



Under the Microscope

Vol. 3, No. 3

Newsletter of IADE

Fall 2017

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Modern Methods of Communication EDITORIAL

Modern methods of communication make it possible to have distance learning where in the past it was necessary to go to a classroom for instruction. The government-trained examiners will tell you that the only way to learn document examination is through a two-year program in an approved laboratory.

What is their program? According to testimony given by document examiners who took two-year training programs, their training consists of reading books in the field, watching document examiners examine documents and then they are given cases that come into the laboratory and they are told to examine them and give opinions which are then discussed with their mentors. They also participate in mock trials. They work on the cases that come into their laboratory. According to their testimony, it takes two years to cover all of the various types of cases. From their testimony, it is obvious that there is no standard training program. Each person's training is different.

A structured class covering all the types of problems encountered by a document examiner makes more sense and is more practical for private examiners. Standards need to be set for the content of training.

There is always more than one way to learn any subject. The key word is *learning*. There are many different methods of teaching but they are only effective if the students learn from the methods used. Modern structured distance learning courses are effective for learning how to make determinations about documents. This is based upon the fact that private examiners perform well on proficiency tests demonstrating that they understand the principles of handwriting identification.

All document examiners need training from knowledgeable sources. While it is possible to establish a business as a document examiner without training, it is not practical and not fair to the public. I recommend that all document examiners get some formal training.

Currently there are two basic courses available. This includes Reed Hayes Course and my course. East Tennessee University has recently introduced a postgraduate course in document examination but you must have a four-year degree to take the classes. My Monday night classes offer continuous training in the field and these classes are open to anyone interested in learning more about the field. There is no charge to take the Monday night classes. IADE is dedicated toward learning through various venues. Hopefully, additional opportunities for training will arise.

Kathie

Newest Developments in Communication

By William Koppenhaver

Modern methods of communicating with clients is changing. While most of the electronics needed are here right now, it will take a number of years for most people to get comfortable using these new methods of doing business.

Live video conversations on your computer are becoming as common as telephone calls are today. Wearing a wireless (Bluetooth) telephone headset has become common at this time.



Figure 1: Example of a current web camera and a wireless head set.

overview of the services you offer. This introduction then blends into an interactive mode in which the client can request specific information such as your CV, specific services, or fee structure. Upon leaving the site the visitor will be offered a chance to speak directly with the document examiner during normal business hours or a chance to schedule a call from the examiner at their convenience.

When the call is made to the examiner, the use of video technology can enhance the prospect of being retained because you are providing visual clues in addition to verbal clues as to your ability to provide the services they need. For example, having a work space in which document equipment and text books are visible in the back ground will adds to a professional image. Capturing potential client information like names, addresses, names of the parties and type of case shows the client that you have an organized method of handling cases. Doing a data search of your files to help prevent a conflict of interest with parties on the opposite side of a case also promotes confidence. On the other hand, a poor video presentation will drive prospective clients away.

Good quality scanning equipment enables documents to be transmitted with high resolution equal to a photograph. This enables examiners to form preliminary opinions within a few hours after the initial contact. Seeing the original documents will always remain critical in any case in which they exist. Computer software that speeds up the process of creating an exhibit may help form your opinion about questioned signatures more quickly. Either multiple computer displays or very large computer displays help simplify the comparison process by allowing enlarged signatures to be displayed next to each other making it easier to see the similarities and differences. With minor modifications a Power Point Presentation could be developed to support your position at deposition or trial. For a generation raised with all forms of video this is a powerful marketing tool. If a picture is worth 1000 words, live video is worth much more.

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The Book Shelf



TESTIFYING IN COURT

By Stanley L. Brodsky

As Reviewed by
Katherine M. Koppenhaver, CQDE

There are numerous how-to books on the market for expert witnesses. *Succeeding as An Expert Witness* by Harold Feder, Daniel A. Bronstein's *Law for the Expert Witness*, D. W. Reynolds guide for police officers testifying in court entitled *The Truth, the Whole Truth and Nothing But*, and Dan Poynter's *The Expert Witness Handbook* all have something to offer the expert witness. Some are more relevant than others.

One of the best books on the subject of testifying is *Testifying In Court* by Stanley L. Brodsky. Stanley L. Brodsky is a Psychologist who teaches at the University of Alabama. His book is geared to mental health experts but much of his advice applies to any expert witness. He subtitled his book, "*Guidelines and Maxims for the Expert Witness.*"

He could have titled it the ABC's of Testifying as he utilizes an alphabetical order for his chapters. For example, he begins with A. Chapter One is Admit-Deny followed by Advocacy. Under B is listed Becoming Current and Burden of Proof and Degree of Certainty. C starts with Challenges to Experience. This technique makes it easy to locate a topic for review.

Each chapter begins with a problem for the expert witness which is followed by an example. Suggested methods of handling the difficulties are presented followed by a maxim. Most of the suggestions can be adapted for document examiners.

The recommendations in *Testifying in Court* will assist an expert in fine-tuning his performance in court. The information is applicable for beginners as well experienced expert witnesses. This book should be read and referenced frequently. There is much to be assimilated and the reader would do well to study the maxims at the end of each chapter. For example, "Neither fraternize nor discuss the case with opposing counsel, other witnesses, clients, or jurors."

This is one of several books by Stanley L. Brodsky. Others include *The Expert Expert Witness* and *Coping with Cross-Examination and Other Pathways to Effective Testimony.*" All of his books contain information that is valuable to anyone who testifies as an expert. This book is available, inexpensive, and I highly recommend it.



