

Psychologists' Credibility in Court: The Role of Confidence and Doctoral Degrees

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Abstract

Psychological expert witnesses are vital to the modern German legal system, and their role in court proceedings is expected to become increasingly prominent. However, existing research on biases influencing the perceived credibility of psychologists in court is primarily based on the U.S. context and may not generalize to Germany. Therefore, the present study aimed to investigate which biases affect individuals' evaluations of psychologists' credibility in the German context. It was hypothesized that psychologists displaying higher confidence or holding a doctoral degree would be perceived as more credible and that this effect would be magnified when both factors are present. Thus, the study employed a mixed-methods, between-subjects 2 (PhD vs. no PhD) x 2 (high confidence vs. low confidence) design and collected data from 156 members of the German public via an online survey. While the self-reported credibility ratings revealed no significant main or interaction effects, the results on participants' identification of key text passages indicated significantly more favorable evaluations for psychologists with doctoral degrees and higher confidence levels, but this effect was weakened when both were present. The findings imply that these biases may still operate on an implicit level even when attempts are made to remain objective. Thereby, the findings can help expert witnesses to mitigate biases against them and enhance the preparation and training of legal actors, especially for lay judges. The current study is the first to shed light on the evaluative process of credibility judgments in German courts and highlights the need for further investigation. These efforts can ultimately promote more transparency, fairness, and trust in the German legal system.

Keywords: Expert witness credibility, Bias, German courts, Legal psychology

Introduction

Psychological Expert Witnesses in the Legal System

The role of psychological expert witnesses in legal proceedings is not only of substantial importance but can be a decisive factor in the final judgment (Hänert, 2014; Timmerbeil, 2003). Psychologists have often helped to uncover miscarriages of justice, whether that is by diagnosing psychological disorders that significantly reduce someone's criminal responsibility or by questioning the credibility of a (false) confession (for a small collection, see Rettenberger & Leuschner, 2025). While psychologists cannot make binding decisions themselves, they provide answers to psychological questions that lie outside the judge's expertise but are vital for judicial decision-making (e.g., regarding a witness's credibility; Boehme-Neßler, 2014). Therefore, in assisting the judge, they have a considerable impact on judicial decision-making and outcomes, which in turn affect people's lives crucially, for instance by determining which parent loses custody of their child or whether an individual is assigned to psychiatric treatment against their will (Hänert, 2014).

Not only can the judicial decision significantly impact individuals' lives, but the evaluative process itself may also have long-term consequences for those being assessed, causing for example psychological distress (Salewski & Stürmer, 2014). Given the likely overrepresentation of individuals with significant trauma in forensic settings, psychologists frequently conduct evaluations that inherently require the discussion of events that are severely distressing to the individual being assessed (e.g. when determining the credibility of an eyewitness; Rocchio, 2020). Therefore, the evaluation process itself can be overwhelming for those being assessed, compounded by key distinctions from clinical assessments, such as limited confidentiality and the ultimate objective of informing legal decision-making, rather than providing therapeutic care. These factors create a situational dynamic that may trigger further distress, including the re-experiencing of past trauma (Rocchio, 2020).

As psychological expert witnesses are increasingly often called upon to assist the court (Sporer & Antonelli, 2021), conducting a wide range of evaluations - including criminal responsibility, reoffending risks of (juvenile) offenders, and determinations of the child's best interest in custody and visitation proceedings (Hänert, 2014) - their role in the judicial decision-making process can be expected to continue expanding. Considering the power and impact these evaluations hold, the quality of these reports is crucial to ensure fairness for all parties involved and minimize the risk of harmful outcomes (Salewski & Stürmer, 2014).

Despite the vital role of psychological experts in providing specialized knowledge and in preventing or uncovering miscarriages of justice, their evaluations are subject to an ongoing critical debate. There, the role of psychological expert witnesses is criticized for their significant impact on the ultimate outcome, questioning the independence of judges (Böhme-Neßler, 2014; Timmerbeil, 2003), as well as the lack of standards adhered to during the evaluations (Salewski & Stürmer, 2014). In their study, Salewski and Stürmer (2014) found that a substantial proportion of psychological evaluations in Germany were not in accordance with quality standards, with rates ranging from 35.3% to 80.02%, depending on the criteria applied. These findings, alongside other factors, such as heightened media attention following prominent cases of miscarriages of justice, were crucial for taking up further efforts to expand, update, and improve the quality requirements and standards governing this practice in Germany (BPtK, 2015; Psychotherapeuten Kammer NRW, 2022), for example by making these standards legally mandatory.

Challenges in the Assessment of Psychological Expert Witness Credibility

When considering the issue from a broader perspective, it becomes evident that efforts to improve psychological evaluations should not be the only response to these findings. The problem lies not only in the frequent lack of quality in psychological assessments themselves, but also in the apparent failure of the legal system to adequately evaluate and detect these

deficiencies in court. A possible reason for this may lie in how credibility is attributed to psychological experts in courts. Therefore, efforts should also focus on identifying what factors shape these credibility judgments. In practice, judges and other people present at courts (e.g. lawyers) are oftentimes the sole instances that evaluate the work of psychological experts, especially in family court proceedings or when the proceeding deals with juvenile offenders, which are typically held in exclusion of the public (GVG, 2024, §§ 170-173). Predominantly, judges decide which individuals are permitted to serve as expert witnesses, although others (e.g. lawyers) preserve the possibility of challenging an expert's appointment, for instance if the neutrality or competency of that expert is questionable (Timmerbeil, 2003). The assessment of the expert takes place on multiple occasions. The first is prior to the psychologist being tasked with the expert evaluation, to see whether they are qualified, often based on their reputation, perceived neutrality, and extent of experience as an expert witness (Boehme-Neßler, 2014). The second assessment takes place after the psychologist submits and delivers their expert report. At this point, judges and lawyers attempt to evaluate the plausibility and credibility of experts' accounts (Boehme-Neßler, 2014).

Given their professional responsibilities, judges and lawyers are likely to differ from laypeople in how they approach such assessments. Beyond personal beliefs, they may draw on further factors, such as their specialized knowledge acquired during legal training and education and prior courtroom experience, potentially helping them to spot discrepancies in the expert's statements. A study by Wechsler et al. (2015) found that lawyers seem to be aware of some evidence-based credibility indicators and also utilize them in their credibility assessments. However, the same study found that lawyers also tend to devalue other important markers of psychologists' scientific expertise, such as the number of peer-reviewed publications (Wechsler et al., 2015). Therefore, although legal actors likely have a more substantial foundation for assessing expert credibility than individuals without a legal

background, their familiarity with scientific research methodology (Wechsler et al., 2015) and consequently their methodological reasoning abilities are likely comparable to those of laypeople, as these skills are typically underrepresented in law curricula (Kovera & McAuliff, 2000; Hunter, 2010; Ihden, 2018) and thus lie outside their area of expertise. Still, the judges' task to critically evaluate psychologists' scientific practice and only admit evidence to court when it is valid and reliable requires a substantial amount of this type of knowledge and skills, and a lack thereof threatens their ability to fulfill that role (Kovera & McAuliff, 2000). Similarly, a study by Chorn and Kovera (2019) found that not only did judges fail to demonstrate sensitivity to variations in the scientific quality of psychologists' accounts, but so did lawyers and mock jurors (the latter being laypeople in both legal and psychological fields). These circumstances severely limit the possibility of controlling the psychologist's scientific work in the courtroom on an individual basis (Boehme-Neßler, 2014). Moreover, evaluations of experts' credibility are further complicated by the fact that the ultimate accuracy of many expert conclusions remains unknown, even after the legal proceedings conclude (e.g. whether an offender will never reoffend). Nonetheless, psychological expert witnesses are ascribed a certain degree of credibility, raising the question of how these credibility judgments are formed.

Credibility Perceptions as Subject to Biases

When evaluating an individual's credibility, people frequently use an individual's confidence as a cue to their accuracy (Pulford et al., 2018), especially when the assessing individual lacks the expertise to evaluate the content's validity or to detect inaccuracies (Wesson & Pulford, 2006). This tendency, referred to as the confidence heuristic (Pulford et al., 2018), has been shown to play a notable role in courtroom settings. Early research by Erickson et al. (1978) suggests that witnesses who make use of a powerful language style, thereby conveying confidence in their statements, are perceived as more credible and

persuasive than those who use a powerless language style, thereby conveying low levels of confidence. These findings are supported by a recent study from Oba & Berger (2022), who demonstrated that the more confident a speaker appears, the more credible and persuasive they are perceived to be. Furthermore, expert witnesses' perceived confidence was repeatedly identified as a strong and significant factor in predicting perceived expert witness credibility (Cramer et al., 2009; Brodsky et al., 2010; Wechsler et al., 2015) and, by extension, even sentencing decision-making (Cramer et al., 2011).

Unfortunately, in reality, a person's confidence often does not necessarily equal their accuracy, as people tend to be overconfident in many contexts (Dunning et al., 1990; Krug, 2007). Nevertheless, the positive impact of confidence on perceived credibility seems to persist even when contradictory evidence regarding the person's accuracy is available (Wesson & Pulford, 2006). A possible explanation can be derived from the halo heuristic, which describes people's tendency to assume positive qualities based on known but unrelated positive qualities of a person (Baumeister & Vohs, 2007a). While the halo heuristic is most commonly discussed concerning physical attractiveness, it has also been demonstrated that confidence can similarly produce a positive spillover effect, leading observers to infer unrelated qualities such as credibility (Kucharzyk, 2023). These findings suggest that although confidence should not be used as a definitive indicator of an individual's accuracy, it nonetheless plays a disproportionate role in credibility evaluations.

Another common source for perceived credibility is perceived expertise. The expertise heuristic describes a judgmental tendency to judge an individual as credible when they are perceived as an expert, assuming that experts' statements are likely to be accurate and thus trustworthy (Sundar, 2008). Hereby, indicators that someone is an expert (e.g. doctoral degree, certifications) can serve as anchors, triggering an anchoring bias. This bias implies that people tend to place disproportionate weight on the initial information they receive,

allowing it to unduly influence their subsequent assessments, even when more information becomes available (Tversky & Kahneman, 1974; Baumeister & Vohs, 2007b; APA, 2018a). Thus, indicators of expertise can anchor credibility assessments by excessively shaping individuals' perceptions of the expert, which in turn skews the subsequent evaluations in favor of those perceived as experts. This notion is supported by the current literature, which suggests that next to working experience, academic education was one of the most important factors in determining expert witnesses' credibility (Wilcox & NicDaeid, 2018). People with a high academic education are likely to be perceived as experts, especially when this degree of education is displayed, as it is often done with doctoral degrees. For instance, in an early study on expert witness credibility, Cooper et al. (1996) found that, especially in highly complex testimonies, experts with higher credentials were assigned higher credibility rankings than experts with low or moderate credentials who presented the same testimony. Similarly, in a more recent study, Flick et al. (2022) identified a similar trend showing that when testimony quality was perceived as equally high, experts who hold a PhD were preferred over experts with a lower degree (i.e. Master of Science). This reliance on academic credentials places psychologists with lower levels of credentials at a disadvantage, even though they might be similarly qualified, for example through working experience or other training. Additionally, there may be an implicit assumption that a doctoral degree held by a psychological expert witness will be in the relevant field (i.e. psychology), even though this is not necessarily true given that a PhD in psychology is not a mandatory requirement for acting as a psychological expert witness in Germany (Timmerbeil, 2003; Salewski & Stürmer, 2014). Consequently, an overemphasis on academic credentials poses the risks of undermining critical appraisal processes and encouraging superficial evaluations of credibility at the expense of more substantive considerations such as neutrality, methodological rigor, and scientific validity.

Furthermore, once individuals form an initial impression regarding a psychologist's credibility, a confirmation bias can start to affect their subsequent judgments. The confirmation bias refers to the tendency to reconfirm one's initial beliefs by seeking confirming information and/ or dismissing contradictory information (Wason, 1960; Baumeister & Vohs, 2007c; APA, 2018b). Therefore, once people learn about a psychologist's doctoral degree, they might be inclined to reconfirm their initial (favorable) beliefs about that psychologist's credibility. Thus, they might attach more value to information that reconfirms their initial beliefs, for instance the confidence displayed by a psychologist who holds a doctoral degree, when compared to the value attached to the confidence displayed by a psychologist without a doctoral degree. Similarly, people (mostly unintentionally) ignore information that is inconsistent with their initial beliefs (Baumeister & Vohs, 2007c), for example a psychologist's low level of confidence when their initial beliefs are favorable regarding the psychologist's credibility. Thereby, people can preserve their initial beliefs without having to experience the inconvenience of acknowledging their inaccuracy (Baumeister & Vohs, 2007c). As a result, psychologists holding a doctoral degree may receive higher credibility ratings compared to those without such a degree, even when both demonstrate similarly low levels of confidence, as the doctoral degree may serve to compensate for the low confidence in order to preserve a person's initial beliefs.

