



AI Testimony Preparation

FOR FORENSIC PRACTITIONERS USING AI-ASSISTED RECORD REVIEW

How to Use This Document

This guide prepares you for testimony questions about your use of AI-assisted record review in forensic evaluation. It covers the questions counsel may be most likely to ask, the principles underlying each response, and suggested response frameworks you can adapt to the specific facts of your case.

This guide was written by a forensic psychologist who has testified as an expert witness — not by a marketing team. The responses are designed to be honest, professionally appropriate, and defensible under follow-up questioning. They are frameworks, not scripts. Your testimony should always reflect your own professional judgment and the specific facts of the evaluation at hand.

Read this guide before testimony in any case where you used Argent Forensics as part of your record review methodology. Share it with retaining counsel so they understand your methodology and can prepare direct examination questions accordingly.

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FOUNDATIONAL QUESTIONS

What AI is, how Argent works, and why you used it

Q: Did you use artificial intelligence in this evaluation?

Principle: Answer directly and without defensiveness. You disclosed AI tool use in your report. The question is not a trap — it is an opportunity to explain your methodology on your own terms before opposing counsel frames it for you.

Suggested response: Yes. I used an AI-assisted record review platform called Argent Forensics to help organize and analyze the collateral records in this case. The platform extracted key events from the records, generated cited summaries, and allowed me to query the records for specific information relevant to the forensic questions in this evaluation. Every output the platform produced was cited to a specific source document and page number, which I verified against the original records before any AI-generated information informed my analysis.

Q: What is artificial intelligence, and how does this platform work?

Principle: A clear, non-technical explanation serves you better than a technical one. The goal is to make the methodology accessible to the trier of fact without oversimplifying in a way that invites follow-up challenges.

Suggested response: Artificial intelligence, in the context of this platform, refers to a system that can read, organize, and respond

to questions about large sets of documents. The platform I use is built on what is called a Retrieval-Augmented Generation architecture — which means it retrieves information directly from the specific documents I uploaded for this case and generates responses based on what it finds there. It does not draw on information from outside those records. It does not have access to any general knowledge base or internet information when answering questions about my case file. It reads my records and answers questions about what those records contain — and it tells me exactly where in the records each answer came from.

Q: How is this different from ChatGPT or other AI tools I've heard about?

Principle: This distinction is important and worth making clearly. Consumer AI tools have very different architectures and data practices than Argent. Conflating them benefits opposing counsel, not you.

Suggested response: Consumer AI tools like ChatGPT are trained on enormous datasets of publicly available text and generate responses based on patterns learned from that training. They are general-purpose tools that draw on broad general knowledge — not on the specific records in a specific case. The platform I use works differently. It processes only the specific records I uploaded for this evaluation. When I ask it a question, it searches those records — and only those records — for the answer, and tells me exactly which document and page number contains the information it is referencing. My examinee's records are not shared with other users, are not used to train the AI model, and are not accessible to anyone other than me.

Q: Did you just ask the AI what to conclude?

Principle: This is the most important question in the entire cross-examination and the one most likely to be asked with rhetorical force. Answer it directly, clearly, and without hedging.

Suggested response: No. The platform does not form conclusions and I did not ask it to. It organizes records and answers factual questions about what those records contain. My clinical and forensic judgment — applied to the records, to the clinical interview, and to the relevant professional literature — formed the conclusions in this case. The AI organized the material I used to form them. Those are distinct functions and the platform is specifically designed to keep them separate.

ACCURACY AND RELIABILITY

How you ensured the AI outputs were accurate and complete

Q: How do you know the AI didn't make an error?

Principle: Do not claim the AI is infallible — it is not and claiming otherwise will damage your credibility. Instead, explain the verification process that makes errors detectable and correctable before they enter your analysis.

Suggested response: I don't rely on the platform's outputs without verification. Every output the platform produces — every summary, every chronology entry, every answer to a specific

query — is linked to the specific document and page number where the underlying information appears. I reviewed those citations and verified them against the original source documents before any AI-generated information informed my analysis. That verification process is specifically designed to catch errors before they reach my report. If an output mischaracterized the source material, that discrepancy would be apparent when I checked the citation against the original record.

Q: How do you know the AI didn't miss something important?

Principle: *This question challenges the completeness of your review rather than its accuracy. Address both the extraction process and the query process — together they constitute a more comprehensive review than purely manual methods.*

Suggested response: I read everything I would have read without the tool, which is the full record. What the tool does is help to organize the information that is extracted. Whereas without Argent I'd work from notes while reading to then craft a summary, with Argent the process is to check that summary against the citations and also review my notes to ensure nothing important is missing. It's more like having a second set of eyes going back through the records I read, that is also extracting key events and information from every document in the case file. Given this process, it is more likely to surface things I might have missed with strictly manual review than to miss something I might have otherwise caught without it. Additionally, the platform's query function allowed me to ask the records directly about specific information relevant to the forensic questions in this case — areas I wanted to ensure I had reviewed comprehensively. The combination of systematic extraction

across all documents and targeted querying for specific forensic issues produces a more comprehensive and more traceable review than purely manual methods applied to a record set of this volume.

