

**COURSE APPROVAL DOCUMENT**  
Southeast Missouri State University

Department: Chemistry

Course No. FS405/FS605

Title of Course: Forensic Expert Witness Testimony

Date: 4/25/2018

Please check:  New  
 Revision

I. Catalog Description (Credit Hours of Course): Survey of principles and practice of forensic expert witness testimony, and the scientific and legal issues affecting the expert witness. (2 credit hours)

II. Prerequisite(s): Consent of the instructor

Co-requisite(s):

III. Purposes or Objectives of the Course (optional):

- A. Students will become familiar with the fundamentals of the legal system as it applies to an expert witness.
- B. Students will learn the relationship between science and the law and the rules and precedents that define it.
- C. Students will learn and practice the mechanics and the art of rendering forensic expert witness testimony.
- D. Students will learn the essential importance of ethics and professional responsibility for an expert witness.

IV. Course Learning Outcomes (Minimum of 3):

- A. Students will be able to identify the legal rules and precedents pertaining to expert witness testimony.
- B. Students will be able to explain assigned scientific processes and instruments in simple, layperson's terms.
- C. Students will be able to render expert witness testimony, based on a hypothetical case, in a mock trial setting.

V. Names of Faculty Qualified to Teach the Proposed Course:

- A. Dr. Jim McGill (Professor)
- B. Ms. Pam Johnson (Adjunct faculty)

VI. Course Content or Outline (Indicate number of class hours per unit or section):

- A. Introduction and Overview of Expert Witnessing (1 hour)
- B. Personnel and Participants in the Legal Process (2 hours)
- C. Overview of Legal Systems (2 hours)
- D. Methods, Testing, and Science (4 hours)
- E. Overview of Court Testimony (2 hours)
- F. Direct Examination of Experts (4 hours)
- G. Visual Display of Information (3 hours)
- H. Cross Examination of Experts (4 hours)
- I. Ethics and Professional Responsibility (4 hours)
- J. Moot Court (4 hours)

**Attach the following:**

- copy of example class syllabus and course schedule.
- memo from Library Dean assessing available and needed library holdings and resources.
- memo(s) from Department Chairs in affected departments stating possible issues and/or conflicts are resolved.

Signature: Philip W. Crawford  
Chair

Date: 9/19/18

Signature: Bradley Decker  
Dean

Date: 11/2/18



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# FS405/605 Forensic Expert Witness Testimony

## Class Syllabus      Spring Semester 2020

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<b>Instructors:</b>	Pamela Johnson	Jim McGill
<b>Office Location:</b>	MSHP Troop E Laboratory	Rhodes Hall 201B
<b>Office Telephone:</b>	573-290-5130 (ext 4508)	573-651-2347
<b>E-mail Address:</b>	Pamela.Johnson@mshp.dps.mo.gov	jmcgill@semo.edu
<b>Office Hours:</b>	By appointment	M W F 10:00 am – 11:00 am
<b>Class Meets:</b>	Monday 06:00 – 08:00 pm in MG217	

### **I. Catalog Description and Credit Hours of the Course**

Survey of principles and practice of forensic expert witness testimony, and the scientific and legal issues affecting the expert witness. (2 credit hours)

### **II. Pre- / Co-requisite Courses**

Junior standing in one of the forensic options or consent of instructor

### **III. Objectives of the Course**

- A. Students will become familiar with the fundamentals of the legal system as it applies to an expert witness.
- B. Students will learn the relationship between science and the law and the rules and precedents that define it.
- C. Students will learn and practice the mechanics and the art of rendering forensic expert witness testimony.
- D. Students will learn the essential importance of ethics and professional responsibility for an expert witness.

### **IV. Expectations of Students**

All students are expected to attend class, complete all assigned work, and participate in class discussions, speaking assignments, and mock trials.

All students are expected to read assigned materials before coming to class and come prepared to discuss them.

## V. Basis for Student Evaluation Component

### FS405

		Grading Scale	
Homework	30 %	90 – 100%	A
Examinations	30 %	80 – 89%	B
Participation	30 %	70 – 79%	C
Mock Trial	10 %	60 – 69%	D
		0 – 59%	F
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TOTAL	100 %	100 %	

\*Graduate students may not earn a 'D' grade.