Limitations in the Application of Credibility Literature to German Courts

Notably, despite a growing body of research on expert witness credibility, the question of how expert witnesses are ascribed credibility remains mostly unexplored in Germany, even though psychologists regularly serve as expert witnesses in German courts. Most research on expert witness credibility is conducted in the U.S., although there are some recent efforts to change this (Kipoulas et al., 2024). Notably, these existing attempts already indicate considerable variation of what (biased) factors affect credibility assessments in different legal

systems and cultural contexts (Kipoulas et al., 2024), thereby rendering generalizations problematic. This observation likely extends to the German context as well, given the substantial differences between Germany and the U.S., particularly in their legal systems. The German legal system follows a civil law tradition, which is grounded in comprehensive legal codes, whereas the U.S. legal system adheres to a common law tradition, relying mostly on case law and judicial precedent (Scott, 2009). Procedurally, the U.S. system is characterized by an adversarial model, in which the opposing parties, through their legal representatives, present evidence and argue their case, while the judge assumes a more passive, referee-like role to ensure procedural fairness (Scott, 2009). In contrast, the German legal system adopts an inquisitorial approach, whereby the judge plays an active role in fact-finding and directs the course of the proceedings. As a result, the involvement of lawyers and parties in Germany is typically less prominent and more constrained than in adversarial systems, such as the U.S. (Scott, 2009). Additionally, the distinct roles of judges and lawyers are associated with different treatment of expert witnesses within each legal system. For instance, in the U.S., expert witnesses are typically selected and hired by each party, leading to what is often referred to as a “battle of experts” (Scott, 2009, p.11), whereas in Germany, experts are appointed by the court (Timmerbeil, 2003). Therefore, critically challenging the expert witness might be considered criticizing the judge’s choice of expert witness and thereby questioning their authority (Timmerbeil, 2003). This dynamic might (partly) explain why the questioning of expert witnesses tends to be more polite and reserved in Germany compared to the often confrontational cross-examinations common in U.S. courts (Timmerbeil, 2003). Lastly, beyond the differences in the role of judges, lawyers, and the questioning of expert witnesses, a further critical distinction between the two legal systems lies in the decision-making authority. In the U.S., legal decisions can be made not only by a judge but also by juries, who commonly serve as the primary decision-makers (Scott, 2009). Considering that

group and individual decision-making differ substantially and are shaped by different psychological and social influences (Barry, 2023), the inclusion of juries represents another critical divergence between the U.S. and Germany. Although these (and other) systematic and cultural deviations complicate the transferability of findings from predominantly U.S.-based research, it would equally neglect the complexity of cognitive decision-making to assume that these processes are flawless (i.e. free of bias) within German court proceedings.

The Present Study

The present study aims to address this by investigating potential biases targeted at the evaluation of psychological experts' credibility in German courts. Biases are errors in processing and interpreting information that can distort people's perception of reality, leading to inaccurate interpretations that subsequently inform decision-making (Da Silva et al., 2023). Considering the high stakes and profound impact of court decisions, inaccurate interpretations and wrong decisions can have serious, harmful consequences. Therefore, the research question is: *"What biases affect the assessment of psychological expert witnesses' credibility in German courts?"*.

In line with this objective, the following hypotheses are proposed:

H1: *"Psychological expert witnesses in German courts who hold a doctoral degree are perceived as more credible when compared to psychological expert witnesses who do not hold a doctoral degree."*

H2: *"Psychological expert witnesses in German courts who display high levels of confidence are perceived as more credible when compared to psychological expert witnesses who display low levels of confidence."*

Additionally, we expect that the independent variables, confidence level and doctoral degree, interact as suggested by the implications derived from the confirmation bias.

Consequently, the following hypotheses are posited:

H3: *“There is an interaction between confidence level and doctoral degree in predicting the perceived credibility of psychological expert witnesses”.*

H3a: *“Psychologists without a doctoral degree who display high confidence levels are perceived as similarly credible as psychologists who hold a doctoral degree and display low confidence levels”.*

H3b: *“The combined presence of both a doctoral degree and high confidence amplifies the perceived credibility beyond the additive effects of each factor alone.”*

In order to ensure transparency, the study was pre-registered on AsPredicted.org (registration #223402) before the start of data collection. This study seeks to investigate whether the biases identified in the existing literature (e.g. Oba & Berger, 2022; Flick et al., 2022) similarly influence the assessment of psychological expert witnesses' credibility in German courts. Furthermore, despite the widespread scholarly interest in the effects of doctoral degrees and confidence levels on credibility perceptions, to the author's best knowledge, the present study is the first to explore their potential interaction. In addition, this study aims to provide contextual insights into how credibility assessments are formed and what would be needed to shift them in a more or less favorable direction. Thereby, it seeks to foster greater recognition and awareness of these biases, allowing for more effective strategies to address them. Consequently, the current study might offer valuable implications for the training of psychological experts and inform judges, lawyers, and other people present at court about the potential negative consequences these widely held biases can have. The overarching goal is to contribute to a more objective and fairer decision-making process in German court proceedings involving psychological expert witnesses.

Method

Piloting

Prior to the current study, a pilot study was conducted to explore factors relevant to the perceived credibility of psychological expert witnesses in German courts. Given that much of the existing research has been conducted outside of Germany, this preliminary exploration was considered necessary to identify key variables within the German legal context that would warrant further investigation. Between 22 and 27 participants, recruited either directly via an email from the researcher or via the mailing list of the professional association of German psychologists, indicated and ranked factors (, that were chosen based on literature and discussed with a German psychological expert witness,) they considered important for credibility assessments, (e.g. work experience, age, experience with the judge; see Appendix B). The results highlighted that while factors like quality of content and neutrality were seen as somewhat relevant, the top three most influential factors were confidence, respectful appearance, and general competence (including doctoral degree; see Table 1). These findings informed the decision to focus the present study on confidence and doctoral degrees as key variables due to their high perceived relevance and potential for bias.

Table 1

Top Five Most Important Factors in the Pilot Study

Variable	Includes Following Factors from Quantitative Part	(Mean of) Points	SD
Confidence		10	
Respectful Appearance	Well-Groomed Appearance	9.3	2.89
General Competence	Doctoral Degree	8.67	1.15
Work Experience	Work Experience	8.33	3.79
Age	Age	8	1.72

Note. SD represents standard deviation. The factor ‘Confidence’ was only mentioned in the qualitative part of the study, and thus, no mean or SD was calculated.

Participants

The present study recruited an initial total number of 297 participants, with a final sample of 156 following data filtering procedures. Recruitment took place from April to May 2025, utilizing a combination of convenience and snowball sampling methods. The study link was distributed via the university's SONA system, student WhatsApp groups, social media platforms (e.g. Facebook, Instagram, and Reddit), emails to German law and psychology student associations as well as to lawyer discussion boards and bar associations across Germany, the researchers' personal networks, and online survey participant recruitment platforms (i.e. SurveyCircle and SurveySwap). Participants were also encouraged to share the study further. For compensation, students from the University of Twente (UT) received course credits, and participants recruited through online recruitment platforms earned points that can be used to enhance the visibility of their surveys. Additionally, all participants who finished the survey were entered into a raffle for a chance to win a 50€ HEMA voucher.

The only inclusion criteria of this study were being at least 18 years old and being proficient in the German language. A flagging system was employed to identify low-quality responses. Participants' responses were flagged if they spent considerably less time completing the questionnaire than the rest of the sample ($-1SD$), self-reported no effort, or provided nonsensical answers to open-ended questions. Participants with at least two flags and those who failed the attention check were excluded from the final analysis, leading to a remaining total sample of 156, with at least 34 participants in each condition. The minimum required sample size was determined by conducting an a priori power analysis, using the G*Power software version 3.1.9.6 (Faul et al., 2009). The analysis indicated that a sample size of at least 179 participants would be necessary to detect a medium effect size ($f = 0.25$) with power = 0.8, $\alpha = 0.05$, and three numerator degrees of freedom in a design with four groups. The final sample of 156 participants fell slightly short of the predetermined target

sample size of 179. A post-hoc analysis based on the given alpha ($= 0.05$), final sample size ($= 156$), and effect size ($= 0.25$) indicated a moderately strong achieved ability of 0.74 to detect a medium-sized effect.

Of the final sample of 156 participants, 117 identified as female (75%) and 37 as male (24%). Two participants (1%) chose to self-describe their gender identity, with one identifying as agender and one as non-binary. Participants' mean age was 29.88 ($SD = 10.87$), ranging from 18 to 70. Regarding participants' legal background, 130 reported no legal background (83%), six were studying or had studied law (3%), one works as a legal professional (1%), and four were employed in legal-related fields but not as a legal professional themselves (3%). An additional 10% ($n = 15$) indicated a legal background other than the ones captured by the provided response options and specified this background in an open-ended response. Ethical approval for this study was obtained from the UT Humanities and Social Sciences Ethics Committee (approval number 250382).

Design

The present study employed a mixed-methods, between-participants design. An online survey was conducted to investigate biases in the evaluation of psychological expert witnesses' credibility in German courts. Therefore, the experimental quantitative component follows a 2 (doctoral degree vs. no doctoral degree) $\times$ 2 (high confidence vs. low confidence) design, where participants were randomly assigned to one of these four conditions. The dependent variables were the perceived credibility of the psychological expert witness, the identification of relevant text passages, and the agreement with the expert. The qualitative component complements this quantitative part by exploring the reasoning behind these evaluations and other factors participants consider relevant to their assessments. Thereby, the qualitative data provides additional context to the quantitative findings, offering a deeper understanding of the factors driving participants' judgments.

Materials

The software Qualtrics (www.qualtrics.com) was used to create the online survey, which consisted of 31 items (see Appendix C) and aimed to measure the perceived credibility, level of agreement, and provide contextual insights to these rankings.

Vignettes

As indicated before, participants were randomly presented with one of four written vignettes. The vignettes were written in German and depicted a fictional court scenario in which a psychological expert witness provided an evaluation in a custody case. The content of the vignettes was adapted from real-world court protocol, presented in a format that closely resembles authentic German court documents (see Figure 1), and included details regarding the court proceeding and the psychologist's final recommendation. The experimental manipulation involved the presence or absence of a PhD held by the psychological expert witness and the different levels of confidence (low vs. high) the psychologist displayed in their recommendation. The manipulation of confidence was grounded in research that (un)willingness to assert certainty in conclusions (e.g. "It can be said with great certainty...") can affect perceptions of confidence (Cramer et al., 2009; Cramer et al., 2011). Additionally, the use of less powerful language, such as hedges (e.g. "possibly", "seemingly"), has been shown to negatively affect perceptions of confidence (Oba & Berger, 2022). In contrast, more powerful language, that is, among other aspects, characterized by an absence of hedges (e.g. "It is clearly evident..."), tends to be evaluated more positively and more confidently (Smith et al., 1998; Hosman & Siltanen, 2006).

Figure 1

Translated Exemplary Excerpt of a Protocol as Presented in the Study

Non-Public Hearing**Of the District Court****Case Number: 78 F 1234/56**

Karlsruhe, 14.06.2024

Judge at the District Court Mrs. Becker – without clerk of the court in accordance with § 28 paragraph 4 FamFG / Minutes were temporarily recorded on audio device

In the matter of interim proceedings

Concerning the minor child Felix Brosch, born on 22.11.2020,

Child's legal representative: Lawyer Monika Lange, Hauptweg 1, 78131 Karlsruhe

also involved are:

1. Mrs. Mia Brosch, Schulstr. 345, 78131 Karlsruhe,

Mother,

Legal representative: Lawyer Schulze, Lindenstr. 11, 78131 Karlsruhe,

Before the main study, a pilot test ($n = 16$) was conducted to assess whether the confidence manipulation in the vignettes was perceived as intended (see Appendix D). Participants were randomly presented with one of two vignettes, designed to portray a psychologist with either high or low levels of confidence. After reading the vignette, participants rated the psychologist on a scale with five items (e.g. “not-confident” vs. “confident”; “tense” vs. “relaxed”¹), with scores ranging from one to ten, where higher scores indicated higher perceptions of confidence. Participants were then asked to mark the text passages that were decisive in forming their judgment, using two colors: red to indicate a negative impact and green to indicate a positive impact on their judgments. Descriptive analyses of the pilot test results indicated that the manipulation was effective, with mean ratings for the low-confidence condition consistently lower than those for the high-confidence

¹ To ensure clarity, all quotations and relevant text excerpts from the original German materials have been translated into English.

condition (see Table 2). However, minor revisions were made to the vignettes to further strengthen the contrast between the two levels of confidence, particularly by expanding the manipulation in the low-confidence level vignettes² (for final vignettes, see Appendix C).

Table 2

Results of Confidence Pilot Test with Means and SDs

Item	Low Confidence Condition (n=8)		High Confidence Condition (n=8)	
	M	SD	M	SD
Not Confident	7.38	1.6	8.5	1.2
Inarticulate	7.5	2.07	8	2.07
Tense	7.25	1.83	7.75	1.83
Shaken	7	1.69	7.5	1.77
Not Self-Assured	7.88	2.47	9	1.07

Note. M represents mean, and SD represents standard deviation.

Witness Credibility Scale

In the present study, a translated version of the Witness Credibility Scale (WCS), developed by Brodsky et al. (2010), was employed (see Appendix C). The original and translated scales comprise 20 items that measure the overall credibility of expert witnesses, encompassing four subconstructs, namely confidence, likeability, trustworthiness, and knowledge. Each subconstruct is measured by five items that represent bipolar adjective pairs, such as “self-assured” vs. “not self-assured”, “pleasant” vs. “not pleasant”, “truthful” vs. “not truthful”, and “educated” vs. “not educated”, respectively. The responses were recorded using a 10-point Likert-type scale, with the individual item scores summed to yield an overall credibility score. Higher scores reflect higher perceived credibility.

² Although the vignettes are designed to differ in the level of confidence displayed by the psychologist, the low-confidence condition was intentionally not made excessively low, in order to preserve external validity. An unrealistic scenario harms the ecological relevance and limits the applicability of the findings to real-world professional practice.

