



Christopher Cronin

Ψ FORENSIC PSYCHOLOGY *An Applied Approach*

Third Edition

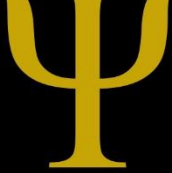
Chapter 12 ***Emerging Trends in*** ***Forensic Psychology***



FORENSIC
PSYCHOLOGY
An Applied Approach

Four Emerging Trends

- Increased Growth and Sophistication within the Specialty
- Increased Cooperation between Law and Psychology
- Future Training Models for Forensic Psychology
- Therapeutic Jurisprudence



FORENSIC
PSYCHOLOGY
An Applied Approach

Increased Growth and Sophistication

- Economic and scholarly forces will continue to make forensic psychology an attractive specialty
 - Effects of managed care
 - Psychologists seeking other avenues of revenue (i.e. coaching)
 - Increase training opportunities at the undergraduate, graduate and post-graduate level including internships, post-doctoral residencies and continuing education



FORENSIC
PSYCHOLOGY
An Applied Approach

Increased Growth and Sophistication

- Increased recognition of psychological expertise in the courtroom
- With more training opportunities, more research devoted to psycho-legal issues
- Designation of forensic psychology as a specialty by APA
- Establishment of specific assessment guidelines such as custody evaluations, law enforcement selection guidelines, psychological autopsies, etc.



FORENSIC
PSYCHOLOGY
An Applied Approach

Increased Growth and Sophistication

- Predict continued growth in the field of forensic psychology with increased expectations on training and credentialing and an expanding role for psychologists to interact within the legal system



FORENSIC
PSYCHOLOGY
An Applied Approach

Increased Cooperation between Law and Psychology

- With the increased sophistication in the field of forensic psychology, there has been a comparable increase in collaboration between psychology and representatives from the legal system: reflected in hiring practices, clinical workshops, and scholarly works.



FORENSIC
PSYCHOLOGY
An Applied Approach

Increased Cooperation between Law and Psychology

- Several examples:
 - Chief of the FBI Behavioral Science Unit was a psychologist; unit employs clinical psychologists
 - The 11Th National Conference on Children and the Law, a biennial event sponsored by the American Bar Association, was for the first time co-sponsored by the APA
 - Collaborative continuing education workshops between APA and ABA at the annual meeting of the APA as well as publications for attorneys and psychologists



FORENSIC
PSYCHOLOGY
An Applied Approach

Increased Cooperation between Law and Psychology

- These examples reflect the increased professional acceptance among the various disciplines and also illustrates the recognition by the legal system that psychology can make contributions to resolving legal questions.



FORENSIC
PSYCHOLOGY
An Applied Approach

Influencing Public Policy

With increased collaboration between psychology and the legal system, it is inevitable that we will see more attempts by the profession of psychology to influence public policy

- Psychologists holding elected office
- APA lobbying legislatures
- APA entering into class action lawsuits
- APA organizing letter writing campaigns
- APA use of the amicus brief



FORENSIC
PSYCHOLOGY
An Applied Approach

Influencing Public Policy

Use of the *amicus brief* to influence public policy

- Amicus brief – “a friend of the court... [A] bystander, who without having an interest in the case of his own knowledge makes a suggestion on a point of law or a fact for the information of the presiding judge.”



FORENSIC
PSYCHOLOGY
An Applied Approach

Amicus Brief

- Can be of two types:
 - *Science-translation brief* – an objective summary of research
 - *Advocacy brief* – takes a stand on a legal or social issue related to public policy
- Either can be submitted to the courts to inform or sway the court's decision



FORENSIC
PSYCHOLOGY
An Applied Approach

Future Training Models for Forensic Psychology

- With the growth of forensic psychology, there will also be increased standardization regarding training and credentialing
- A variety of standards have been proposed though none have as of yet been adopted
- Recent revision of Specialty Guidelines for Forensic Psychology (2013)
 - <https://www.apa.org/practice/guidelines/forensic-psychology.aspx>



FORENSIC
PSYCHOLOGY
An Applied Approach

Future Training Models for Forensic Psychology

- The Villanova Conference (1995) established recommendations regarding three levels of training in forensic psychology
 - *Entry level*
 - *Proficiency level*
 - *Specialty level*



FORENSIC
PSYCHOLOGY
An Applied Approach

Three Levels of Training in Forensic Psychology

- *Entry level* – The legally informed clinician; develop a working knowledge of legal issues relevant to psychological practice (e.g. confidentiality, third-party reporting, etc.) recognition that legal issues have permeated traditional practice.
- *Proficiency level* – establish forensic competence in one or more circumscribed areas related to some other major clinical specialty with which the psychologist has primary identification and expertise (e.g. child psychologist who performs custody evaluations as part of the general practice.)



