychology	5.29 _a	0.38	5.56	0.36	5.70 _a	0.49	42	3.71	.033

Note - Means with the same letters represent groups that differ significantly from one another (Scheffe significance = .05)

Table H

Means, standard deviations, and ANOVA summary information for analyses comparing Judges, Attorneys, and Psychologists and their ratings of the prevalence of harm of forensic psychology to the legal system

Prevalence of Harm	Judges		Attorneys		Psychologists		d.f.	F	p<
	M	SD	M	SD	M	SD			
General Psychological Harmful or Unprofessional Behaviors									
Going Beyond the Data	3.11	0.87	3.54	0.83	3.57	0.77	42	1.44	.249
Ethical Violation	3.01	0.81	3.18	0.57	3.26	0.76	42	0.46	.632
Lack of Professional Discipline	3.01	0.81	3.18	0.57	3.26	0.76	42	3.23	.050
Harmful Behaviors Specific to the Area of Forensic Psychology									
General	3.86	0.95	4.13	0.99	3.91	1.60	42	0.21	.811
Child Custody/ Family Law	3.25	0.66	3.23	0.72	3.42	0.40	42	0.44	.650
Assessment and Treatment of Sex Offenders	4.35	0.62	3.85	0.57	4.24	0.67	39	2.30	.114
Expert Testimony	2.88 ^a	0.96	3.44	1.04	3.77 ^a	0.83	42	3.35	.045

	Judges		Attorneys		Psychologists		F	p<	
	M	SD	M	SD	M	SD			
Prevalence of Harm									
Legal Issues Impacting Professional Practice	2.99	1.11	2.81	0.66	3.52	0.91	42	2.59	.087
Lack of Forensic Training	2.94	1.00	3.88	1.26	3.83	0.74	42	3.90	.028
Psychological Factors to Excuse Criminal Liability	2.74	0.56	3.36	0.95	3.40	0.90	40	2.82	.072
Specific Instances of Professional Malpractice for Forensic Psychology	3.14	0.72	3.28	0.63	3.43	0.65	42	0.71	.497

Note - Means with the same letters represent groups that differ significantly from one another (Scheffe significance = .05)

Table I
Top ten Helpfulness scales for Judges, Attorneys, and Psychologists

Judges		Attorneys		Psychologists	
Joint Conferences	5.57	Child Custody Issues	5.36	Child Custody Issues	6.24
Child Custody	5.56	Juvenile Issues	4.98	Juvenile Issues	5.91
Juvenile Issues	5.46	Evaluation and Expert Testimony Specific to a Client	4.87	Family Counseling	5.80
General Areas	5.21	Competency Issues	4.81	General Areas	5.79
Public Education	5.19	Family Counseling	4.78	Evaluation and Expert Testimony Specific to a Client	5.78
Evaluation and Expert Testimony Specific to a Client	5.17	General Areas	4.63	Competency Issues	5.68
Program Development	5.17	Victim Issues	4.63	Psychology Ethics	5.66
Competency Issues Specific Topics for Education and Training in Forensic Psychology	5.16	Education of the Bar	4.60	Supervision	5.63
	5.15	Supervision	4.57	Public Education	5.55
Improve Standards of Forensic Psychology Practice	5.08	Specific Topics for Education and Training in Forensic Psychology	4.45	Specific Topics for Education and Training in Forensic Psychology	5.50

Table J
Top ten Future Contributions scales for Judges, Attorneys, and Psychologists

Judges		Attorneys		Psychologists	
Joint Conferences	5.96	Child Custody Issues	5.86	Child Custody Issues	6.57
Child Custody Issues	5.87	Evaluation and Expert Testimony Specific to a Client	5.42	Juvenile Issues	6.16
Juvenile Issues	5.72	Juvenile Issues	5.40	General Areas	6.10
Program Development	5.63	Supervision	5.33	Evaluation and Expert Testimony Specific to a Client	6.01
Research Helpful to the Area of Forensic Psychology	5.63	Competency Issues	5.23	Competency Issues	6.00
Evaluation and Expert Testimony Specific to a Client	5.44	Expert Testimony of a Psychological Topic	5.18	Joint Conferences	5.94
Treatment in Criminal Settings	5.44	Family Counseling	5.13	Family Counseling	5.92
Public Education	5.44	General Areas	5.08	Supervision	5.87
Improve Standards of Forensic Psychology Practice	5.41	Treatment in Criminal Settings	5.08	Public Education	5.85
Competency Issues	5.40	Victim Issues	5.07	Specific Topics for Education and Training in Forensic Psychology	5.84

Table K
Judges, Attorneys, and Psychologists' ranking of harm specific to forensic psychology

Judges		Attorneys		Psychologists	
Legal Issues Impacting Professional Practice	5.93	Legal Issues Impacting Professional Practice	5.98	Lack of Forensic Training	5.93
Lack of Forensic Training	5.63	Expert Testimony	5.96	Legal Issues Impacting Professional Practice	5.81
Expert Testimony	5.50	Lack of Forensic Training	5.87	Specific Instances of Professional Malpractice for Forensic Psychology	5.70
Specific Instances of Professional Malpractice for Forensic Psychology	5.29	Specific Instances of Professional Malpractice for Forensic Psychology	5.56	Expert Testimony	5.65
Child Custody / Family Law	5.27	Child Custody / Family Law	5.16	Child Custody / Family Law	5.33
Psychological Factors to Excuse Criminal Liability	4.11	Assessment and Treatment of Sex Offenders	5.02	Psychological Factors to Excuse Criminal Liability	4.54
Assessment and Treatment of Sex Offenders	3.86	Psychological Factors to Excuse Criminal Liability	4.41	Assessment and Treatment of Sex Offenders	4.19
General	2.25	General	2.27	General	1.94

Table L

Judges, Attorneys, and Psychologists' ranking of prevalence of harm specific to forensic psychology

Judges		Attorneys		Psychologists	
Assessment and Treatment of Sex Offenders	4.35	General	4.13	Assessment and Treatment of Sex Offenders	4.24
General	3.86	Lack of Forensic Training	3.88	General	1.60
Child Custody/ Family Law	3.25	Assessment and Treatment of Sex Offenders	3.85	Lack of Forensic Training	3.83
Specific Instances of Professional Malpractice for Forensic Psychology	3.14	Expert Testimony	3.44	Expert Testimony	3.77
Legal Issues Impacting Professional Practice	2.99	Psychological Factors to Excuse Criminal Liability	3.36	Legal Issues Impacting Professional Practice	3.52
Lack of Forensic Training	2.94	Specific Instances of Professional Malpractice for Forensic Psychology	3.28	Child Custody/ Family Law	3.42
Expert Testimony	2.88	Child Custody/ Family Law	3.23	Specific Instances of Professional Malpractice for Forensic Psychology	3.43
Psychological Factors to Excuse Criminal Liability	2.74	Legal Issues Impacting Professional practice	2.81	Psychological Factors to Excuse Criminal Liability	3.40

Marquette University

This is to certify that we have examined
this copy of the dissertation by

Deborah L. Fischer, M.A.

And have found that it is complete
and satisfactory in all respects.

This dissertation has been approved by:



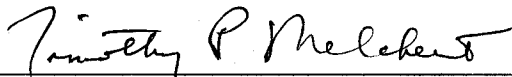
Dissertation Director, Department of Counseling and Educational Psychology



Todd C. Campbell, Ph.D. Dissertation Chair



Norman Goldfarb, Ph.D. Committee Member



Timothy Melchert, Ph.D. Committee Member

Approved on
February 13, 2007