### FS605

		Grading Scale	
Homework	30 %	90 – 100%	A
Examinations	30 %	80 – 89%	B
Participation	20 %	70 – 79%	C
Mock Trial	10 %	0 – 69%	F*
Graduate Project	10 %		
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TOTAL	100 %	100 %	

\*Graduate students may not earn a 'D' grade.

## VI. Textbook and Other Required Materials or Equipment

Feder's Succeeding as an Expert Witness, Fourth Edition by Feder and Houck

## VII. Course Learning Outcomes

- A. Students will be able to identify the legal rules and precedents pertaining to expert witness testimony.
- B. Students will be able to explain assigned scientific processes and instruments in simple, layperson's terms.
- C. Students will be able to render expert witness testimony, based on a hypothetical case, in a mock trial setting.

## VIII. Whom to Contact with Concerns

Questions, comments or requests regarding this course or program should be taken to your instructors. Unanswered questions or unresolved issues involving this class may be directed to Professor Philip Crawford (RH306), Chairperson of the Department of Chemistry and Physics.

## IX. Accessibility Statement

Southeast Missouri State University is committed to providing services for students with disabilities to ensure equal access as outlined in the Americans with Disabilities Act (ADA) and Section 504 of the Rehabilitation Act. Disability Services is the institutionally recognized program designed to provide both federally mandated services as well as proactive services for students with disabilities by ensuring equal access. By providing leadership, advocacy, resources, mediation, and guidance to students with disabilities, Disability Services assists students with identifying barriers to their success and thus identifying ways to address those barriers.

While Disability Services strives to reduce barriers that students encounter at Southeast, academic accommodations are often necessary in the classroom. Academic accommodations are adjustments made to provide students equal access. Students wishing to use academic accommodations that are associated with their disability should contact Disability Services to determine how best accommodations may be provided. When accommodations are needed, they are implemented on a case by case basis. Disability Services staff consult with each student individually to identify how to best meet their needs.

For more information, see the Disability Services page or contact Disability Services located in Dearmont Hall Wing B1, One University Plaza MS 2030, Cape Girardeau, MO 63701; (573-651-5927) [Disability Services](#)

If a student has a special need addressed by the Americans with Disabilities Act (ADA) please notify the instructor at the beginning of the course. You must register as a student with a disability in the office of [Disability Services](#) located in Dearmont Hall Wing B1, One University Plaza MS 2030, Cape Girardeau, MO 63701; (573-651-5927).

It is the responsibility of the student to notify the instructor after requesting reasonable accommodations with DS. Failure to do this may result in not receiving the requested accommodations. Refer to <http://www.semo.edu/ds/index.htm>

## **X. Academic Honesty**

**Policy.** Academic honesty is one of the most important qualities influencing the character and vitality of an educational institution. Academic misconduct or dishonesty is inconsistent with membership in an academic community and cannot be accepted. Violations of academic honesty represent a serious breach of discipline and may be considered grounds for disciplinary action, including dismissal from the University.

Academic dishonesty is defined to include those acts which would deceive, cheat, or defraud so as to promote or enhance one's scholastic record. Knowingly or actively assisting any person in the commission of an above-mentioned act is also academic dishonesty.

Students are responsible for upholding the principles of academic honesty in accordance with the "University Statement of Student Rights" found in the Undergraduate or Graduate Bulletin. The University requires that all assignments submitted to faculty members by students be the work of the individual student submitting the work. An exception would be group projects assigned by the instructor. In this situation, the work must be that of the group. Academic dishonesty includes:

**Plagiarism.** In speaking or writing, plagiarism is the act of passing someone else's work off as one's own. In addition, plagiarism is defined as using the essential style and manner of expression of a source as if it were one's own. If there is any doubt, the student should consult his/her instructor or any manual of term paper or report writing. Violations of academic honesty include:

1. Presenting the exact words of a source without quotation marks;
2. Using another student's computer source code or algorithm or copying a laboratory report; or
3. Presenting information, judgments, ideas, or facts summarized from a source without giving credit.

**Cheating.** Cheating includes using or relying on the work of someone else in an inappropriate manner. It includes, but is not limited to, those activities where a student:

1. Obtains or attempts to obtain unauthorized knowledge of an examination's contents prior to the time of that examination;
2. Copies another student's work or intentionally allows others to copy assignments, examinations, source codes or designs;
3. Works in a group when she/he has been told to work individually;
4. Uses unauthorized reference material during an examination; or
5. Have someone else take an examination or takes the examination for another.