Q: Can you guarantee the AI didn't miss anything?

Principle: *No methodology guarantees complete identification of every relevant fact in a large record set — including manual review. Acknowledge this honestly and explain what your methodology does guarantee.*

Suggested response: I cannot guarantee that any record review methodology — manual or AI-assisted — identified every potentially relevant fact in a record set of this volume. I use this methodology because I believe it produces a more comprehensive and more traceable review than purely manual review of the same records. Every fact I relied on in forming my opinion has a verifiable source — a specific document and page number I can identify and reproduce in discovery materials. That is a higher standard of traceability than manual review typically produces.

Q: Is the AI accurate?

Principle: Answer honestly. AI tools produce errors. The citation architecture is your answer to this question — not a denial that errors occur, but an explanation of how your methodology addresses them.

Suggested response: AI tools can and do produce errors — this is a known characteristic of the technology and not unique to the platform I use. The platform's citation architecture is specifically designed to address this — every output is linked to its source so that errors can be identified at verification before they enter my analysis. I verified the outputs I relied on against the original source documents. My analysis is grounded in verified information from the records — not in unverified AI outputs.

PROFESSIONAL AND ETHICAL STANDING

Whether your use of AI was professionally appropriate and properly disclosed

Q: Is using AI in a forensic evaluation ethically appropriate?

Principle: Answer with specificity. You have done the professional due diligence. Demonstrate it.

Suggested response: The APA Ethics Code and the Specialty Guidelines for Forensic Psychology do not prohibit AI assistance in forensic practice. The American Psychological Association has

published guidance for evaluating AI tools for clinical and administrative use — I complete that evaluation for every platform I use when selecting it. The ethical requirements that apply to AI tool use — disclosure in my report, independent verification of outputs, and maintenance of my professional judgment throughout — are all part of my methodology in this case.

Q: Is this AI tool generally accepted in the forensic psychology community?

Principle: *Be honest about where the field is. Overstating general acceptance will damage your credibility if challenged. But understating it concedes more ground than the evidence justifies.*

Suggested response: The use of AI-assisted tools in forensic practice is an actively developing area of professional practice. The field is engaged seriously with this question — through peer-reviewed literature, professional guidelines, and conference presentations. The American Psychological Association has published guidance for evaluating AI tools. The Specialty Guidelines for Forensic Psychology do not prohibit AI assistance. I used this tool with full disclosure, with independent verification of every output, and consistent with the professional standards that currently address AI use in forensic evaluation. General acceptance of AI-assisted record review is developing — I am among many practitioners using it, while many still choose not to.

Q: Are you just trying to save time by using AI?

Principle: Efficiency is real but it is not the primary professional argument. Lead with thoroughness and traceability – which are the professionally defensible benefits – before acknowledging the efficiency gain.

Suggested response: AI-assisted record review produces a more thorough and more traceable review than is typically achievable through purely manual review of a record set of this volume – not a less thorough one. The efficiency gain is real, but it is not the primary benefit and applies more to administrative time-savings. For example, I used to spend time looking back through for something in the record that I had made a note about but failed to record the page number. Or I wasted time looking for the location of specific information such as the toxicology screening result that I can locate much faster now. I also used to spend a lot more time writing summaries, building timeline chronologies, or even writing out a simple source list from scratch. Those are efficiency gains that are more peripheral though, whereas I still spend just as much time reading the records as I would with a manual process. So the primary benefit is not efficiency, but a more comprehensive and more verifiable foundation for the forensic opinion. Every fact I extracted from these records has a verifiable source. That standard of traceability is difficult to achieve at this scale through manual review alone.

Q: Doesn't using AI undermine your expertise?

Principle: This question conflates the tool with the expert. The answer should distinguish them clearly.

Suggested response: No. My expertise is in forming and communicating forensic psychological opinions — in applying clinical knowledge, professional judgment, and forensic methodology to the facts of a case. AI-assisted record review organizes those facts more comprehensively and more traceably. It does not form the opinion, interpret the findings, or apply forensic judgment. Those functions are mine. The AI organized the records. I evaluated them.

Q: Did you disclose that you used an AI tool in this case?

Principle: This should never be a “gotcha” because transparent disclosure is foundational, so be specific about where and how.