The original WCS yielded excellent reliability for the overall scale ($\alpha = .95$), and high reliability for each subscale (Confidence $\alpha = .89$; Likeability $\alpha = .86$; Trustworthiness $\alpha = .93$; Knowledge $\alpha = .86$), suggesting that the subscales can be analyzed independently when interested in examining their individual contribution to overall credibility (Brodsky et al., 2010). Furthermore, in the original validation studies, all items included demonstrated factor loadings of at least 0.50 on their respective factors, and the factor structure remained stable across subsequent studies (Brodsky et al., 2010). In the present study, the translated version of the WCS demonstrated excellent reliability ($\alpha = .96$), with the subscales also showing good to excellent internal consistencies (Confidence $\alpha = .87$; Likeability $\alpha = .86$; Trustworthiness $\alpha = .92$; Knowledge $\alpha = .91$). A confirmatory factor analysis showed support for the four-factor structure, with factor loadings between 0.63 and 0.90.

Credibility

In addition to the WCS, participants were asked to provide a direct evaluation of the psychologist's perceived credibility. This was measured using a single-item measure asking: "How credible do you perceive the psychological expert witness to be?", with responses being recorded on a 10-point Likert scale, ranging from one to ten, where higher scores indicate higher perceived credibility.

Open-Ended Prompts

To gain deeper insights into participants' cognitive processes when evaluating expert witness credibility, three open-ended questions were included. The first prompt encouraged participants to elaborate on their decision-making: "Please describe why you came to this judgment.". The subsequent questions asked: "What would make the psychological expert witness more credible?" and "What would make the psychological expert witness less credible?". All responses were entered into unrestricted free-text fields.

Agreement with the Expert

Participants were also asked to indicate the extent to which they agreed with the expert witness's final recommendation in the vignette. This was assessed using a single-item measure rated on a 10-point scale, with higher scores reflecting greater agreement with the expert.

Relevance Marking

To further explore the foundation of participants' credibility evaluations, a relevance marking task was implemented using Qualtrics' text highlighting function. Participants were instructed to identify and select the sections of the vignette they considered most relevant to their credibility evaluation. Two color options were available: green to indicate segments that positively influenced their credibility assessment, and red to indicate passages that negatively influenced it. Participants could mark each word separately and as many as they deemed relevant.

Manipulation and Attention Checks

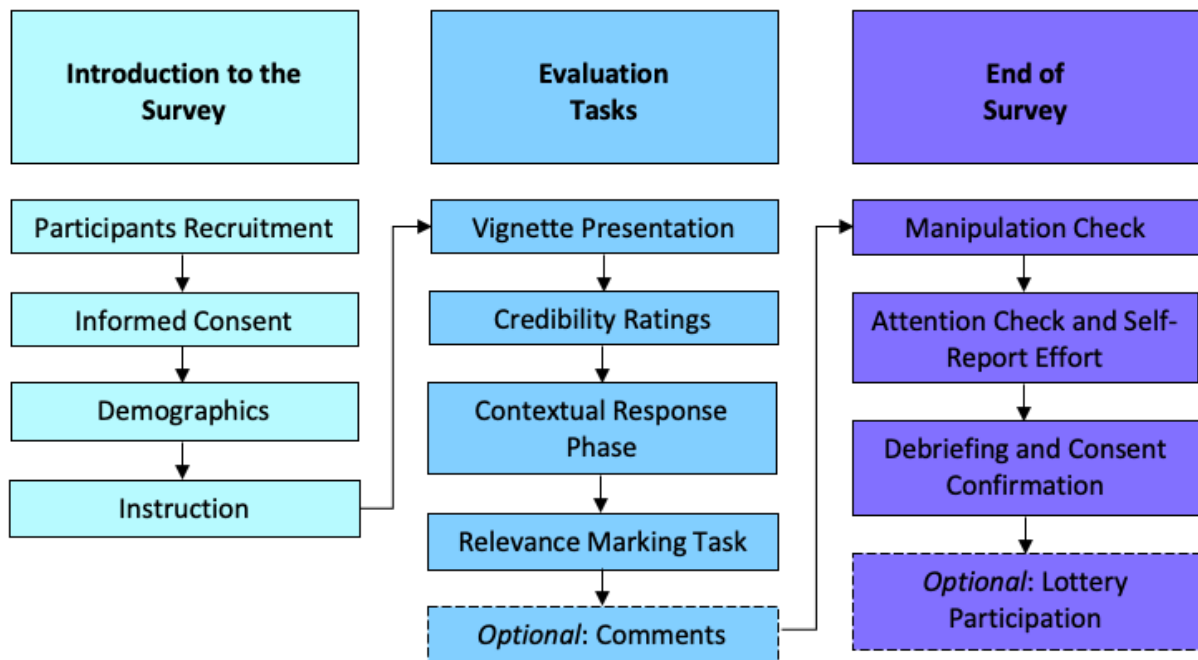
To assess whether participants noticed the experimental manipulation regarding the doctoral degree, a manipulation check was administered at the end of the study. Participants were asked whether the psychologist held a doctoral degree and could select one of the following response options: "Yes", "I am not sure but I think yes", "I don't know", "I am not sure but I think no", and "No". To verify that participants read the case scenario attentively and ensure data quality, an attention check was included at the end of the study. Participants were asked to identify the name of the child mentioned in the court protocol with three response options to select from. This helped to confirm that participants engaged with the vignette content appropriately. In addition to the attention check, participants were prompted to self-report the degree of effort they invested in completing the study, having two response options, "Yes" and "No". This measure was included to gauge participants' engagement in the study.

Procedure

Participants accessed the online study on Qualtrics via a web link distributed through various recruitment channels. Upon entering the survey, participants were required to provide informed consent, confirming their understanding of the voluntary, confidential, and anonymous nature of the study, as well as their agreement to participate. In an introductory section, participants were asked to indicate their demographics, including age, gender, and legal background. Subsequently, they were instructed to read the following court protocol attentively. Each participant was randomly assigned to one of four experimental vignette conditions. Following the vignettes, participants were asked to rate the psychological expert witnesses on the WCS and their overall credibility. Afterwards, they were probed to answer three open-ended questions which aimed at providing context and thereby allowing a more nuanced picture of the underlying processes. Then, for further contextualization, participants were asked to indicate their agreement with the expert. Next, participants were instructed to identify and mark text passages that they considered decisive when coming to their credibility judgments. Optionally, participants could then indicate whether they had any comments or something else to add. Lastly, manipulation and attention checks were conducted, and participants were asked to self-report their effort during participation. At the end of the study, participants were thanked for their participation, debriefed about the full purpose of the study, and asked to reconfirm their informed consent, as well as presented with the codes for SurveyCircle and SurveySwap. They were also given the opportunity to indicate their email address to be entered into the draw for the 50€ HEMA voucher. An overview of the study procedure is presented in Figure 2.

Figure 2

Flowchart of the Study Procedure



Data Analysis

For data analysis, the statistical software R (version 4.4.2) within the RStudio environment (version 2024.12.1-563) and the packages “tidyverse”, “foreign”, “topicmodels”, “dplyr”, “tidytext”, “ggplot2”, “psych”, “lavaan”, “car”, “patchwork”, “GPArotation”, “ggpubr”, “ggsci”, “nnet”, “BayesFactor”, and “effectsize” were used. Prior to analysis, the data was cleaned, including the exclusion of non-essential variables (e.g. start date), preview-responses and participants who did not provide or reconfirm their informed consent. Additionally, as indicated before, participants were excluded when they had at least two indicators of low-quality responses or when they failed the attention check. Descriptive statistics were computed for all relevant variables, including sum scores for the total WCS and each subscale³. Assumptions of normality and homogeneity of variance were tested using the Shapiro-Wilk test and Levene’s test, respectively.

³ Sum scores were calculated for each subscale of and the overall WCS following the approach proposed by the original authors (Cramer et al., 2013). This method allows for straightforward interpretation of the ratings. As each subscale contains an equal number of items and no missing values were present, the use of sum scores versus mean scores would yield equivalent results, making sum scores a statistically and conceptually appropriate choice.

To test the hypotheses, a two-way analysis of variance (ANOVA) was conducted with the categorical variables doctoral degree (vs. no doctoral degree) and confidence level (low vs. high) as independent variables, and perceived expert witness credibility as the continuous dependent variable. To address the potential overlap between experimentally manipulated confidence and the Confidence subscale of the WCS, a sensitivity analysis was conducted, following the example of Cramer et al. (2009). Specifically, the ANOVA was run twice: once using the scores from the complete WCS and once excluding scores from the Confidence subscale. This approach allows to demonstrate that any potentially observed effect is not simply due to the conceptual overlap between the dependent variable and components of the independent variables. Overall, these analyses allow for investigating the main effects of both doctoral degree (H1) and confidence level (H2), as well as their potential two-way interaction effect on perceived credibility (H3). In the case of a significant interaction effect, post-hoc comparisons were conducted to gain further insights into the nature of the interaction (H3a, H3b).

The qualitative component of this study was analyzed using the thematic analysis approach as proposed by Braun and Clarke (2006), meaning that following an initial familiarization with the data, codes were inductively generated from the data and iteratively organized into broader themes. Each theme was subsequently defined and accompanied by an explanatory description of what the theme entails. These qualitative insights serve to complement the quantitative results by offering a deeper understanding of the cognitive processes of how credibility is ascribed to psychological expert witnesses in courts.

Results

Preliminary Analyses

Before conducting any parametric tests, the parametric assumptions underlying each

test were assessed and found to be either adequately met or the chosen analytic approach is robust to the present violations. For a detailed overview, refer to Appendix E. Additionally, the effectiveness or perception accuracy of the experimental manipulations, confidence level, and doctoral degree, respectively, were assessed. To determine the effectiveness of the confidence manipulation, a two-way ANOVA was conducted to isolate and examine whether the experimental manipulations of confidence affected participants' perceptions of the expert's confidence. The analysis revealed no significant difference in scores on the Confidence subscale depending on the manipulated confidence level, $F(1, 152) = 0.09, p = .769$. These results suggest that the confidence manipulation did not work as anticipated, as participants did not rate the psychologist as more or less confident based on the manipulated confidence level.

For the doctoral degree manipulation, a Pearson's chi-square test was conducted to determine whether participants accurately recognized the presence or absence of a doctoral degree based on the experimental condition. The association between both categorical variables manipulation of doctoral degree and participants' correct identification of it was not statistically significant, $X^2(1, n = 156) = 1.68, p = .195$. Descriptively, 57% of participants ($n = 89$) correctly identified the expert's academic qualification, with comparable recognition rates in the doctoral degree present ($n = 45$) and doctoral degree absent ($n = 44$) conditions. The remaining 43% ($n = 67$) responded incorrectly, 62% of whom ($n = 41$) were in the doctoral degree absent conditions. These results suggest that the doctoral degree manipulation was not consistently recognized accurately by participants and thus did not work as anticipated.

Self-Reported Perceived Credibility

Overall, the psychologist's mean perceived credibility is located in the upper third of the scale, indicating a fairly high perceived credibility ($M = 151.65, SD = 24.33$; see Table 3).

Similarly, the total mean scores on all subscales lie within the upper third of the scale range, indicating relatively high ratings on all individual facets of credibility. The psychologist received the highest scores on the Knowledge subscale ($M = 38.83$, $SD = 7.88$) and the lowest scores on the Likeability subscale ($M = 36.58$, $SD = 6.58$).

To illustrate the distribution of credibility ratings across experimental conditions, a comparative box plot was generated (see Figure 3). The interquartile ranges (IQR) are visualized by the boxes, medians by the horizontal lines, and means by the black dots. Whiskers extend to 1.5 times the IQR from the quartiles 1 and 3, which are represented by the lower and upper edges of the boxes.

