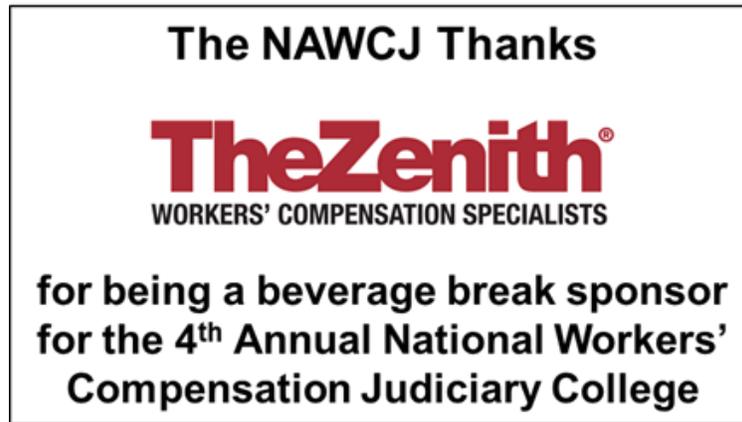


Fourth Annual NAWCJ Judiciary College

August 20-23, 2012



- I. Judicial Writing and Editing, Professor Terrel
- II. Comparative Law Panel
- III. Credibility of Medical Evidence, Professor McCluskey
- IV. Evidence
 - a. Electronic Evidence, Professor Ehrhardt
 - b. Evidence for Adjudicators, Ehrhardt
- V. Live Surgery, Biographies
- VI. To Tell the Truth, Ms. Constantine
- VII. Keeping the Case on Track, Judge Jones
- VIII. Social Networking, Rissman Wieland
- IX. Technology
 - a. Technology, Judge Rosen
 - b. Technology, I phone Article
- X. Appellate Roundtable
 - a. Appellate Roundtable, Alvey
 - b. Appellate Roundtable, Jones

TO TELL THE TRUTH

Susan Constantine

Susan Constantine is a leading body language expert/Jury Consultant/Florida Supreme Court County Mediator and President of Silent Messages. She has appeared on CNN, MSNBC, ACB, CBS, and HLN. She established herself as a leading body language expert, renowned speaker and trainer specializing in “deception detection” through verbal and nonverbal communication. She conducts seminars and workshops for corporate clients, lawyers, investigators, government agencies, and individuals sharing her body language expertise in easy to grasp formats. Her expertise focuses on understanding and predicting human behavior thru the hidden “Secrets of Reading Body Language. Susan’s skills have allowed her to serve as a Jury Consultant and trainer for Jury Quest LLC, and a core trainer for the south east region of the U.S. for Analytic Interviewing. As a Florida jury consultant, she provides scientific jury selection (objective) and reading people (subjective) during voir dire including witness preparation in high profile cases in Florida. Additionally, she conducts continuing education programs for lawyers, mediators and business. Susan is a regular contributor on *CNN “In Session” Court TV*. She has been featured in trade journals, newspapers, and television, including the Orlando Sentinel, Miami Herald and the New York Times Journal. She appears frequently on *Fox 35, Fox News, and WESH, as well as channels 6, 9 and 13*. Susan analyzes body language, word content, and voice tone of witnesses, suspects, presidential candidates and discusses reading people’s body language. In 2008, she became a Florida Supreme Court County Mediator, and volunteers for the Orange County Courts. Sharing her conflict resolution experience and professional/personal life experiences, her communication skills have gained the interest of Fortune 500 companies and small business owners. She has taught sales executives, managers, sales professionals and CEO’s how to overcome adversity through excellent communication skills in the workplace using “The Four Secret Languages of Communication.” As leading body language expert, Susan provides seminars on reading/interpreting body language, deception detection, and voice analysis. Though the development of these customized training programs, participants will be equipped to make better judgments. These body language skills aid in assessing credibility, truth and deceptive behavior in the field. Research has proven that verbal and nonverbal cues can reveal ones true intentions. This research is scientifically validated and has been implemented by the FBI, CIA, homeland security and other governmental agencies to heighten the subjective skills of its investigators, judges, attorneys, social workers in reading the true intention of others’ hidden agendas.



Body Language expert Susan Constantine weights in on Judge Adams – This was not a first time occurrence

BY ADMIN ON NOVEMBER 9, 2011

Susan Constantine, body language expert just stepped out of the Green Room at the HLN network, hair and makeup camera-ready, waiting for the cue to take my seat on the set of the Jane Velez-Mitchell show when a cameraman stopped me. What do you think about this judge?

He was talking about the just-released YouTube video of Texas Judge William Adams ferociously belt whipping his teenage daughter. The cameraman showed me the video, and I was moved to tears. I was overcome by a flood of emotions of anger, concern for the child, the injustice of the system that allows a person like this to sit in judgment of others (although I later found out his violent side previously had been a well-kept family secret).

To answer the cameraman's question, I had to purposefully distance myself from the horror of the tape, and re-watch the episode with a professional eye.

Adams entered the room with his weapon, the belt, tightly wound in his clenched fist. He didn't yell or chew out Hillary for some infraction as a typical overwrought parent of a teenager might do.

No, Adams spoke in a tone that suggested he was all business. There was no inflection in his voice. That tells me this is something he was accustomed to doing.

Looking at Adams' facial expression right before the whipping, I saw the signs of what we call "dangerous demeanor." Adams' eyebrows furrowed, his eyes became fixed, his mouth became tight and horizontal. The clustering of these micro-expressions is a warning sign that the victim, in this case the daughter, is in imminent danger of a premeditated attack.

