

June 18-20, 2001

Expert Witnesses for Domestic Violence and Sexual Assault Cases:

WHY? Who? When? How?

Conference

Omni Austin Hotel at Downtown • Austin, Texas



National Training Center on Domestic and Sexual Violence

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Final Conference Schedule

MONDAY, JUNE 18, 2001

9:00 am – 1:00 pm	Registration
1:00 – 1:15 pm	Opening and Welcome Plenary Session – Capitol Ballroom <i>Deborah D. Tucker, MPA, National Training Center on Domestic and Sexual Violence, Austin, TX</i>
1:15 – 2:00 pm	Why? Plenary Session – Capitol Ballroom Attendees will learn reasons that expert witnesses might be used in cases involving domestic violence or sexual assault. <i>Sarah M. Buel, JD, The University of Texas School of Law and the National Training Center on Domestic and Sexual Violence, Austin, TX</i>
2:00 – 2:15 pm	Break
2:15 – 4:15 pm	Why? Breakout Sessions

A. **Why “Battered Women Syndrome” Doesn’t Fit –**
Capitol Ballroom A

Information will be presented regarding the so-called “Battered Woman Syndrome” and why this is not a diagnosable condition. Alternatives to describing typical reactions to experiencing domestic violence will be offered. *Mary Ann Dutton, PhD*, Department of Psychiatry, Georgetown University School of Medicine, Washington, DC

B. **Why Women Use Violence – Capitol Ballroom B**

This session will explore the various circumstances in which women use violence. *Sue Osthoff*, National Clearinghouse for the Defense of Battered Women, Philadelphia, PA

C. **Why Experts are Needed in Sexual Assault Cases –**
Austin Room

The types of sexual assault cases that may require the use of an expert witness will be discussed. *Judy Benitez, MEd*, Louisiana Foundation Against Sexual Assault, Amite, LA

4:15 – 4:30 pm

Break

4:30 – 6:00 pm

WHY (Sometimes) not? Plenary Session – Capitol Ballroom

Panelists will discuss considerations for deciding when not to use advocates as expert witnesses.

Panel:

Judy Benitez, MEd, Louisiana Foundation Against Sexual Assault, Amite, LA

Sarah M. Buel, JD, The University of Texas School of Law and the National Training Center on Domestic and Sexual Violence

Janet Kerr, MA, LPC, Center for the Prevention of Domestic Violence, Colorado Springs, CO

Toby Myers, EdD, Battering Intervention, Aid to Victims of Domestic Abuse, Houston, TX

Sue Osthoff, National Clearinghouse for the Defense of Battered Women, Philadelphia, PA

6:00 pm

Dinner on Your Own

TUESDAY, JUNE 19, 2001

7:30 – 8:30 am

Continental Breakfast – Ballroom Foyer

8:30 – 9:30 am

Working Together in a Self-Defense Case for a Battered Woman: Our Experience as an Advocate and Attorney – Plenary Session – Capitol Ballroom

An attorney, advocate and former defendant will discuss their experiences during a real case. *Susan Arredondo*, Sabinal, TX; *Toby Myers, EdD*, Battering Intervention, Aid to Victims of Domestic Abuse, Houston, TX and *Pam Jackson Sigman JD*, Private Practice, Austin, Texas

9:30 – 9:45 am

Break

9:45 – 11:45 am

Who? When? Breakout Sessions

A. **Deciding Who Should be an Expert Witness –**

Capitol Ballroom A

Presenters will help participants consider the type of expertise that may be needed for a particular case.

Toby Myers, EdD, Battering Intervention, Aid to Victims of Domestic Abuse, Houston , TX and *Amy Wright, JD*, The University of Texas School of Law Domestic Violence Clinic, Austin, TX

B. **when Expert Witnesses are Needed in Rape Cases –**

Capitol Ballroom B

This session will explore the training and skills of Sexual Assault Nurse Examiners. *Jamie Ferrell, BSN, RN, DABFN, CA/CP SANE*, Sexual Assault & Crisis Services Division of the Office of the Attorney General, Austin, TX

C. **when Prosecutors Use Experts – Austin Room**

A current assistant district attorney will explore considerations for utilizing expert witnesses in sexual assault or domestic violence criminal cases. *Cynthia Lynch, JD*, Kings County District Attorney’s Office, Brooklyn, NY