Figure 3

Credibility per Condition

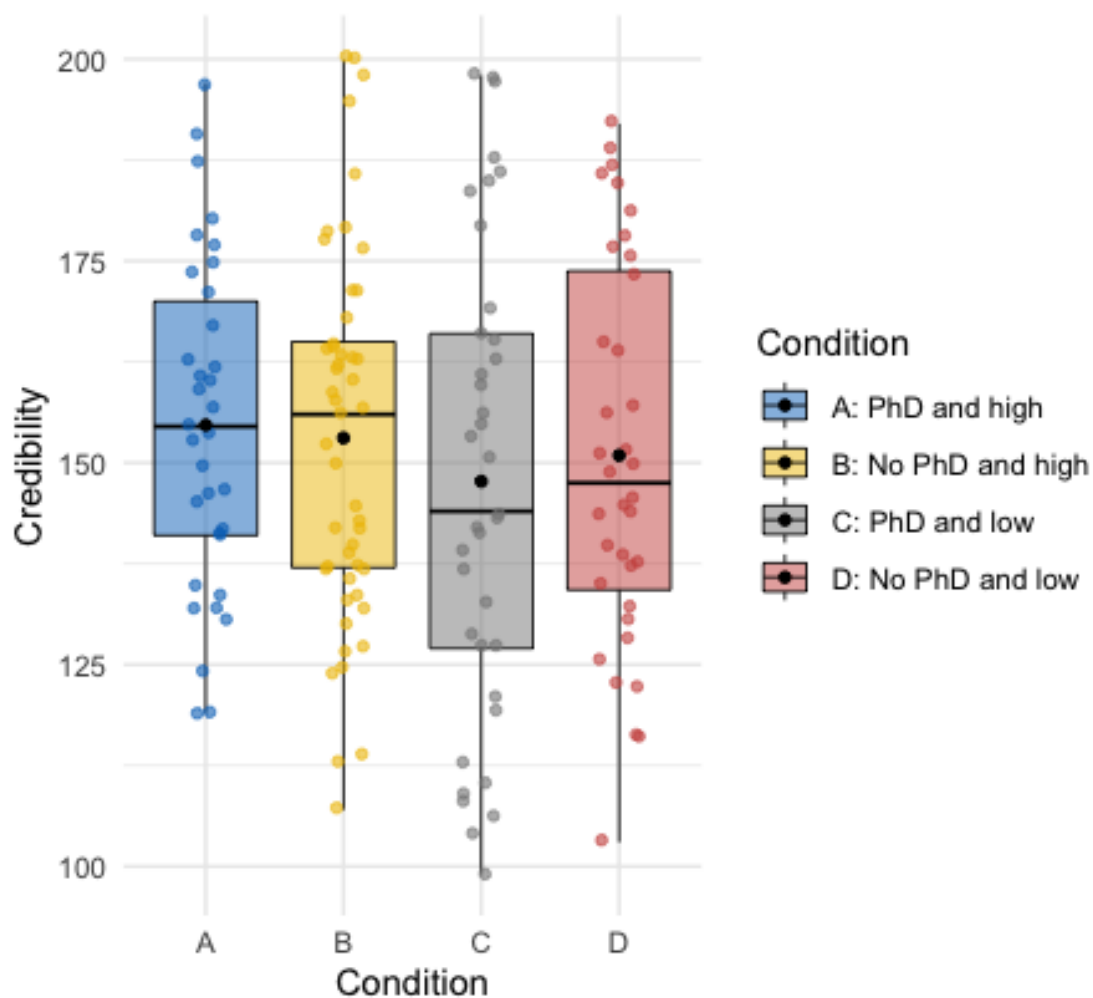


Table 3*Total Means and SDs of Sum Scores for All (Sub-) Scales*

Scale	M	SD
WCS	151.65	24.33
Confidence	37.53	6.85
Knowledge	38.83	7.88
Likeability	36.58	6.58
Trustworthiness	38.71	6.93

Note. Scores could range from 5 to 50 on subscales and from 20 to 200 on the overall scale.

In order to test the hypotheses whether the presence or absence of a doctoral degree (H1), different manipulated confidence levels (H2), or a potential interaction between both factors (H3) would lead to differences in participants' credibility ratings for the psychologist, participants were asked to self-report their perceptions of the psychologist's credibility⁴.

A two-way ANOVA (manipulated confidence level x doctoral degree) was performed to compare participants' ratings of psychologists' credibility across different conditions. The results revealed no significant main effect of doctoral degree, $F(1, 152) = 0.08, p = .775$, nor a significant main effect of confidence level, $F(1, 152) = 1.24, p = .268$ on perceived credibility. The interaction between confidence level and doctoral degree was also not significant, $F(1, 152) = 0.37, p = .544$. Descriptively, between the highest mean sum score found across conditions in the high-confidence/ PhD-present condition ($M = 155, SD = 20.6$) and the lowest mean sum score in the low confidence/ PhD-present condition ($M = 148, SD = 29.4$), there was only a minimal difference of 7 points on a scale ranging from 20 to 200, further demonstrating the similarity of credibility scores across conditions (see table 4).

Additional ANOVAs were conducted using the four subscales of the WCS as outcome

⁴A single-item credibility rating was collected as a basic control check but was not included in the main analyses. It strongly correlated with the credibility scores as measured by the WCS, $r(154) = .75, p < .001$, which was designated a priori as the primary credibility outcome. Given that single-item measures are generally considered less methodologically rigorous than multi-item scales (Diamantopoulos et al., 2012), only the WCS scores were used in subsequent analyses.

variables to examine potential differences in specific facets of credibility (i.e. Confidence, Knowledge, Likability, and Trustworthiness) depending on the conditions. These analyses revealed similar non-significant results (see Appendix F). Overall, these findings suggest that neither the manipulated confidence level nor the manipulated presence or absence of the psychologist's doctoral degree had a statistically significant effect on the ratings of the psychologist's credibility and its facets. As the interaction was also not significant, none of the proposed hypotheses (H1-H3) were supported. Additional exploratory analyses were conducted to examine whether participants' accurate identification of (i.e. for those for whom the doctoral degree manipulation worked as intended) or subjective belief in a doctoral degree held by the psychologist (i.e. when participants stated that the psychologist held a doctoral degree, regardless of their accuracy in this thinking) affected credibility perceptions. However, no significant effects were observed (see Appendix G for details).

Table 4

Means and SDs of Sum Scores for All (Sub-) Scales Per Condition

Scale	High Confidence Level				Low Confidence Level			
	PhD (n = 34)		No PhD (n = 49)		PhD (n = 37)		No PhD (n = 36)	
	M	SD	M	SD	M	SD	M	SD
WCS	155.00	20.60	153.00	23.20	148.00	29.40	151.00	23.90
Confidence	37.70	6.59	37.20	6.20	36.7	7.81	38.70	7.00
Knowledge	40.00	7.54	39.60	6.71	37.5	9.81	38.10	7.51
Likeability	37.30	5.13	37.00	7.17	35.6	7.05	36.30	6.61
Trustworthiness	39.70	5.59	39.30	6.61	37.9	8.08	37.80	7.30

Note. See Table 3.

In order to quantify the evidence against the proposed hypotheses, post-hoc Bayesian ANOVAs were conducted using the default Cauchy prior distribution. In line with prior findings, the Bayes factors indicated anecdotal to moderate evidence in favor of the null models over the hypothesized effects (Lee & Wagenmakers, 2014). Specifically for

hypothesis 1, which suggested an effect of doctoral degree, the model yielded $BF_{10} = 0.18$, indicating moderate evidence for the null, with the latter being approximately 5.6 times more likely than the alternative model ($BF_{01} = 5.56$). For hypothesis 2, which posited an effect of confidence level, the model yielded $BF_{10} = 0.31$, indicating anecdotal evidence for the null model ($BF_{01} = 3.23$). Similarly, for hypothesis 3, the interaction model (doctoral degree x confidence level) resulted in $BF_{10} = 0.19$, again providing moderate evidence favoring the null ($BF_{01} = 5.26$).

As indicated before, in order to deal with the potential overlap of having an experimentally manipulated confidence and the WCS Confidence subscale, the first ANOVA was conducted a second time, excluding the Confidence subscale scores from this analysis. The results yielded similar non-significant results for both independent variables and their interaction. For the full results of this analysis and a comparison to the previous analysis, see Table 5.

Table 5

ANOVA Summary of the Effects of Confidence and Doctoral Degree on Perceived Credibility

	WCS			WCS Excluding Confidence		
	<i>F</i>	<i>p</i>	Effect Size η^2	<i>F</i>	<i>p</i>	Effect Size η^2
Confidence	0.08	.775	.008	2.47	.871	.020
Doctoral Degree	1.27	.757	< .001	0.03	.118	< .001
Confidence * Doctoral Degree	0.37	.544	.002	0.15	.702	< .001

Note. η^2 = partial eta squared. *df* = 1, 152

Relevance Marking Task

To contextualize the self-reported judgments and gain deeper insight into the evaluative process, participants were additionally probed to identify and mark text passages they perceived as pivotal in forming their judgments of the psychologist's credibility.

Overall, across all four vignettes, between 99% to 100% of the text was marked at least once, reflecting that participants thoroughly read and engaged with the material. On average, participants marked 13.26% (SD = 0.12) of the text, indicating a meaningful but variable selection of relevant excerpts that shaped their overall impression of the psychologist's credibility. Each vignette was predominantly marked positive and showed similar points of strongest marking concentration. These frequently marked passages deal with the psychologist's clarification of the intended interpretation of the report (e.g. "to highlight again that the report neither states that"), their balanced consideration of both sides in the decision-making process (e.g. "weighing of all advantages and disadvantages"), their articulation of an ideal outcome (e.g. "if both parents were equally involved") and their final recommendation (e.g. "parental counseling" and "continued close contact between Felix and his mother"). Across all vignettes, negative markings were fewer than positive ones. Only six words (0.66%) were exclusively negatively marked, compared to 316 (35%) that were exclusively marked as positive. This suggests that overall, the majority of the text contributed positively to the perceived credibility. The rather negatively perceived passages mainly included hedges (e.g. "seemingly" and "possibly") and the psychologist's evaluation of the father's parenting capacity (e.g. "the father's parenting capacity is not entirely free of limitations").

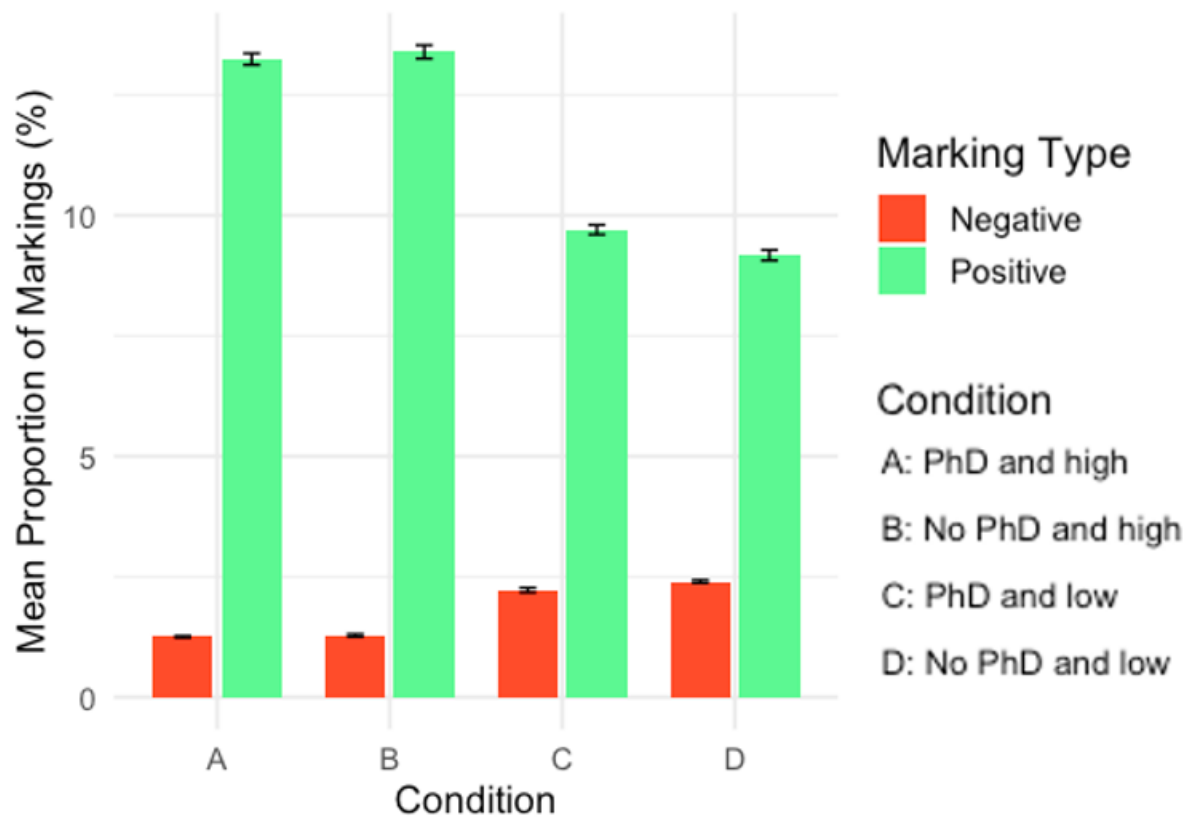
In order to compare and identify potential differences in participants' relevance markings across conditions, first, the proportions of positively and negatively marked words were compared between conditions. Therefore, two two-way ANOVAs (manipulated confidence level x doctoral degree) were conducted that assessed whether the proportions of positive and negative markings vary depending on participants' conditions. The results revealed a significant positive main effect of manipulated confidence level on the proportion of positive markings, $F(1, 152) = 4.06, p = .047, \eta^2 = .03$. As illustrated in Figure 4, the mean

proportion of positive markings per word was higher in the high-confidence conditions (high confidence/ PhD-present $M = 13.24\%$, $SD = 0.12$; high confidence/PhD-absent $M = 13.39\%$, $SD = 0.14$), than in the low-confidence conditions (low confidence/ PhD-present $M = 9.70\%$, $SD = 0.10$; low confidence/PhD-absent $M = 9.17\%$, $SD = 0.11$). Additionally, the findings revealed a marginally⁵ significant negative main effect of confidence level on the proportion of negative markings, $F(1, 152) = 3.51$, $p = .063$, $\eta^2 = .02$. Descriptively, the mean proportions of negative markings per word were higher in the low-confidence level conditions (low confidence/ PhD-present $M = 2.22\%$, $SD = 0.05$; low confidence/ PhD-absent $M = 2.40\%$, $SD = 0.03$) than the high-confidence level conditions (high confidence/ PhD-present $M = 1.25\%$, $SD = 0.02$; high confidence/ PhD-absent $M = 1.28\%$, $SD = 0.03$). Moreover, the results showed no significant main effects of doctoral degree or the interaction of both variables (see Table 6). The findings suggest that whereas doctoral degree and the variables' interaction do not lead to significant differences in the general proportion of positive or negative markings, at higher confidence levels, there is a significantly higher proportion of positive markings and a (marginally) significantly lower proportion of negative markings.

Figure 4

Proportions of Positive and Negative Markings per Word

⁵ Marginally significant results ($p < .10$) are reported due to the presence of directional hypotheses, based on theoretical expectations that credibility ratings would be higher in the high-confidence conditions, indicating that in these conditions, the psychologist should receive more favorable markings (i.e., more positive and less negative) when compared to low-confidence conditions.



