

## FRNSC 400: COURTROOM PROCEEDINGS AND TESTIMONY



Welcome to FRNSC 400!

FRNSC 400 will enhance your understanding of courtroom proceedings as they relate to forensic science, and prepare you for expert witness testimony. The course will provide you with useful resources on how to prepare for and present your findings in a court of law, and for courses such as FRNSC 421W, which includes a mock testimony exercise.

FRNSC 400 is a fun course, so come prepared to interact with your classmates and instructor. And be sure to read through the syllabus where you'll find important resources and information that will help you achieve your personal goals.

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### **My contact information:**

**Mitchell Holland, 014 Thomas Building (basement), [mmh20@psu.edu](mailto:mmh20@psu.edu), 865-5286**

Office Hours: By appointment

### **We'll meet on Monday's from 1:25-2:15 PM in 117 Thomas:**

For those who are available, we'll also meet on specified Friday's in the mock courtroom in **110 Katz Building** (Law School)

The Friday dates can be found in the tentative agenda at the end of the syllabus

### **Required Text:**

*Succeeding as an Expert Witness*, by Feder and Houck, CRC Press (available as an eBook through the library)

### **Course Resources:**

You can find most of the material for this course at the FRNSC 400 site on CANVAS; for example, the syllabus, PowerPoint's, and testimony transcripts.

**Learning Objectives:** *Accomplished through lectures, guest speaker sessions, and active learning. Assessed through quizzes and class exercises.*

## ***PLEASE READ THE LEARNING OBJECTIVES***

*At the end of this course, you should better understand ...*

- ❖ the Federal rules of evidence, as they apply to forensic scientists, and the admissibility process.

- ❖ the various environments where expert testimony can be given (e.g., the differences between a deposition, grand jury proceeding, bench trial, and jury trial).
- ❖ the role of each player in a deposition, grand jury or trial proceeding.
- ❖ the procedures involved in direct and cross examination of experts.
- ❖ the expectations of dress, demeanor and delivery when providing expert testimony.
- ❖ the importance of ethical behavior when providing expert testimony.
- ❖ the physical design and features of a courtroom, and how expert testimony is given at the trial level.
- ❖ the differences between verbalized and written expert testimony.
- ❖ the practice of effective trial strategies, as they relate to forensic scientists.

**Graded Opportunities:**

- I. *Quizzes*: Two (2) quizzes given during class. The quiz schedule can be found in the Tentative Agenda provided at the end of the syllabus.
- II. *Testimony Exercise*: Working in groups of three (3), identify a court case with enough forensic evidence to develop 20 minutes of trial testimony. Each team member will serve as an expert, prosecutor, and defense attorney. **By 30 August**, identify your team leader and have them send me an email message. For continuity purposes, the team leader will be the POC for each team when communicating with me. **By 20 September**, obtain approval for a case to present.
- III. *Class Participation*: Attendance is expected at each class allowing students to realize the most fruitful outcome.

**Grading:**

<i>Quizzes</i> (100 pts each)	=	200 pts (40%)
<i>Testimony Exercise</i>	=	300 pts (60%)
<i>Class Participation</i> (10 pts lost for each unexcused absence)	=	0 pts (0%)
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TOTAL	=	500 pts (100%)

*Grading Scheme:*

Grading will follow University's guidelines. The following is a typical grading scheme used in previous semesters:

93-100 = A, 88-92 = A-, 84-87 = B+, 80-83 = B, 76-79 = B-  
72-75 = C+, 68-71 = C, 58-67 = D, <58 = F

**Exam Policy:**

Requests for a makeup quiz must be made by sending me an email *no later than two weeks prior* to the scheduled quiz. If an unexpected illness keeps a student from attending a quiz, an email must be sent to me prior to the class period in order for the student to be allowed to take a makeup.

No bathroom breaks are allowed during quizzes, and nothing is allowed on your desk other than writing utensils and a calculator (when necessary).

**Academic Integrity:**

In an examination setting, unless the instructor gives explicit prior instructions to the contrary, violations of academic integrity shall consist of any attempt to receive assistance from written or printed aids, from any person or papers or electronic devices, or of any attempt to give assistance, whether the student doing so has completed his or her own work or not. Other violations include, but are not limited to, any attempt to gain an unfair advantage in regard to an examination, such as tampering with a graded exam or claiming another's work to be one's own. Failure to comply will lead to sanctions against the student in accordance with the [Policy on Academic Dishonesty](#) in the Eberly College of Science. All University and Eberly College of Science policies regarding academic integrity/academic dishonesty apply to the students enrolled in this course. Refer to the following URL for further details on the academic integrity policies of the Eberly College of Science: <http://science.psu.edu/current-students/Integrity/Policy.html>.

