

# THE RORSCHACH

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# WHAT IS THE RORSCHACH, AND WHY USE IT?

It is an in-vivo performance task.

As a performance task, it adds different types of data to a multi-method assessment.

Different parts of the brain are activated when engaging in a self-report measure and when engaging in this performance task.

It tends to provide data that is implicit rather than how the person sees themselves.

Less sensitive to impression management.

As a performance task, it is interactive, and it already begins to show things about a person.

It lends itself well to many forensic questions.

It is portable and even fits through the plexiglass slots at covid-safe professional visiting areas in jails.

It has international norms (albeit, from developed countries).

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# FRYE STANDARD



The results of scientific tests or procedures are admissible as evidence only when the tests or procedures have gained general acceptance in the particular field to which they belong.



The state of California follows the Frye test for expert witness admissibility.

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# DAUBERT STANDARD

- The Daubert Standard supplanted the Frye Standard, in most other states which focused primarily on the general acceptance of scientific evidence within a particular field.
- The Daubert Standard is used in all federal courts.



Provides a systematic framework for a trial court judge to assess the reliability and relevance of expert witness testimony before it is presented to a jury.



A more comprehensive approach that requires judges to scrutinize not only the expert's methodology but also the underlying scientific principles.



The trial court considers the following factors to determine whether the expert's methodology is valid:



Whether the technique or theory in question can be, and has been tested;



Whether it has been subjected to publication and peer review;



Its known or potential error rate;



The existence and maintenance of standards controlling its operation; and



Whether it has attracted widespread acceptance within a relevant scientific community.

# IS THE RORSCHACH ADMISSIBLE IN COURT?

- The short answer is “likely to be admissible.”
  - There is general acceptance.. when used by a competent evaluator.
  - It’s important to focus on the validated variables.
  - When used to evaluate the diagnostic and functional capacities relevant to the psychological question.
    - For example, it cannot answer whether someone is competent, but it can highlight whether someone is currently psychotic, and how that psychosis is expressed. This may lend information as to whether these psychotic processes may interfere with someone’s competency to proceed.
  - The best source of information is an article in the Journal of Personality: Special Issue on Personality Assessment In Legal Contexts, March-April 2022 titled, “The legal Admissibility of the Rorschach and R-PAS: A Review of Research, Practice, and Case law.”
    - This article can be obtained for free with anyone who has an R-PAS account.
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