Note. Error bars represent the SD instead of the standard error of the mean (SE) due to the minimal magnitude of the SE values, which rendered the corresponding error bars visually imperceptible. The use of SD thus provides a more informative representation of the variability within the data.

Table 6

ANOVA Summary of the Effects of Confidence and Doctoral Degree on Marking Proportion

Marking Valence	Variable	<i>F</i>	<i>p</i>	Effect Size η^2
Positive	Confidence Level	4.06	.047*	.030
	Doctoral Degree	0.12	.913	< .001
	Confidence Level * Doctoral Degree	0.03	.861	< .001
Negative	Confidence Level	3.51	.063†	.020
	Doctoral Degree	0.00	>.999	< .001
	Confidence Level * Doctoral Degree	0.02	.900	< .001

Note. η^2 = partial eta squared, $df = 1, 152$, * = significant at $p < .05$, † = marginally significant at $p < .10$

Prior analysis focused on differences in overall proportions of positive and negative markings. To gain a more nuanced understanding of whether the evaluative judgments differed systematically across experimental conditions, closer attention was paid to how participants' markings relate to each other, resulting in five valence categories: 'Only Positive' (i.e. all markings positive), 'Mostly Positive' (i.e. more positive than negative), 'Balanced' (i.e. equal number of positive and negative markings), 'Mostly Negative' (i.e. more negative than positive), and 'Only Negative' (i.e. all markings negative). The distribution of markings falling in the different valence categories across conditions was visualized using heatmaps (see figure 5), where color intensity reflects the frequency with which each word was marked.

First, in order to examine whether there is an association between experimental condition and distribution of marking valence, a Fisher's exact test⁶ was conducted. The results revealed a significant association between condition and distribution of marking valence categories, with $p = .003$ (two-tailed). Thus, a multinomial logistic regression was conducted to assess in more detail whether the likelihood of participants' markings falling into the varying marking valence categories differed significantly across experimental conditions. The model was statistically significant, $X^2(12) = 26.67$, $p = .006$, indicating again that participants' assigned condition influenced the categorization of their markings. Compared to the reference group (i.e. "Mostly Positive" as this was the most common answer making it a suitable baseline), the results show that participants in conditions with a psychologist who held a doctoral degree ($B = 1.38$, $SE = 0.58$, $OR = 3.99$, 95% CI [1.29, 12.37], $p = .017$) or had a high manipulated confidence level ($B = 2.02$, $SE = 0.56$, $OR = 7.55$, 95% CI [2.54,

⁶ Instead of a Pearson's chi-square test, the fisher's test was conducted as more than 20% of all columns had an expected value below five, violating an assumption required for a Chi-Square test (Moore et al., 2013).

22.45], $p < .001$) were significantly more likely to produce markings that were categorized as “Only Positive”. Additionally, the interaction between doctoral degree and confidence level was significant as well ($B = -1.76$, $SE = 0.80$, $OR = 0.17$, 95% CI [0.04, 0.83], $p = .028$), indicating that the effect of confidence level on the likelihood of producing “Only Positive” markings differed depending on whether the psychologist held a doctoral degree.

Interestingly, the findings show that the credibility-enhancing effect associated with high confidence was significantly weakened when combined with a doctoral degree, revealing an antagonistic interaction effect. However, for the other categories (i.e. “Balanced”, “Mostly Negative”, “Only Negative”), no significant main effects or interaction effects were observed. The significant intercepts for “Balanced”, “Mostly Negative”, and “Only Negative” (see table 7) support the choice of “Mostly Positive” as baseline, as even in the low-confidence and PhD-absent conditions, the odds for these categories were still lower than for the reference category.

Table 7

Multinomial Logistic Regression Results

Category	Variable	Estimate	SE	OR	95% CI	p
Only Positive	Intercept	-0.64	0.41	0.53	[0.24, 1.19]	.123
	Doctoral Degree	1.38	0.58	3.99	[1.29, 12.37]	.017*
	Confidence Level	2.02	0.56	7.55	[2.54, 22.45]	< .001**
	Doctoral Degree *	-1.76	0.80	0.17	[0.04, 0.83]	.028*
	Confidence Level					
Balanced	Intercept	-2.14	0.75	0.12	[0.03, 0.51]	.004*
	Doctoral Degree	-0.06	1.29	0.95	[0.08, 11.89]	.965
	Confidence Level	-12.87	583.47	0.00	[0.00, ∞]	.982
	Doctoral Degree *	-2.48	40.78	0.08	[0.00, >10 ³³]	.951
	Confidence Level					
Mostly Negative	Intercept	-1.45	0.56	0.24	[0.08, 0.70]	.009*
	Doctoral Degree	1.04	0.77	2.83	[0.63, 12.71]	.174

	Confidence Level	0.35	0.87	1.42	[0.26, 7.76]	.689
	Doctoral Degree *	-1.33	1.29	0.27	[0.02, 3.30]	.302
	Confidence Level					
Only Negative	Intercept	-1.45	0.56	0.24	[0.08, 0.70]	.009*
	Doctoral Degree	-0.06	0.96	0.94	[0.14, 6.19]	.952
	Confidence Level	-0.75	1.19	0.47	[0.05, 4.88]	.529
	Doctoral Degree *	0.87	1.63	2.39	[0.10, 58.19]	.594
	Confidence Level					

Note. ** = significant at $p < .001$, * = significant at $p < .05$; OR = odds ratio, 95% CI = 95% confidence interval for OR

Figure 5

Heatmaps Across the Different Conditions

Condition A: High Confidence and PhD

Die psychologische Sachverständige Frau Dr. Winter erklärte, dass nochmal zu betonen sei, dass das Gutachten weder aussage, dass die Kindesmutter sich kindeswohlgefährdend gegenüber Felix verhalte, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies sei explizit nicht der Fall. Die gutachterlichen Ergebnisse ergäben klar, dass aufgrund der hohen Strittigkeit und der gänzlich fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden müsse sowie wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden müssten. Laut Frau Dr. Winter könne mit großer Sicherheit gesagt werden, dass das Beste für Felix wäre, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich.

Es sei insofern ein Lebensmittelpunkt und ein hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier sei es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen zu befunden gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei gutachterlich eine höhere Erziehungseignung des Kindesvaters feststellbar gewesen. Trotzdem sei aber dem Gutachten klar zu entnehmen, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch bleiben sollten. Hierzu solle die Elternberatung fortgeführt werden. Außerdem solle weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Condition B: High Confidence and No PhD

Die psychologische Sachverständige Frau Winter erklärte, dass nochmal zu betonen sei, dass das Gutachten weder aussage, dass die Kindesmutter sich kindeswohlgefährdend gegenüber Felix verhalte, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies sei explizit nicht der Fall. Die gutachterlichen Ergebnisse ergäben klar, dass aufgrund der hohen Strittigkeit und der gänzlich fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden müsse sowie wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden müssten. Laut Frau Winter könne mit großer Sicherheit gesagt werden, dass das Beste für Felix wäre, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich.

Es sei insofern ein Lebensmittelpunkt und ein hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier sei es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen zu befunden gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei gutachterlich eine höhere Erziehungseignung des Kindesvaters feststellbar gewesen. Trotzdem sei aber dem Gutachten klar zu entnehmen, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch bleiben sollten. Hierzu solle die Elternberatung fortgeführt werden. Außerdem solle weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Heatmap Legend

Positive only (low)
 Positive only (high)
 Overlap: mostly positive
 Balanced (equal, medium)
 Overlap: mostly negative
 Negative only (high)
 Negative only (low)

Condition C: Low Confidence and PhD

Die psychologische Sachverständige Frau Dr. Winter erklärte, gerne sagen zu wollen, dass es aus ihrer Sicht weder so erscheine, als verhalte sich die Kindesmutter kindeswohlgefährdend gegenüber Felix, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies scheine eher nicht der Fall zu sein. Nach ihrem Erachten wirke es so, als müsse aufgrund der hohen Strittigkeit und der scheinbar fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden sowie müssten wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden. Laut Frau Dr. Winter könne es möglicherweise vorteilhaft für Felix sein, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei scheinbar in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich.

Es sei insofern ein Lebensmittelpunkt und ein hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier scheine es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen einzuschätzen gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei eine möglicherweise höhere Erziehungseignung des Kindesvaters anzunehmen gewesen. Trotzdem glaube sie es könnte wichtig sein, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch blieben. Hierzu könne die Elternberatung fortgeführt werden. Außerdem solle eigentlich weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Condition D: Low Confidence and No PhD

Die psychologische Sachverständige Frau Winter erklärte, gerne sagen zu wollen, dass es aus ihrer Sicht weder so erscheine, als verhalte sich die Kindesmutter kindeswohlgefährdend gegenüber Felix, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies scheine eher nicht der Fall zu sein. Nach ihrem Erachten wirke es so, als müsse aufgrund der hohen Strittigkeit und der scheinbar fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden sowie müssten wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden. Laut Frau Winter könne es möglicherweise vorteilhaft für Felix sein, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei scheinbar in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich.

Es sei insofern ein Lebensmittelpunkt und ein hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier scheine es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen einzuschätzen gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei eine möglicherweise höhere Erziehungseignung des Kindesvaters anzunehmen gewesen. Trotzdem glaube sie es könnte wichtig sein, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch blieben. Hierzu könne die Elternberatung fortgeführt werden. Außerdem solle eigentlich weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Expert Agreement

While perceived credibility and expert agreement are related constructs, both constructs capture different aspects, with the former reflecting participants' evaluation of the psychologist and the latter reflecting a behavioral response to endorse an expert's perspective. Therefore, investigating expert agreement provides insight into whether both constructs are affected by the same factors and how they relate to each other.

First, another two-way ANOVA was conducted to assess whether levels of agreement with psychological experts varied as a function of the manipulated confidence level and presence or absence of a doctoral degree. This served to explore whether the same source characteristics that were found in previous literature to influence credibility judgments (e.g. Oba & Berger, 2022; Flick et al., 2022) also extend to participants' tendency to agree with expert evaluations, as for example indicated by Cramer et al. (2011). The analysis revealed no significant main effect of doctoral degree, $F(1, 152) = 0.79, p = .375$, nor of manipulated confidence level, $F(1, 152) = 0.97, p = .328$ and neither a significant interaction of both variables, $F(1, 152) = 0.92, p = .338$. This is also reflected in the rather small difference of mean agreement scores across conditions, ranging from 6.62 (SD = 2.24) in the low confidence/ PhD-present condition to 7.26 (SD = 1.58) in the high confidence/ PhD-present condition (see Table 8).

Table 8

Means and SDs of Expert Agreement Per Condition

	High Confidence Level				Low Confidence Level			
	PhD (n = 34)		No PhD (n = 49)		PhD (n = 37)		No PhD (n = 36)	
	M	SD	M	SD	M	SD	M	SD
Expert Agreement	7.26	1.58	7.22	2.07	6.62	2.24	7.19	1.86

Note. The variable was measured on a single item, which ranged from 1 to 10.

Next, the relationship between the distinct constructs was investigated in order to determine whether credibility perceptions translate into behavioral alignment (i.e. expert agreement). Therefore, the role of perceived credibility in predicting expert agreement was explored, using a simple linear regression analysis. The model was significant, $F(1,154) = 95.17$, $p < .001$, and explained approximately 38% of the variance in expert agreement. The results revealed a significant effect of perceived credibility on expert agreement ($b = 0.05$, $t(154) = 9.76$, $p < .001$, 95% CI [0.04, 0.06]), indicating that higher perceived credibility was associated with higher levels of expert agreement.

As the perceived credibility was measured with a scale that is composed of four underlying constructs, it is interesting to explore whether and how each of these individually relates to expert agreement. Therefore, a multiple linear regression was conducted, with the sum scores of the different facets of credibility (i.e. Confidence, Knowledge, Likeability, and Trustworthiness) as predictors and expert agreement as the outcome variable. The model was also significant, $F(4,151) = 35.14$, $p < .001$, and explained approximately 48% of the variance in expert agreement. The results of this second model revealed a significant positive effect of knowledge on expert agreement ($b = 0.16$, $t(154) = 6.20$, $p < .001$, 95% CI [0.11, 0.21]) and a smaller but still significant positive effect of trustworthiness on expert agreement ($b = 0.06$, $t(154) = 2.02$, $p = .045$, 95% CI [0.00, 0.12]), indicating that as knowledge and trustworthiness ratings increase, expert agreement increases significantly as well. No significant effects were found for confidence ($b = -0.05$, $t(154) = -1.75$, $p = .082$, 95% CI [-0.10, 0.01]) and likeability on expert agreement ($b = 0.00$, $t(154) = 0.13$, $p = .894$, 95% CI [-0.05, 0.05]), indicating that both do not have a meaningful effect on expert agreement. These findings suggest that as the psychologist is perceived as more knowledgeable and trustworthy, participants' agreement with the expert also increases, whereas perceiving the expert as more confident or likeable does not seem to lead to a difference in expert agreement.