Suggested response: Yes. My report includes a disclosure of AI-assisted tools consistent with APA Ethical guidance. The disclosure broadly describes the platform function and process. I also disclosed AI tool use to the retaining party in my engagement letter before the evaluation began.

DATA AND PRIVACY

How case records were handled and protected

Q: What happened to the records you uploaded to this AI tool?

Principle: Answer specifically. You know the data handling practices. Demonstrate that you evaluated them before adopting the tool.

Suggested response: The records are stored in an encrypted, HIPAA-compliant environment accessible only to my individual account. The platform does not share my case files with other users, does not use them to train AI models, and does not retain them beyond the period I have authorized. Every user of the platform receives a Business Associate Agreement governing data handling — I [or my organization] reviewed and signed that agreement before uploading any records.

Q: Did the AI company have access to your client's records?

Principle: The AI processing requires transmission to the model provider — this is governed by the BAA and worth explaining clearly rather than leaving an impression that no third party was involved.

Suggested response: The platform's AI processing requires that document content be transmitted to the AI model provider to generate responses — this is a technical necessity of how the system works. That transmission is governed by a Business

Associate Agreement with the provider that prohibits use of the data for any purpose beyond processing the specific request. The provider does not retain the data after processing is complete and does not use it to train AI models. The platform does not share case file data with any third party for any other purpose.

LEGAL AND ADMISSIBILITY QUESTIONS

For questions about the admissibility of your methodology

Q: Has this AI tool been validated for use in forensic psychological evaluation?

Principle: Distinguish between the validation of the underlying architecture — which is well-established — and the validation of forensic-specific applications — which is emerging. Both are true and both matter.

Suggested response: The underlying architecture of the platform — Retrieval-Augmented Generation applied to document analysis — has been extensively documented in peer-reviewed AI research literature. It is an established methodology, not an experimental one. The application of this architecture specifically to forensic psychological record review is an emerging area of professional practice — peer-reviewed literature on AI in forensic psychology is developing, including publications by the platform's

founder. The platform itself is built by a board-certified forensic psychologist with fifteen years of practice experience — which means the forensic workflow, ethical obligations, and evidentiary standards that govern its design are understood from the inside, not approximated from the outside.

Q: Has the use of this platform ever been challenged in court?

Principle: *The absence of challenge history could be meaningful over time, but is not a guarantee.*

Suggested response: To my knowledge, the use of this platform has not been the subject of a published Daubert or Frye challenge. It is a relatively new platform used by a specialized professional community. The absence of challenge history is consistent with the platform's position as a record review instrument rather than an autonomous decision-making system — which is the category of AI use most likely to attract judicial scrutiny. A lot of thought has gone into efforts to explain and defend this methodology if it is challenged in legal proceedings.

Q: How does your use of this AI tool satisfy the Daubert standard?

Principle: *If this question arises, you are in a position to answer it substantively. Walk through the five factors methodically and briefly.*

Suggested response: The Daubert standard evaluates the reliability of the methodology underlying an expert's opinion. My use of AI-assisted record review satisfies each of the five Daubert

factors. First, testability — every output is cited to a specific source document and page number, making the methodology directly testable and more traceable than manual review. Second, peer review and publication — the RAG architecture underlying the platform has been extensively peer reviewed in the AI research literature, though peer-reviewed publications on AI in forensic psychology are emerging. Third, known error rate — AI tools produce errors, which are addressed through the citation-based verification process. Fourth, existence and maintenance of standards and controls — the platform operates under defined standards including mandatory citation architecture, documented verification expectations, formal error tracking, and a legal governance framework through the BAA. Fifth, general acceptance — the field is actively developing its position on AI-assisted record review, with the trajectory moving toward engagement and acceptance rather than prohibition.

PREPARATION CHECKLIST

Before testimony in any case where you used Argent Forensics

- ☐ Review your report's AI disclosure section and be prepared to read it aloud if asked
- ☐ Review the specific outputs you used in this case — which features you used and which records you queried

- ☐ Confirm you have retained the complete case file export from Argent — including AI-generated artifacts with metadata — in the event it is subject to discovery
 - ☐ Consider sharing this guide with retaining counsel and discuss which questions are most likely to arise given the specific facts of the case
 - ☐ Review the Courtroom Defensibility section at argentforensics.com/resources for additional legal analyses underlying these responses
 - ☐ If your jurisdiction applies the Frye standard rather than Daubert, review the Admissibility (Daubert & Frye) resource for the Frye-specific analysis
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CONTACT AND FURTHER INFORMATION

Argent Forensics LLC

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Additional professional resources, including Sample Informed Consent and Report Disclaimer, APA AI Tool Evaluation Checklist, and Admissibility Analysis, are available for free download at argentforensics.com/resources.

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