Membership

2018 Information

(March 1, 2018 through February 28, 2019)

Application Fee \$25.00

Dues \$100.00 Individual
(Annual – Prorated)

Lab \$100.00 First Individual
\$50.00 Additional Individuals

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Deadline for next issue

November 18, 2017

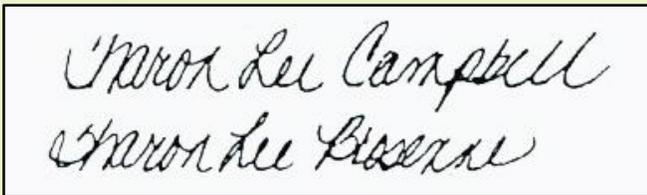


The International Association of Document Examiners (IADE) was incorporated on January 7, 2015 in Maryland. Kathie Koppenhaver is the resident agent and President of the organization. Kathy Carlson is Vice President, Beth Chrisman is Secretary, and William Smith is Treasurer.

Distinguishing Between Fundamental Differences and Natural Variation

Katherine M. Koppenhaver, CQDE

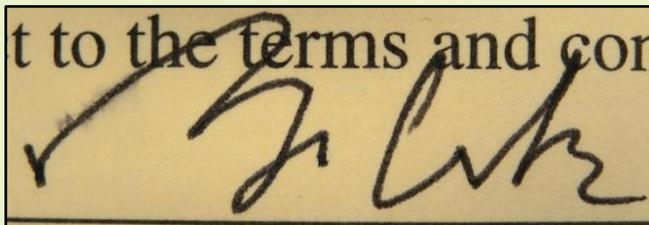
According to Albert Osborn in his book, *Questioned Documents*, “It needs to be emphasized that two writings are identified as being by the same writer by an absence of fundamental divergences as well as by a combination of a sufficient number of similarities. The process is always a double operation, positive and negative, and if error is to be avoided neither part of the process should be overlooked. In order to reach the conclusions of identity of two sets of writings there must not be present significant and unexplained divergences. These divergences must, however, be something more than mere trivial variations that can be found in almost any handwriting.”



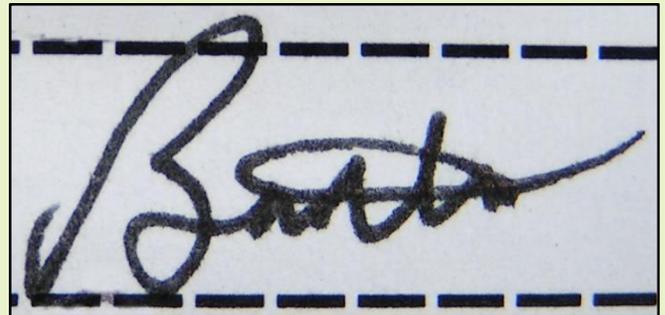
NATURAL VARIATION

How does a document examiner distinguish natural variation from fundamental differences? Natural variation consists of the subtle differences that appear in everyone’s handwriting. Fundamental differences are major structural differences. Examples of natural variation include slight differences in letter forms, spacing, size, slant or any of the characteristics of writing.

A fundamental difference is an irreconcilable difference. Fundamental differences in handwriting that are significant include: differences in line quality, pressure patterns, method of construction, skill level, pen strokes, or subtle subconscious handwriting characteristics. Differences in letter forms are also significant but not always fundamental differences.



FUNDAMENTAL DIFFERENCE
BETWEEN THE LEFT AND RIGHT



A forger must choose between maintaining good line quality and adhering to the letter forms of a model. If the forger concentrates on the line quality, the writing will not adhere to the model. If the forger adheres to the model, the line quality will suffer. Therefore, poor line quality or lack of adherence to the model writing indicates a different writer. Poor line quality looks drawn or tremulous and frequently is drawn and not written. Drawn writing will have a different pressure pattern than natural writing.

Since writing is a habit, a difference in the method of construction is a fundamental difference. Conscious attention to the act of writing usually represents a writer trying to imitate someone else’s writing.

Subtle characteristics are small inconspicuous habits of the writer that go unnoticed by most people. Examples of inconspicuous habits would be hooks or ticks in the writing or unusual connecting strokes.

A single fundamental unexplainable characteristic of writing is sufficient to eliminate a writer as the author of handwriting in question regardless of the number of similarities. One does expect to find similarities whenever an attempt is made to imitate another’s handwriting.

Q & A

LAST ISSUE'S ANSWER: Writing is a complex neuromuscular activity that involves the brain and the muscles of the arm, hand and fingers. Writing is a skill learned through repetition until it becomes a habit.

What does ESDA stand for and how is it used?

Answer will be in the next issue.

If you would like to submit an answer, contact the editor.

See page 3.

Tips and Tactics

“When challenged about insufficient experience, keep track of the true sources of your expertise.”

~Stanley L. Brodsky, *Testifying in Court*, p. 20

***ANNOUNCEMENT:** Due to a very busy schedule, Marcy Word will no longer be able to serve as secretary for IADE. We thank her for her contribution to our organization!*

*We welcome Beth Chrisman as our new Secretary!
We welcome Beverley East as our new Ethics Chair!*



IADE
International Association
of Document Examiners

CONFERENCE/SEMINAR

PAGES

2018 Annual Seminar & Workshop
TBD

**Pictures from the
International Association of Document Examiners
2017 Annual Seminar & Workshop
Denver, Colorado**

We are in need of pictures – If you have any, please provide.

SPECIAL THANKS TO KATHY CARLSON FOR THE GREAT JOB SHE DID!