**General Responsibilities for Academic Honesty.** It is the University's responsibility to inform both students and faculty of their rights and responsibilities regarding such important matters as cheating and plagiarism. Most of what is considered unethical or dishonest behavior can be avoided if faculty and students clearly understand what constitutes such practices and their consequences. The University community should also be aware of the procedures to be followed should a breach of academic honesty occur.

The faculty member is responsible for clarification to his/her class of those standards of honesty for class assignments or functions where such standards may be unclear or when such standards vary from the accepted norm. Further, some faculty may choose to utilize preventive measures (multiple exams, alternate seating, etc.) to help insure the maintenance of academic honesty. However, the use of such measures is the prerogative of the individual faculty member and is not a responsibility or requirement of faculty in general.

The fundamental responsibility for the maintenance of honesty standards rests upon the student. It is the student's responsibility to be familiar with the University policy on academic honesty and to uphold standards of academic honesty at all times in all situations.

**Protocol for Adjudicating Alleged Violations of Academic Honesty.** Faculty members who discover evidence of academic dishonesty should contact the student within five business days of discovering the alleged dishonesty to arrange to meet and discuss the allegation. Prior to this meeting the faculty member may consult with the Department Chairperson, the appropriate Dean, and the Office of Judicial Affairs. The following sections describe the procedures to be adhered to in each of the listed instances: the student acknowledges the violation, the student denies the violation, and the appeals process. If the faculty member is the Department Chairperson, a departmental designee will assume the Department Chairperson's role in this protocol and references to the Department Chairperson should be read as departmental designee. The procedures below should be followed with online, ITV or face-to-face classes.

From Faculty Senate Bill 11-A-16 <http://www.semo.edu/facultysenate/handbook/5d.html>

## **XI. Civility and Harrassment**

A major determinant of a successful educational experience is a shared sense of respect among and between the students and their instructor. Some of the texts and issues we will discuss may cause disagreements among members of the class. Multiple viewpoints are an essential component of any college course, and disagreeing with someone is fine. However, rude, disrespectful, aggressive, offensive, harassing, or demeaning behavior—either face-to-face or in an online discussion—toward anyone in the class will not be tolerated; students are expected to abide by the Code of Student Conduct

([Statement of Student Rights and Code of Student Conduct](#)). Should a student feel someone has acted inappropriately toward them in class, please speak with the instructor at once so the situation can be addressed. The instructor for the course reserves the right to ask a student to leave the classroom or the online discussion for any inappropriate behavior, and if the situation warrants, may call campus security to remove the offending student from class.

## XII. Honors Contract Credit

Are you in the Jane Stephens Honors Program and interested in creating an honors contract? I am an Honors Faculty member and would be more than happy to work with you this semester. Please contact me through email, office hours, or set up an appointment.

## XIII. Course Content and Outline\*

<u>Lecture Topic</u>	<u>Hours</u>
<b>Part One: The Expert Witness and the Rules</b>	
Expert Witnesses: An Overview— <i>Chapter 1</i>	2
Methods, Testing, and Science— <i>Chapter 2</i>	4
<b>Part Two: The Legal System</b>	
The Players— <i>Chapter 3</i>	2
The Legal Context— <i>Chapter 4</i>	1
Examination 1	1
<b>Part Three: The Process of Court Testimony</b>	
Testimony— <i>Chapter 5</i>	2
Direct Examination of Experts— <i>Chapter 6</i>	4
Cross-Examination— <i>Chapter 8</i>	4
<b>Part Four: The Art and Ethics of Court Testimony</b>	
Testimony— <i>Chapter 5 (Dress, Demeanor, and Deportment)</i>	2
Visual Display of Information— <i>Chapter 7</i>	
Ethics— <i>Chapter 9</i>	3
Examination 2	1
<b>Part Five: Testimony Practicum—Moot Court</b>	
Moot Court Preparation	2
Moot Court Testimony	2

**Final Exam: 6:00 PM Monday May 9 in Magill Hall room 217**

- Schedule subject to change as needed and agreed upon by class.
- Schedule includes 2 open days for guest speakers and/or make-up dates.

- Graduate student project includes a courtroom for testimony observation, an interview with a judge and/or an attorney, and a citizen science/outreach project