Constantine stated Adams was not angry about something Hillary did. He was angry because he's an angry person. I saw an angry man lashing out of his internal frustrations and rage. He showed a total lack of impulse control.

Adams doesn't get into specifics about the act or behavior he was punishing. There's some talk about her playing computer games. But his main accusation was a generalization that Hillary was disobedient and that he was going to beat her into submission.

Furthermore, his level of anger did not match this vague offense. There was a disconnect between what he was saying and doing. It was as if he were imposing the death penalty on a flimsy loitering case. Way over the top!

It's probably no coincidence Susan Constantine says that Hillary has cerebral palsy. Men who are narcissistic and controlling are well known to prey on the weak, the fragile and the defenseless, including children, the disabled and pregnant women. At the end of this full-throttle beating, Adams blamed the victim, telling Hillary you caused this.

We couldn't see Hillary at the start of the attack, but clearly she knew from experience what was coming. In her case, she was trapped. A disabled child confronted by a physically powerful father blocking her bedroom door.

For others, here's the survival manual synopsis: If you are confronted by someone who is exhibiting that clustering of micro-expressions, run for your life. If the potential attacker is an intimate and you can't get away, try diffusing his emotions by assuring him that he is right and you are wrong. After the immediate danger has passed, get help.

Susan Constantine Analyzes Herman Cain's Speech Responding To:

BY ADMIN ON NOVEMBER 12, 2011

Herman Cain is a savvy communicator. He has mastered the techniques of a professional speaker. When he addresses a group, he angles his head and body slightly to the left, then he turns to the right, then straight ahead toward the podium, careful to embrace the whole audience and give a sense of speaking directly to you.

But no matter how experienced and comfortable Cain is in the spotlight, he can't control his involuntary body language and micro-expressions that tell a silent story that can be at odds with his words.

As a body language and deception detection expert, I call my business, Susan Constantine Silent Messages," because that's what your body communicates all the time.

Cain's speech responding to allegations of sexual harassment makes a good case study. Take a look:

- One press photo of Cain's speech shows his lips are taut and pulled in, his mouth horizontal, his eyebrows furrowed – these are classic markers of anger. You have to consider why he is angry. Is it because he's being accused of something he didn't do, or is it because his moral conduct is being questioned?
- Cain's choice of the word "reject" – saying he *rejects* the allegations against him – and his stumbling over the word "reject" is telling. You could see his mouth moving, looking for the right word. He needs to say clearly that *he didn't do it*. But the selection of the ambiguous word "reject" suggests that he has an internal conflict which left him unable to find the correct word. "Reject" just doesn't cut it. This is an example of someone being betrayed by his own words.
- Cain also said he never did anything inappropriate. That is a matter of opinion. I am certified in interrogations in sexual abuse crimes, so I am well aware that perpetrators never think that their conduct is inappropriate.
- Right after Cain stated that he was never inappropriate, he licked his lips. I didn't see any other time when he licked his lips. Lip-licking wasn't normal for him. So when it happens, it can be a sign of anxiety or fear. A fraction of a second later, I saw a micro-flash expression of what we call "duping delight." His mouth turned up for a micro-second, expressing a belief that he persuaded his audience.
- In gauging deception, experts keep a look out for the 12 known verbal deceptors. Cain made use of the one we call "repeated assertions." That's when someone thinks that if I say something loud enough and I repeat it, the audience will believe me. Twice, he said he did not do anything inappropriate.

- At the end of his speech, Cain insisted his campaign was not going away. His hand motions reflected that belief. He extended his hand out in a horizontal motion and his thumb pointed back at himself, as if giving travel directions and saying *I am pressing forward*.

My sense of Herman Cain, based on that speech, is that he has pushed aside – rejected – the allegations in his own mind, and convinced himself that his campaign will go on. At the CNBC-GOP debate later in the week, the sexual harassment allegations were barely mentioned. Cain's body language showed he was able to regroup, he was emotionally prepared and he appeared confident.

Dr. Murray Will be Held at a Higher Standard with Jurors Says Jury Consultant and Body Language Expert Susan Constantine

BY ADMIN ON SEPTEMBER 17, 2011

Police officers and doctors are held to a higher standard from my experience in juror's deliberations and they vote accordingly. As a jury consultant, I have heard potential jurors say "if a doctor or police officer acted inappropriately they would be harsher and return a verdict accordingly." Why? They are responsible for the care and safety of others and when that breaks down there are no excuses when dealing with the life or death of a person. During Jury selection the potential jurors will be asked a series of questions by the state and defense to determine bias, called the Voir Dire process. I call this de-selection, the process of purging out of the dangerous jurors that may be more predisposed towards the defendant from the State's point of view.

The questions that may be asked are the juror's level of education, knowledge in the medical field, if they were or had a family member that has been a victim or plaintiff in a medical practice lawsuit, the age of the juror, marital status, and if they watch television programs like "House." It doesn't look good for celebrity physician, Dr. Murray. He appears stressed, and depressed with little or no expression except sadness. In hindsight, I do believe Dr. Murray is regretful and it was not a purposeful act as Murray appears to have genuine remorse of the death of Michael Jackson. As a jury consultant it is never a slam dunk or 100% predictable when it comes to jurors' verdicts. I have seen many guilty people walk right out of the courtroom even when the evidence points to guilt and many harshly sentenced for acts much more heinous in nature.