Matters of academic dishonesty will be turned over to the University disciplinary system and may result in a failing grade for the course.

**Disability Policy:**

Penn State welcomes students with disabilities into the University's educational programs. If you have a disability-related need for reasonable academic adjustments in this course, contact the Office for Disability Services (ODS) at [814-863-1807](tel:814-863-1807) (V/TTY). For further information regarding ODS, please visit the Office for Disability Services Web site at <http://equity.psu.edu/ods/>.

You must contact ODS and request academic adjustment letters at the beginning of each semester. In order to receive consideration for course accommodations, you must contact ODS and provide documentation (<http://equity.psu.edu/ods/guidelines/documentation-guidelines>). If the documentation supports the need for academic adjustments, ODS will provide a letter identifying the appropriate adjustments. Please share this information and discuss the adjustments with your instructor as early in the course as possible.

**Mutual Respect and Cooperation:**

The Eberly College of Science Code of Mutual Respect and Cooperation (<http://science.psu.edu/climate>) embodies the values that we hope our faculty, staff, and students possess and will endorse to make The Eberly College of Science a place where every individual feels respected and valued, as well as challenged and rewarded.

**Reporting Bias:**

Students who experience intolerance or bias, or who observe intolerance or bias, can visit the following website (<http://equity.psu.edu/reportbias>) to report the incident(s).

**Counseling & Psychological Services:**

Students are encouraged to reach out to CAPS in the Student Health Center (<https://studentaffairs.psu.edu/counseling>) for help when needed.

**How to be Successful in this Course:**

Be prepared. Study the PowerPoint presentations ahead of the class and read the text book and transcript assignments. Come to every class, ask questions, and schedule one-on-one meetings with Dr. Holland if you need help.

**TENTATIVE AGENDA**

- AUG 26 (1):       **Introduction (117 Thomas Building)**  
Course Goals, Assessment, and Assignments  
*October 30<sup>th</sup>: "Tour" of the mock courtroom in 110 Katz Building*
- SEP 2:               **NO CLASS (Labor Day)**
- SEP 9 (2):         **Rules of Evidence & Admissibility (117 Thomas Building)**  
Federal Rules of Evidence, Article VII: Opinions and Expert Testimony (rules #701 to #706), general acceptance (Frye) versus the Daubert Standard, and the admissibility process
- SEP 16 (3):        **Environments, Players & Preparation (117 Thomas Building)**  
The various environments where expert testimony can be given (e.g., the differences between a deposition, grand jury proceeding, bench trial, and jury trial), the role of players in each environment, and pre-trial preparations
- SEP 23:            **NO CLASS (ISHI Meeting)**
- SEP 30 (4):        **QUIZ 1 on PowerPoints from 9 & 16 Sep (117 Thomas Building)**
- OCT 7 (5):         **Testimony Procedures & Practices (117 Thomas Building)**  
Procedures involved in direct and cross examination of experts; expectations of dress, demeanor and delivery when providing expert

testimony; and importance of ethical behavior when providing expert testimony

- OCT 14 (6): **Witness Transcripts: Part 1 (117 Thomas Building)**  
Robin Lovett case
- OCT 21 (7): **Witness Transcripts: Part 2 (117 Thomas Building)**  
Robin Lovett Case
- OCT 28 (8): **Faculty Testimony (117 Thomas Building)**  
FRNSC faculty & second year graduate students will present examples of expert witness testimony
- NOV 4 (9): **QUIZ 2 on Lovett Case & Testimony Practices (117 Thomas Building)**  
*Nov 8<sup>th</sup>: Testimony by Student Teams 1K & 2K (110 Katz Building)*
- NOV 11 (10): *Testimony by Student Teams 1T & 2T (117 Thomas Building)*  
*Nov 15<sup>th</sup>: Testimony by Student Teams 3K & 4K (110 Katz Building)*
- NOV 18 (11): *Testimony by Student Teams 3T & 4T (117 Thomas Building)*
- NOV 25: **NO CLASS (Thanksgiving Break)**
- DEC 2 (12): **Scripted Video Testimony (*My Cousin Vinny*) (117 Thomas Building)**
- DEC 9 (13): **Wrap-up: Lessons Learned (117 Thomas Building)**  
Creamery Ice Cream!!