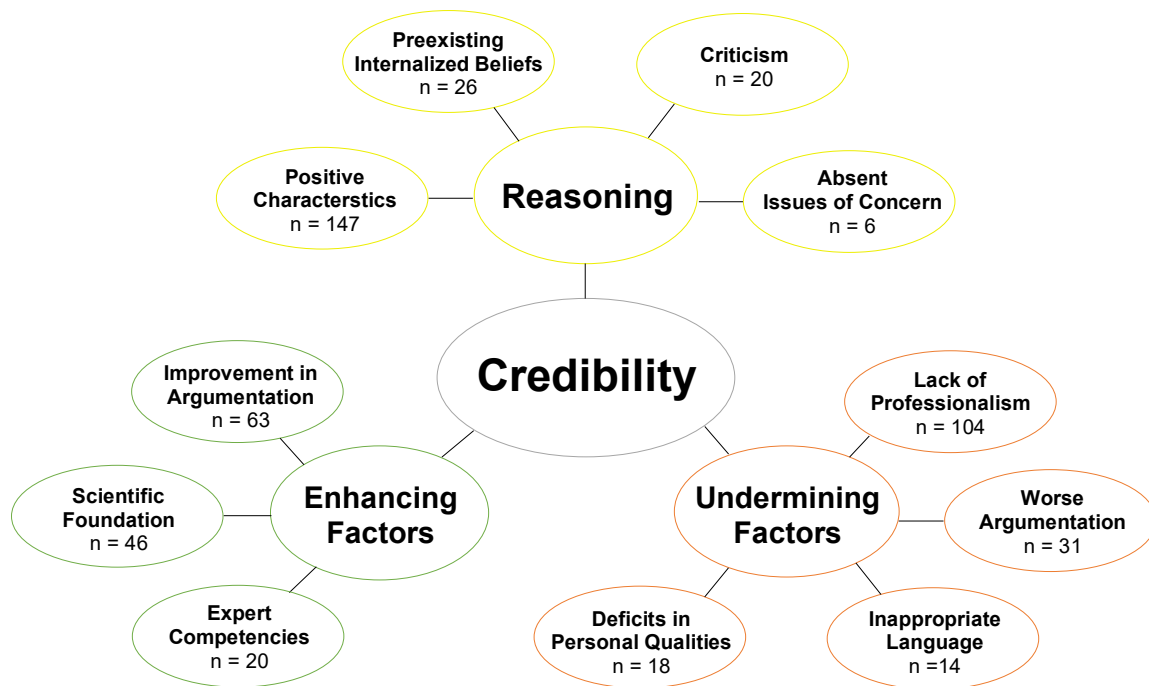
To assess whether expert agreement is better predicted by the overall WCS or by including its individual subscales, the two models were compared, using the Akaike Information Criterion (AIC) and Bayesian Information Criterion (BIC). The findings indicated that the second model, including individual subscales, provides a better fit to the data than the first model, using the overall credibility score. Specifically, the second model had lower AIC (562.70 vs. 584.28) and BIC (580.99 vs. 593.43) values, indicating improved model performance when including the WCS subscales separately. This is further supported by the larger adjusted R^2 in the second model (0.47 vs. 0.38), indicating as well that this model explains more variance in expert agreement. These results suggest that the second model, including the individual subscales, offers a more comprehensive and nuanced understanding of how the different facets of credibility relate to agreement with the psychological expert. Additionally, the findings support the notion that, while credibility perceptions and expert agreement are related constructs, they are not identical. A substantial proportion of variance in expert agreement remains unexplained when perceived credibility or its individual facets are used as predictors, indicating that other factors contribute to participants' agreement with the expert as well.

Qualitative Analysis

A thematic analysis was conducted to identify recurring patterns in the participants' responses to the open-ended questions. This approach sought to offer a deeper understanding of the processes by which credibility is ascribed to psychological expert witnesses. To ensure a meaningful and reliable theme development, mentioned relevant concepts were only coded as a theme if they were mentioned by at least two participants. For a visualization of the theme structure accompanied by the frequency of each theme, see figure 6.

Figure 6

Structure and Frequency of Themes



Note. Total n = 156

Reasoning Behind Credibility Ratings

The responses to the first open-ended question, which prompted participants to elaborate on their reasoning behind the given credibility ratings, were grouped into the following four broader themes, beginning with the most frequently mentioned one. The first broad theme, “Positive Characteristics”, describes positively evaluated traits attributed to the psychologist. This theme entails five subthemes, the first of which is “Ethical Behavior”. It captures responses which relate to the psychologist’s orientation to the child’s best interest (e.g. Participant 150: “the child’s best interest is in focus”⁷) and a demonstrated commitment to fairness, as reflected in descriptions such as “non-partial” (Participant 134), “neutral” (Participant 142) and being attentive to both conflicting parties (e.g. Participant 22: “[the psychologist] considers both sides”). The next subtheme, “Professionalism”, refers to the psychologist’s conduct as aligning with common standards expected from a psychological

⁷ To ensure equal understanding for all readers, all citations of the original German responses have been translated into English.

professional. This subtheme includes references to the psychologist's subject-matter expertise (e.g. Participant 65: "she is qualified in her field", Participant 26: "well informed") and "integrity" (Participant 10), for instance by being "honest" (Participant 38), "responsible" (Participant 29) and engaging in appropriate deliberations (e.g. Participant 80: "her assessment was nuanced and realistic"). Additionally, attributes such as being "factual" (Participant 55), "self-confident" (Participant 153), and demonstrating appropriate interpersonal conduct (e.g. Participant 55: "polite", Participant 29: "[she] talks about both parties respectfully") are included in this subtheme as well. The third and fourth subthemes are "Good Communication" (e.g. Participant 87: "her statements were clearly and understandably formulated") and "Logical Argumentation" (e.g. Participant 33: "All explanations seemed logical and coherent"), respectively. The last subtheme is called "Agreement of Parents" and reflects participants' appreciation of the psychologist's ability to facilitate consensus between the disputing parties (e.g. Participant 115: "Both appeared to be satisfied with the decision - I consider that very important").

The second overarching theme, "Preexisting Internalized Beliefs", entails responses of participants that did not reason their judgment based on the specific context of the presented vignettes but rather on beliefs they likely held before reading the vignette and have learned throughout their lifetime. For instance, these beliefs were based either on their intuition (e.g. Participant 16: "First impression", Participant 21: "Gut feeling"), their experience (e.g. Participant 51: "I had mostly positive, but not outstanding, experiences") or their general expectations of an expert witness (e.g. Participant 75: "Expert witnesses should always be trustworthy"). Some also simply referred to the text (e.g. Participant 73: "Based on the protocol") without specifying what exactly it is in the text that affected their ratings.

The next broad theme, "Criticism", is composed of two subthemes. The first, "Poor Argumentation", reflects participants' perceptions of flawed reasoning (e.g. Participant 41: "It

appeared to (...) contradict itself a lot”), weak arguments (e.g. Participant 83: “I didn’t find it very convincing”), and inadequate elaboration of reasoning (e.g. Participant 69: “The expert witness did not explain her reasoning (...) enough”). On the other hand, the second subtheme, “Lack of Consideration”, focuses on a perceived lack of consideration of other dimensions by the psychologist (e.g. Participant 28: “Many dimensions seem to be unexamined”, Participant 24: “Little reference to the child's personality”).

Lastly, another broad theme is called “Absent Issues of Concern” and captures responses in which participants grounded their credibility judgments in the perceived lack of credibility-undermining factors. Examples of statements are “No reasons to judge the expert as untrustworthy” (Participant 88) or a more detailed account: “There were no indications that she would lie or had other interests” (Participant 130).

Suggestions for Enhancing Credibility

The responses of the second open-ended question, probing for suggestions of improvement, were combined into the following three broad themes, beginning with the most prominent one. The first theme is called “Improvement in Argumentation” and focuses on a range of suggestions on how the psychologist’s argumentation could be improved. These include offering additional contextual information about the case (e.g. Participant 121: “More details about the current state and situation”), presenting more convincing arguments (e.g. Participant 5: “More convincing arguments”, Participant 31: “To draw more logical conclusions”) and more in-depth explanations (e.g. Participant 34: “more detailed explanation of why”), as well as giving concrete recommendations (Participant 35: “concrete recommendations for conflict resolution”). Moreover, some participants suggested that the psychologist’s argumentation should be more connected to the child’s wishes (Participant 104: “mention what the child’s wish is”) and incorporate input from independent third parties (e.g. Participant 65: “Perhaps include independent sources – such as the child's kindergarten

teachers, etc.”).

The second theme, “Scientific Foundation”, refers to suggestions related to grounding the psychologist’s recommendation more firmly in scientific principles. This includes calls for presenting more scientific evidence (e.g. Participant 66: “Had she supported her statements more strongly with (...) scientific sources”), being more transparent (e.g. Participant 80: “more detailed presentation of the methodological approach”), as well as more connection to the underlying report (e.g. Participant 43: “Specify concrete observations and examples from the assessment using concrete examples”).

The last theme, “Expert Competencies”, pertains to various dimensions of the psychologist’s professional abilities that were perceived either as areas in need of improvement or as potential strengths that warrant greater emphasis. First, several participants stated that the psychologist’s interpersonal competencies could benefit from improvement (e.g. Participant 27: “More empathy”), as well as that (a higher degree of) neutrality (e.g. Participant 28: “More objective level – without interpretation”) would make the psychologist seem more credible. Additionally, it was suggested that more emphasis on the psychologist’s background (e.g. Participant 81: “more information about her background and how many cases she has already assessed”) could enhance the psychologist’s credibility. Finally, some other suggestions for improvement related to the psychologist’s mode of expression. While some participants recommended a more easily understandable language (e.g. Participant 131: “Simpler wording: shorter sentences”), others stated that a “more formal language” (Participant 123) would increase the psychologist’s credibility.

Factors Undermining Credibility

The third and final open-ended question asked participants to describe factors they perceived as undermining the psychologist’s credibility, and responses were grouped into the following four broad themes, beginning with the most important one. The first theme is called

“Lack of Professionalism” and refers to any behavior that harms the professional appearance of the psychologist. This includes instances of irrational reasoning (e.g. Participant 34: “More emotional argumentation”, Participant 83: “No facts and only subjective explanations”), inappropriate interpersonal conduct (e.g. Participant 38: “Respectless behavior”, Participant 75: “Careless wording”) or violations of scientific integrity (e.g. Participant 129: “Applied poor, outdated methods”). Furthermore, any concern about her neutrality (e.g. Participant 138: “If she had taken sides without having solid grounds”, Participant 114: “close relationship with the father/ mother”) seems to be associated with a decrease in the psychologist’s credibility as well.

The second overarching theme, “Worse Argumentation”, describes participants’ perception that insufficient, overly simplistic, or superficial reasoning would diminish the psychologist’s credibility (e.g. Participant 92: “If she had failed to justify her decision, or if the reasoning had been overly brief or insufficiently nuanced”). Moreover, more inconsistencies and less comprehensible argumentation (e.g. Participant 66: “if she failed to explain her conclusions in a comprehensible way”, Participant 141: “Contradictory statements”) were associated with harm to the psychologist’s credibility as well.

The next theme is called “Deficits in Personal Qualities”, as it relates to personal characteristics of the psychologist that are considered to be insufficient or lacking. These include a lack of confidence (e.g. Participant 156: “less composure”, Participant 78: “If she appeared very insecure in her language”), an insufficient prioritization of the child’s best interest (e.g. Participant 90: “Lack of focus on child’s best interest”) and less or unfavorable information regarding the psychologists’ professional background (e.g. Participant 45: “If she had not been working in the profession for very long”, Participant 81: “Less information about her”).

The final theme, “Inappropriate Language”, refers to modes of expression that seem to

be associated with less credibility. Participants stated that a more informal language (e.g. Participant 137: “less technical terms”, Participant 123: “Colloquial language”), as well as a description that is “very generic” (Participant 96) would be considered to appear less credible.

Descriptive Analysis of Legal and Non-Legal Subsamples

Given the judicial context in which psychologists operate when providing expert testimony, individuals with legal training may evaluate psychologists’ credibility differently than laypersons. To explore the potential differences between the legal and non-legal samples, descriptive trends were examined rather than conducting statistical tests, as the latter would be underpowered and potentially misleading due to the small sample size of the legal sample ($n = 26$). The descriptive trends were compared across several dimensions of the study (i.e. demographical characteristics, self-reported measures, relevance markings, and qualitative parts). The legal sample had a mean age of 37.04 ($SD = 13.80$; range: 21-67), while the non-legal sample had a younger mean age of 27.45 ($SD = 9.63$; range: 18-70). Gender distribution was similar across both groups, with the majority identifying as female, followed by male, and one participant in each group who indicated another gender identity.

Notably, the mean credibility ascribed to the psychologist was lower among participants in the legal sample ($M = 145.35$, $SD = 27.77$) compared to the non-legal sample ($M = 152.92$, $SD = 23.50$). This trend was consistent across all facets of the credibility measure (i.e. subscales), as well as in participants’ expert agreement, and their ratings on a single-item credibility scale (see Table 9). To further explore potential differences in participants’ perception between the samples, the most frequently occurring marking valence categories were compared within each condition. Among participants with a legal background, the high confidence conditions both mainly received exclusively positive markings (PhD-present: 75% and PhD-absent: 63%). Similarly, among participants without a legal background, the most dominant valence category was also “Only Positive” (PhD-

present: 63%; PhD-absent: 76%). However, in the low confidence conditions, patterns diverged between the two groups. In the legal sample, the PhD-present condition produced mostly positive markings (60%), whereas in the non-legal sample, the majority of markings were still exclusively positive (56%). The most notable difference between samples emerged in the PhD-absent and low-confidence condition, where for the legal sample, the most prominent category of markings was “Mostly Negative” (33%), while for the non-legal sample, most markings fell into the “Mostly Positive” category (56%). Finally, participants’ responses to open-ended questions were compared across groups by identifying the most frequently mentioned themes in each sample. Despite (descriptive) differences in self-reported measures and marking valence patterns, both groups displayed the same relevance ranking of themes across all open-ended questions (see Table 10).