FORENSIC
PSYCHOLOGY
An Applied Approach

Three Levels of Training in Forensic Psychology

- *Specialty level* - oriented toward the training of psychologists whose professional activities focus primarily on the provision of services to courts, attorneys, law enforcement, or corrections.
- Main professional identification is in forensic psychology. Involves intensive didactic and supervised experience in forensic work.



FORENSIC
PSYCHOLOGY
An Applied Approach

Training in Legal Psychology

- Recommendations from the Villanova Conference suggest that, in addition to core curriculum in psychology, graduate students obtain legal knowledge (e.g. criminal law, civil law, etc.)
- Additional recommendations cover internship, postdoctoral and continuing education training



FORENSIC
PSYCHOLOGY
An Applied Approach

Summary Regarding Training

- There has been an increase in training opportunities at all levels of the education spectrum, standardization of training guidelines, and possibly future credentialing of forensic psychologists.
- Academic programs are offering specializations and advanced degrees in forensic psychology



FORENSIC
PSYCHOLOGY
An Applied Approach

Therapeutic Jurisprudence

- *Therapeutic Jurisprudence* uses social science to “study the extent to which a legal rule or practice promotes the psychological and physical well-being of the people it affects” (Slobogin, 1995, p. 767).



FORENSIC
PSYCHOLOGY
An Applied Approach

Therapeutic Jurisprudence

- Therapeutic jurisprudence focuses on how substantive law and legal proceedings affect the psychological well-being of participants





FORENSIC
PSYCHOLOGY
An Applied Approach

Therapeutic Jurisprudence

- Has primarily taken two forms:
 - Therapeutic lawyering – changes to the lawyer-client relationship that produce more therapeutic outcomes for the client
 - TJ suggests ways laws might be changed, administered or applied differently to enhance their therapeutic consequences



FORENSIC
PSYCHOLOGY
An Applied Approach

Therapeutic Jurisprudence

- Emphasizes the process of adjudication rather than the outcome – how the participants feel that they are treated throughout the process
- Has been successfully applied to wide range of areas including criminal law, personal injury law, employment law and family law



FORENSIC
PSYCHOLOGY
An Applied Approach

Therapeutic Jurisprudence

- Seeks to improve, restore, or maintain the psychological well-being of individuals involved
- Explicitly considers concerns in addition to strict legal rights and entitlements
- Due to extralegal focus and therapeutic goal, this approach is collaborative and nonadversarial



FORENSIC
PSYCHOLOGY
An Applied Approach

Therapeutic Jurisprudence

- Appears to unify other similar movements such as specialized courts, restorative justice, preventive law and creative problem solving
- Breadth of and popular interest in therapeutic jurisprudence is growing
- In 2017, the International Society for Therapeutic Jurisprudence was formed (ISTJ: www.istj.com)



FORENSIC
PSYCHOLOGY
An Applied Approach

Summary: Four Emerging Trends in Forensic Psychology

- Increased Growth and Sophistication within the Specialty
- Increased Cooperation between Law and Psychology
- Future Training Models for Forensic Psychology
- Therapeutic Jurisprudence



FORENSIC
PSYCHOLOGY
An Applied Approach

Web Sites

- FBI Behavioral Science Unit
 - <http://www.fbi.gov/hq/td/academy/bsu/bsu.htm>
- American Psychology – Law Society list of graduate training opportunities
 - <http://www.ap-ls.org/academics/programsIndex.html>



FORENSIC
PSYCHOLOGY
An Applied Approach

Web Sites

- Therapeutic Jurisprudence
 - Dr. David Wexler
<http://www.law.arizona.edu/depts/upr-intj/>
 - Dr. Bruce Winick
<http://www.brucewinick.com/therapeutic-jurisprudence>
- International Society for Therapeutic Jurisprudence was formed (ISTJ)
www.istj.com



FORENSIC
PSYCHOLOGY
An Applied Approach

Notes

