

## AQR: Court Testimony Monitoring

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### Introduction

Court testimony monitoring is necessary to evaluate the delivery of the analyst's testimony and to ensure that it is scientifically consistent with the findings recorded in the case file.

Testimony monitoring is performed via court testimony observation by a technically competent individual.

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### Requirements

If an analyst testifies during the calendar year, they must be monitored at least once in each discipline.

7.7.1.I.4 AR

7.7.1.I.8 AR

In sections where analysts testify infrequently, supervisors should make every effort to ensure that monitoring is accomplished at the first opportunity each year.

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## AQR: Court Testimony Monitoring, Continued

### Court testimony observation

Analysts may have their testimony observed by their section supervisor or the supervisor's designee. Observers shall be knowledgeable and competent in the subject matter.

All analysts should be monitored annually.

6.2.3.2 AR

7.7.1.I.4 AR

7.7.1.I.8 AR

The following table gives the general process for court testimony observation.

Stage	Description
1	Prior to leaving for court, the report and notes should be reviewed by the observer and a copy taken to court for comparison to the testimony given.
2	The observer accompanies the analyst to the courtroom and records all observations on the <i>Testimony Observation</i> form.
3	Based on the recorded observations, the observer writes a performance summary on the observation form.  NOTE: For dealing with reported major deficiencies, see <i>Deficiencies in court testimony observation</i> .
4	The supervisor meets with the analyst to discuss the evaluation.  If there are deficiencies, a procedure for implementing necessary corrective action is agreed upon.
5	The analyst is given a copy of the evaluation.
6	The original form is given to and retained by the Quality Manager.

### Deficiencies in court testimony observation

7.7.1.I.4 AR

7.7.1.I.8 AR

The process for dealing with observed major testimony deficiencies is similar to *Departures, Technical Problems and Corrective Actions, DPC: Problems with Analyst Casework*.

Completed corrective actions resulting from testimony observation will always be followed by a second observation session by the supervisor at the next available opportunity.

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## AQR: Court Testimony Monitoring, Continued

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**Court officer  
feedback  
(survey  
purposes only)**

Analysts may have their testimony evaluated by one or more court officers for survey purposes only. Court officers include the prosecuting and defense attorneys and the judge. The *Court Officer Evaluation* form is used for this purpose.

Court officer evaluation may be requested by the supervisor or voluntarily initiated by the analyst.

After a completed evaluation form has been received, the supervisor reviews the form and meets with the analyst to discuss the evaluation. The original form is retained by the Quality Manager and the analyst is given a copy.

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**Deficiencies in  
court officer  
feedback**

Major deficiencies reported by a court officer (and all unsolicited complaints) will automatically result in court testimony observation by the supervisor at the next available opportunity.

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**Testimony  
monitoring  
records**

The Quality Manager will retain court monitoring records for at least one accreditation cycle from the date of the testimony.

After this period, the analyst's name and date of monitoring will be kept as a listing in a permanent file. The original documents may be destroyed at this time.

All testimony monitoring files will be kept in a locked filing cabinet. The Quality Manager, or designee, and the Laboratory Director will have access to these files.

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