All in all, the findings suggest a descriptive trend towards more critical and less favorable judgments of the psychologist’s credibility for the legal sample compared to the total sample, excluding legal people. However, the themes that are most relevant to their reasoning behind these judgments, improvement suggestions, and undermining factors seem similar in both groups.

Table 9

Descriptive Comparison between Means of Legal Sample and Non-Legal Sample

Variables	Legal Sample (n = 26)		Non-Legal Sample (n = 130)	
	M	SD	M	SD
Credibility (WCS)	145.35	27.77	152.92	23.50
Confidence	36.81	6.92	37.67	6.85
Knowledge	36.50	9.61	39.3	7.45
Likeability	35.88	6.89	36.72	6.54
Trustworthiness	36.15	8.81	39.22	6.41

Agreement	6.64	2.58	7.19	1.82
Single-Item Credibility	7.08	2.12	7.62	1.72

Note. “Credibility (WCS)” represents credibility as measured by the WCS, and “Single-Item Credibility” represents credibility ratings as measured by a single item.

Table 10

Comparison between Themes Ordered by Relevance in Legal and Non-Legal Samples

Question	Theme	Legal Sample	Non-Legal Sample
		n	n
Reasoning Behind Judgment	Positive Characteristic	23	124
	Preexisting Internalized Beliefs	7	19
	Criticism	3	17
	Absence Issues of Concern	0	6
Improvement Suggestions	Improvement in Argumentation	14	49
	Scientific Foundation	7	39
	Expert Competence	6	14
Factors Undermining Credibility	Lack of Professionality	19	85
	Worse Argumentation	5	26
	Deficits in Personal Qualities	4	14
	Inappropriate Language	3	11

Note. Relevance was determined by how often each theme was mentioned.

Discussion

Effects of Doctoral Degree and Confidence Level on Credibility

The present study is one of the first experimental investigations into biases that potentially influence the credibility evaluation of psychological expert witnesses in German courts. Contrary to the expectations of this study, the results suggest that neither confidence nor a doctoral degree significantly affected explicit, self-reported ratings of credibility or its

individual facets. Similarly, the pattern remained unchanged when analyses were restricted to participants who either correctly identified the psychologist's doctoral degree (i.e. manipulation as anticipated) or subjectively believed the psychologist held a doctoral degree, regardless of their accuracy (e.g. assuming a doctoral degree without it being stated in their respective vignette). However, the findings from analyzing participants' relevance markings revealed a more nuanced pattern. In contrast to the findings based on participants' self-reports, the responses from the relevance marking task indicated that psychologists displaying higher levels of confidence were judged more favorably, receiving more credibility-enhancing and fewer credibility-undermining evaluations. Moreover, psychologists with a PhD or higher confidence levels were significantly more likely to receive exclusively positive evaluations, but this was weakened when both variables were present. Importantly, the absence of high confidence or a doctoral degree did not significantly increase the likelihood of negative evaluations, suggesting that while these attributes can enhance psychologists' perceived credibility, the lack thereof does not necessarily undermine it.

Notably, while the marking findings would suggest differences in credibility assessments, with the PhD-present and high confidence conditions being the most credible (due to the most credibility-enhancing perceived text passages) and the PhD-absent and low confidence conditions being the least credible, the explicit credibility ratings do not reflect this pattern at a significant level. Consequently, the findings on the self-reported credibility ratings were not as predicted and contradict the current literature (Cramer et al., 2009; Oba & Berger, 2022; Flick et al., 2022; Wilcox & NicDaeid, 2018; Baumeister & Vohs, 2007c), whereas the pattern observed in the relevance marking measure aligns with theoretical expectations and prior findings about the credibility-enhancing influence of high confidence and doctoral degrees.

Potential explanations for these contrasting findings between the self-reported

credibility ratings and the relevance markings lie in the distinct measurement methods employed to assess participants' credibility evaluations. One common problem related to self-reports is that they are highly susceptible to the social desirability bias (Van de Mortel, 2008; Wasylikiw, 2007). This bias describes humans' tendency to present themselves in a way they consider to be favorable by others, regardless of whether this presentation is accurate or not (Wasylikiw, 2007). In research, this can imply that participants give distorted answers to align with societal expectations (e.g. avoid being confrontational as this could be considered being unfriendly or harsh), avoid being criticized (e.g. by downplaying biases), or seek social acceptance (e.g. gaining credibility by being consistent in their evaluation; Van de Mortel, 2008). Interestingly, the desire to present oneself as socially desirable seems to persist even when, as in the present study, the responses were given anonymously and therefore do not pose a realistic threat to that person being identified as responding in a socially undesirable manner (Bernardi & Nash, 2022). Consequently, the desire to appear socially desirable may have influenced participants' self-reported attitudes, resulting in distorted, more positive, and stable ratings, even when contradictory or negative perceptions existed.

Therefore, the attitudes captured by self-report measurements primarily reflect explicit attitudes, which individuals can consciously access, articulate and potentially modify. While self-report measurements can still be useful for understanding deliberate, reflective judgments, their ability to predict is often limited to short-term behaviors or contexts that closely resemble the assessment situation (Pöller et al., 2018). In contrast, implicit attitudes have been shown to predict spontaneous and long-term behavior more reliably. However, because individuals might be unaware or unwilling to report them, more implicit measurement methods are required to assess them (Pöller et al., 2018). The relevance marking task employed in the present study represents such an alternative measurement. Instead of directly asking participants about their credibility judgments, this measure captures behavioral

indicators (i.e. the text passages participants identified as relevant to their evaluations). This indirect method aligns with conceptualizations of implicit measurement in which the evaluative meaning is *inferred* from participants' behavior rather than their explicit statements (Gawronski et al., 2020). It reflects a shift from measuring directly *what* individuals think about the psychologist's credibility to investigating the process of *how* they arrive at their judgments. Similar marking tasks have been shown to offer insight into participants' attentional focus and evaluative process. For instance, Winchell et al. (2020) demonstrated that participants' highlighting patterns can predict what individuals are interested in and focus on. Similarly to other approaches, such as eye- and mouse-tracking, the relevance marking approach aligns with cognitive theories that emphasize attention as a selective filter which governs what information is encoded, evaluated, and remembered (Mayer, 2021). Thus, these methods offer a process-oriented approach to understanding participants' credibility evaluation. Given this focus on process and behavior rather than articulation of the evaluation, participants in the relevance marking task are not required to articulate and justify their judgments explicitly, making this method less prone to social desirability distortions (Dechant et al., 2021). This increases the likelihood of capturing less filtered and more nuanced insights into evaluative processes than could be generated from self-report measurements. Moreover, research increasingly supports the value of combining explicit and implicit measures to capture a more comprehensive understanding of psychological constructs (Dechant et al., 2023; Lin et al., 2004). Taken together, the contrasting findings might reflect social desirability distortions in the self-report measurements and a less filtered insight into the process of how participants arrived at their judgment captured by the more implicit marking task.

Another potential explanation for the observed divergence between the results measured by differing approaches lies in the nature and scope of the judgments they elicit.

While credibility ratings likely reflect participants' global impressions, the responses to the relevance marking task are restricted to what is presented in the respective vignette.

Therefore, the relevance marking task constrains participants to evaluate the psychologist at hand, while self-reported evaluations are likely to be influenced by people's emotions (e.g. induced through prior experience) and cognitions (e.g. general expectations about psychologists; Ajzen, 2001). This is also supported by the substantial number of people who based their ratings not on case-specific aspects but rather on preexisting, learned beliefs, as shown in the results of the qualitative analysis. Accordingly, the discrepancy in results may be attributed to the different attentional focuses that both methods trigger.

While the findings on the relevance marking task align with the proposed theoretical expectations, the expected synergistic interaction between confidence and doctoral degree based on the implications derived from the confirmation bias, was not supported, as the combination of high confidence and doctoral degree resulted in a positive but weakened, rather than amplified, effect on credibility ratings. One potential explanation for this finding is that when a strong credibility-enhancing cue, such as high confidence, is already present, the addition of another cue, like a doctoral degree, may offer limited additional value. This pattern aligns with the economic principle known as the law of diminishing returns, which posits that initial inputs (e.g. capital or, in the present context, credibility cues) yield substantial benefits, but as input increases, the incremental benefit of this additional input becomes progressively smaller (Shephard & Färe, 1974). This concept has been extended beyond economics and has been applied to research of psychological phenomena, such as cognitive abilities (Blum & Holling, 2017) or well-being (Ren et al., 2021). The observation that when both credibility cues are present, they do not contribute to credibility ratings in an additive or positively interactive manner might be due to less value being ascribed to subsequent credibility-enhancing cues once a potent credibility cue is processed.

Another possible explanation is that the expectations for psychologists differ depending on their doctoral status. For instance, individuals may expect psychologists with a doctoral degree to display greater caution, due to their striving for objective, scientific knowledge (Jensen, 2008). Consequently, when they use hedges, this is interpreted less negatively, potentially seen as an appropriate amount of scientific caution (Jensen, 2008). In contrast, when psychologists with a PhD express high confidence, it may come across as a failure to meet individuals' high expectations, which could dampen the perceived credibility due to a negative violation of these expectations (Park et al., 2019).

Credibility, Its Facets and Expert Agreement

The findings of the present study support the notion that the more credible a psychological expert witness is perceived to be, the more likely people are to agree with that expert. Specifically, the results indicate that increases in perceived knowledge and trustworthiness of the psychologist are accompanied by an increase in expert agreement. In contrast, this positive effect was not observed for the remaining facets of credibility: confidence and likeability. This aligns with the current literature, which also failed to find a significant effect of confidence and likeability on expert agreement (Cramer et al., 2009; Brodsky et al., 2009), while finding a significant positive effect of overall credibility on expert agreement (Cramer et al., 2011). Although Cramer et al. (2011) observed that jurors' agreement varied as a function of the expert's confidence level, this effect was limited to comparisons between low confidence and higher confidence levels. At moderate to high levels of confidence, comparable to those used in the present study, the effect remained absent. This aligns with the methodological choice of the current study, which intentionally did not test low confidence to maintain external validity and ensure ecological relevance of the findings for professional practice. A possible explanation for the varying roles of credibility facets may lie in the evaluative criteria applied by participants in a legal decision-

making context. While all four facets of credibility emerged in participants' qualitative responses, factors related to the trustworthiness and knowledge facets were most frequently mentioned. Specifically, participants emphasized the psychologist's ethical conduct, such as neutrality, honesty, and fairness, which directly maps onto the trustworthiness facet of credibility (e.g., items like "honest" and "truthful"). Likewise, considerable weight was given to signs of subject-matter expertise, including logical reasoning, factual accuracy, and appropriate qualifications, aligning closely with the knowledge facet (e.g. "logical", "informed", "scientific"). In contrast, characteristics associated with confidence and likeability, such as politeness, empathy, or being self-assured, were mentioned far less frequently, appearing to be less influential in guiding participants' credibility evaluations. When exposed to the question of expert agreement, participants might perceive this as a higher-stakes evaluation that carries more pronounced consequences than a general credibility assessment. As such, participants' expert agreement may be driven mostly by the most diagnostically relevant facets, trustworthiness, and knowledge, whereas confidence and likeability play a negligible role in this evaluation.

Legal Background and Credibility Evaluations

The present study offers preliminary evidence suggesting that perceptions of psychologists' credibility might vary between individuals with and without a legal background. Thus, as expected given the nature of their jobs, legal people such as lawyers and judges might be more critical and more cautious when giving favorable judgments about a psychologist's credibility than non-legal people. For instance, lawyers whose clients are potentially disadvantaged by the psychologist's report are professionally obligated to examine the testimony for inconsistencies or weaknesses. Similarly, judges are tasked with serving as one of the few gatekeepers who control the expert witness's work. A lack of critical engagement might be perceived as or actually end up as simply trusting in the psychologist's

recommendation, thereby confusing the distinct responsibilities of both professions (Boehme-Neßler, 2014). Additionally, legal actors need to be cautious with whom they associate themselves in order to maintain their credibility. This makes openly favorable credibility judgments risky, for instance when that expert's opinion is later discredited due to substantive flaws. However, both groups seem to rely on similar aspects, indicating that these common and well-known standards psychological expert witnesses are expected to adhere to (e.g. neutrality, child-oriented, etc.) serve as an evaluative foundation for both. This is also in line with the current literature suggesting that legal people, and likely also other people considered to be laypeople in psychological science, do not rely on important markers that indicate scientific integrity (Wechsler et al., 2015), as well as lack an in-depth understanding of scientific methodology (Kovera & McAuliff, 2000), which would allow them to base their evaluation on a thorough analysis of the psychologist's scientific work.