11:45 am – 1:00 pm

Lunch (no program planned) Longhorn Room, third floor

1:15 – 3:15 pm

when? HOW? Breakout Sessions

A. **Deciding when to Use an Expert –**

Capitol Ballroom A

This session will explore from an advocate's perspective when an expert witness is advisable. *Susan G. S. McGee, MA, SAFE House, Ann Arbor, MI*

B. *when* Preparing the Case – Capitol Ballroom B

Civil attorneys will present issues to consider prior to going to court through role-play and discussion. *Staff of The Women's Advocacy Project, Austin, TX*

C. **How Expert Testimony is Admissible in the Aftermath of the Daubert and Kumho – Austin Room**

This session reviews two Supreme Court decisions that guide a court's ability to allow expert testimony. *Sarah M. Buel, JD, The University of Texas School of Law and the National Training Center on Domestic and Sexual Violence, Austin, TX*

3:15 – 3:30 pm

Break

3:30 – 5:30 pm

How? Breakout Sessions

A. **How to Find Expert Resources in Your State –**

Capitol Ballroom A

An advocate helps the audience to prepare for the use of experts before the need arises. *Susan G. S. McGee, MA, SAFE House, Ann Arbor, MI*

B. **How Experts are Qualified in Court – Austin Room**

Role play and discussion will enable attendees to experience what is required to be qualified and how to present themselves if they are testifying. *Sarah M. Buel, JD*, The University of Texas School of Law and the National Training Center on Domestic and Sexual Violence, Austin, TX; *Toby Myers, EdD*, Battering Intervention, Aid to Victims of Domestic Abuse, Houston, TX and *Staff of The Women’s Advocacy Project*, Austin, TX

C. How to Examine the Prosecution’s Witness –
Capitol Ballroom B

From the prosecutor’s perspective, questions that should be asked as well as the way in which to ask them will be presented. *Alana Bowman, JD*, Los Angeles City Attorney’s Office, Los Angeles, CA

5:30 pm

Dinner on Your Own

WEDNESDAY, JUNE 20

7:30 – 8:30 am

Continental Breakfast – Ballroom Foyer

8:30 – 10:30 am

How? and *when?* Repeat Workshops

A. How to Testify – Capitol Ballroom A

This session will explore the demeanor and presentation of the individual testifying. *Toby Myers, EdD*, Battering Intervention, Aid to Victims of Domestic Abuse, Houston, TX

B. How Programs Decide: If, Who, Training Needs –
Capitol Ballroom B

This session explores the need for an advocacy program to look at this issue long before the need arises. *Janet Kerr, MA, LPC*, Center for the Prevention of Domestic Violence, Colorado Springs, CO

C. *when* Expert Witnesses are Needed in Rape Cases –
Austin Room

This session will explore the training and skills of Sexual Assault Nurse Examiners. *Jamie Ferrell, BSN, RN, DABFN, CA/CP SANE*, Sexual Assault & Crisis Services Division of the Office of the Attorney General, Austin, TX [repeat workshop]

10:30 – 10:45 am

Break

10:45 am – 12:45 pm

when? **Who? Why?** Repeat Workshops

A. *when* Preparing the Case – Capitol Ballroom B

Civil attorneys will present issues to consider prior to going to court through role-play and discussion. *Staff of The Women's Advocacy Project*, Austin, TX

B. Deciding **Who Should be an Expert Witness –**
Capitol Ballroom A

Presenters will help participants consider the type of expertise that may be needed for a particular case.

Toby Myers, EdD, Battering Intervention, Aid to Victims of Domestic Abuse, Houston, TX and *Amy Wright, JD*, The University of Texas School of Law Domestic Violence Clinic, Austin, TX [repeat workshop]

C. **Why Women Use Violence** – Austin Room

This session will explore the various circumstances in which women use violence. *Sue Osthoff*, National Clearinghouse for the Defense of Battered Women, Philadelphia, PA [repeat workshop]

12:45 – 1:45 pm

**Closing Lunch Plenary Session – Critical Thinking:
What Have We Learned?** – *Capitol Ballroom*

Final remarks will send attendees off with a summary of critical thinking issues to be resolved at home. *Toby Myers, EdD*, Battering Intervention, Aid to Victims of Domestic Abuse, Houston, TX and *Sue Osthoff*, National Clearinghouse for the Defense of Battered Women, Philadelphia, PA