Translation to the German Context

The present study aimed to gain insight into a largely unexplored phenomenon, namely the cognitive process underlying credibility judgments of psychological expert witnesses in German courts. To the authors best knowledge, this is the first empirical investigation to employ the WCS in its German adaptation and to experimentally examine potential biases in credibility judgments in the German context. As indicated earlier, most insights from expert witness credibility literature stem from the U.S. (Kipoulas et al., 2024), which has a distinct legal system and culture (Timmerbeil, 2003), leaving generalizations across nations difficult. For instance, given the role of Prussia in integrating teaching with original research (Humboldt-Universität zu Berlin, 2016), it is often considered to have set a paradigm for doctoral training and modern university organizations (Ruano-Borbalan, 2022). This might explain why doctoral degrees are still central to the German culture, oftentimes being considered a boost for careers not only within but also well beyond academia (Kaulisch

& Hauss, 2012). Similarly, the broad valuation is reflected in the recurring findings that individuals holding a doctoral degree tend to earn higher incomes than their equivalents without one (Trennt & Euler, 2019). In line with the notion that higher income often correlates with elevated occupational status, doctoral degree holders in Germany are disproportionately often represented in top executive roles compared to many other countries (Frank, 2005 as cited in Zeit, 2013). In light of this and other cultural distinctive features, conducting research within the German legal context represents a critical initial step towards systematically identifying, understanding, and ultimately mitigating the influence of cognitive biases on legal decision-making in the unique German context. It is hoped that the present study will stimulate further research into a wider range of potentially biasing factors affecting psychological expert credibility evaluations in German legal proceedings. Especially in the legal field, where the psychological evaluation itself (Rocchio, 2020; Salewski & Stürmer, 2014) as well as the judicial outcome can have profound, far-reaching consequences on every aspect of individuals' lives (e.g. family, autonomy; Hänert, 2014), biases prevent the legal system from functioning effectively, for instance hindering judges from acting in their role of objective sense-maker (Smith et al., 2023). While trust in the German judiciary remains relatively high (Bohlen & Sommer, 2023), concerns about the fairness of court decisions persist (Bohlen & Sommer, 2023). These concerns arise within a broader decline in public trust toward institutions like government and the media (Edelman Trust Institute, 2025), which may eventually also negatively affect the legal system due to their close interrelations. In this climate, research into the role of biases in legal decision-making offers the critical opportunity to uncover potential distortions and to establish a foundation for their subsequent remediation. Considering the high level of public trust accorded to the scientific community (Edelman Trust Institute, 2025), such research efforts are instrumental in sustaining and enhancing public confidence in the judiciary. Therefore, studies such as the present one

benefit legal professionals, psychologists, and society at large by ultimately contributing to more transparent, fairer, and objective legal decision-making.

Practical Implications

The findings of the present study carry several important implications for the practice of psychological expert witnesses in German courts. First, the present findings can serve as empirically grounded guidance on how expert witnesses might actively enhance their perceived credibility while mitigating the impact of unintended biases. For instance, psychologists without a PhD may be able to compensate for any disadvantage in credibility evaluations by emphasizing alternative expertise cues, such as years of courtroom experience (Wilcox & NicDaeid, 2018). Additionally, the observed positive effect of confidence in this study suggests a need for psychologists to adapt their communicative style to the respective audience. While the use of hedges may convey appropriate caution and integrity in academic writing (Jensen, 2008), and potentially be expected from psychologists with a PhD, such rhetorical strategies can be misinterpreted in legal contexts as indicators of uncertainty, thereby undermining the perceived credibility of psychologists, especially of those without a PhD. Overall, the present findings more appropriately provide suggestions on what psychological expert witnesses can do to enhance their credibility rather than informing them on what needs to be avoided to not undermine their credibility.

Secondly, the findings of the present study emphasize the critical need for raising awareness about cognitive biases in legal contexts and implementing strategies to mitigate their impact. This is especially relevant for judicial actors whose decisions carry substantial legal and societal consequences. Understanding the psychological mechanisms that commonly bias human judgment is essential for fostering more objective legal decision-making. Enhancing sensitivity to these biases, for instance by informing judges about the tendency to overvalue confidence as a credibility cue, may not only increase awareness of the

arbitrary nature of such influences but also foster motivation to engage in deliberate corrective strategies. Empirical evidence suggests that relatively simple debiasing techniques can yield meaningful improvement in judgment quality. For example, the ‘consider-the-opposite’ technique, which prompts individuals to actively generate alternative hypotheses, has been shown to reduce biases and elicit more balanced information processing (Lord et al., 1984). More recent studies confirm the efficacy of this approach, particularly in applied forensic contexts (Fahsing et al., 2023). Given that the findings mostly reflect patterns observed within a general population sample, their practical relevance is especially high for the training of lay judges (German: *Schöffen*), who are members of the public that participate in court proceedings alongside professional judges. Because they lack the legal training and experience of professional judges, they might be more susceptible to biases, making it a promising approach to integrate debiasing techniques, such as the ‘consider-the-opposite’ technique, into their preparation, rather than solely relying on general appeals to objectivity and fairness.

Limitations

It is important to note several limitations of this study. First, despite dedicated effort in the recruiting process, the study was unable to obtain a sufficient number of participants with a legal background to allow for statistically meaningful comparisons. As a result, comparisons between legal and non-legal participants were limited to descriptive observations, restricting the strength of any conclusions drawn about group differences. However, this limitation does not undermine the relevance of the study’s insights. Many courtroom actors, such as lay judges, involved parties, including co-plaintiffs and defendants, and the media are members of the general public and, like the study’s participants, most often lack formal legal training. Furthermore, previous research investigating perceptions of expert credibility in court contexts has also predominantly relied on samples of legal novices, highlighting the broader

applicability and comparability of the present findings (e.g. see Cramer et al., 2009; Oba & Berger, 2022; Flick et al., 2022). Nonetheless, given that much of the courtroom environment is shaped by legal professionals, application of this study's insights to this context should be approached with caution until further investigations of whether and how credibility perceptions differ across professional backgrounds are conducted.

Additionally, the study did not reach its predetermined target sample size, which can limit the statistical power to detect true effects or provide strong evidence for their absence. This limitation might (partly) explain the lack of strong evidence against the hypothesized effects of confidence levels, doctoral degrees, and their interaction on credibility ratings found. Nevertheless, since the final sample size was only slightly below the intended threshold, the statistical power was not substantially limited, maintaining a moderately strong ability to detect a medium-sized effect. Moreover, there were moderate violations of the assumption of normality, potentially limiting the reliability of the present findings. However, this limitation was addressed by transparently reporting the issue and conducting non-parametric alternative tests for the main analysis, which yielded comparable results. This supports the methodological choice of conducting the ANOVA despite moderate normality violations and suggests robustness of the present findings.

Lastly, both experimental manipulations did not yield the anticipated effects in the manipulation checks. Still, these findings were also based on self-reports and might therefore be subject to the same limitations noted before about self-reports (e.g. conscious countering of bias). Supporting this interpretation, participants in the low-confidence condition frequently perceived the hedging language as negative. This suggests some recognition of the manipulation, albeit perhaps not captured through self-report. However, the psychologist's doctoral degree seemed to play almost no role in the evaluative process as captured by the behavioral measure as well. Despite the missing anticipated effects of the experimental

manipulation on the self-report manipulation checks, it is still possible that participants' judgments were affected on a more subtle level, as indicated by the significant results in the more implicit measurement.

Future Directions

Future research should aim to deepen our understanding of the cognitive processes involved in credibility evaluations by continuing to investigate the potential influence of biasing factors, such as doctoral degrees and confidence levels, on credibility judgments and addressing the limitations mentioned in this study. Therefore, the experimental manipulations of confidence level and doctoral degree could be implemented more dominantly. A previous study by Cramer et al. (2009) successfully manipulated the perceived confidence level of expert witnesses by employing verbal and non-verbal cues (e.g. tag questions and posture) using videotapes of trained actors. Building on this, future studies may consider utilizing non-verbal cues alongside verbal cues to convey varying levels of confidence (e.g. see Wesson & Pulford, 2009) more effectively. Similarly, the manipulation of doctoral degrees could be emphasized more, for example through repeated references in the narrative or by incorporating additional visual cues in the videotape (e.g. displaying name tags with psychologists' doctoral degrees). If a written vignette format is retained, future research could also explore whether task sequencing (e.g. conducting the highlighting task before explicit credibility ratings) primes participants to engage more deeply with the case-specific content and thereby produces different evaluative outcomes. Moreover, one could complement the measurement methods of credibility with more implicit measurement, such as eye-tracking or an Implicit Associations Test, to further reduce the influence of socially desirable responding and capture subtler, potentially unconscious, aspects of credibility evaluations.

Another direction for future research is to explore the role of comprehension in affecting the evaluative processes of credibility judgments. According to the Elaboration

Likelihood Model proposed by Petty and Cacioppo (1986), systematic, effortful elaboration can only take place when individuals are highly motivated to process the information at hand as well as have the ability to understand and analyze it (Kovera & McAuliff, 2000). When this central route is inhibited due to a low comprehensibility of the presented information, individuals may engage in more superficial processing via the peripheral route, relying on heuristic cues, such as an expert's credentials (Wechsler et al., 2015). Given prior findings that legal people, despite their legal education and working experience, were oftentimes found to lack the required knowledge and ability to appropriately evaluate psychological testimonies (Chorn & Kovera, 2019), comprehension may differentially impact groups of varying degrees of domain expertise (e.g. legal or psychological background). Therefore, incorporating comprehension as a potential moderator in future studies may offer a valuable insight into not only how biases affect people's judgments but also the conditions under which individuals are most susceptible to them, offering practical insights into how they can effectively be mitigated.

Conclusion

Despite the frequent involvement of psychological expert witnesses in German court proceedings, biases influencing their perceived credibility remain insufficiently explored, especially through experimental methods. This study examined the role of psychologists' doctoral degrees and confidence levels and found that neither seemed to impact self-reported credibility rates. However, more implicit, behavioral measures revealed a tendency to evaluate highly confident and doctoral-level psychologists more favorably, even though this was less pronounced when both factors were present. Future research is needed to further investigate the underlying mechanisms, such as social desirability effects or the role of comprehension in prompting reliance on cognitive shortcuts in credibility judgment. The

insights derived from this, and future studies are crucial to informing psychological expert witnesses, as well as legal professionals, on how to recognize and mitigate such biases, ultimately contributing to fairer and more objective decision-making in German courts.

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Appendix A

Usage of AI Tools

During the preparation of this paper, the author used Grammarly for proofreading and ChatGPT for brainstorming and solving errors in R. The content was reviewed and adapted as needed. The author is fully responsible for the content of the paper.

Appendix B

Pilot Study: Factors Influencing Credibility of Psychological Evaluators at German Courts

Start of Block: Einleitung

Willkommen zu dieser Studie!

Diese Studie wird im Rahmen eines Praktikums während des Masters in Psychologie für Konflikt, Risiko und Sicherheit an der University of Twente durchgeführt und befasst sich mit potenziellen Faktoren, die die Vertrauenswürdigkeit eines psychologischen Gutachters an deutschen Gerichten beeinflussen. Das Ziel ist es, einen Einblick in diese potenziellen Faktoren zu gewinnen sowie in die ihnen jeweilig zugewiesene Relevanz.

Da dieses Thema psychologischen Stress, wie zum Beispiel negative Erinnerungen hervorrufen kann, weisen wir Sie hiermit darauf hin, bitte nur teilzunehmen, wenn das Thema Sie nicht zu schwer belastet. Die Teilnahme an dieser Studie ist komplett freiwillig und wird schätzungsweise maximal 10 Minuten in Anspruch nehmen. Es gibt keine falschen oder richtigen Antworten. Sie können jederzeit die Teilnahme beenden, ohne nach einem Grund gefragt zu werden oder Konsequenzen befürchten zu müssen.

Die Daten werden mindestens zehn Jahre anonym aufbewahrt sowie vertraulich behandelt und die Ergebnisse werden ebenfalls nur anonym veröffentlicht. Antworten, die in dieser Studie gegeben werden, können anonym in der Publikation zitiert werden.

Wenn Sie Fragen haben oder die Ergebnisse der Studie zugeschickt bekommen möchten, schreiben Sie mir gerne eine E-Mail: s.a.weidner@student.utwente.nl.

Ich stimme hiermit zu, die oben genannten Informationen gelesen und verstanden zu haben und bin damit einverstanden, dass meine Antworten zu Forschungszwecken genutzt werden. Ich habe verstanden, dass meine Antworten anonym in der Publikation zitiert werden können, die Teilnahme freiwillig ist und ich jederzeit meine Teilnahme abbrechen kann.

- ☐ Ich stimme zu (1)
- ☐ Ich stimme nicht zu (2)

Skip To: End of Survey If != Ich stimme zu

End of Block: Einleitung

Start of Block: Demografische Daten

Wie würden Sie sich beschreiben?

- ☐ Weiblich (1)
- ☐ Männlich (2)
- ☐ Divers (3)
- ☐ Keine Angaben (4)
-

Wie alt sind Sie? (Angabe in Jahren)

Wie viele Jahre Berufserfahrung im Bereich psychologische Sachverständigentätigkeit haben Sie?

End of Block: Demografische Daten

Start of Block:

Bitte nennen Sie in Stichpunkten: Was beeinflusst ihrer Einschätzung nach die Glaubwürdigkeit von GutachterInnen während der gerichtlichen Anhörung, d.h. in der Anhörungssituation selber? Geben Sie bitte jeweils in Klammern an, wessen Einschätzung Sie meinen [z.B.: Haarfarbe (RichterIn), Schuhgröße (AnwältIn)].

Es geht hier um ihre persönliche Einschätzung, wovon die Einschätzung der Glaubhaftigkeit abhängt, und nicht etwa darum, was optimalerweise die Glaubhaftigkeitseinschätzung beeinflussen sollte. Es gibt insofern keine richtigen oder falschen Antworten.

End of Block:

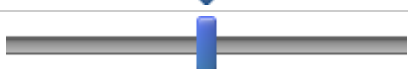
Start of Block:

Vielen Dank.

Es folgen 2 kurze, ähnliche Fragen:

1) Welche der nachfolgenden Eigenschaften eines Gutachters/einer Gutachterin haben Ihrer Meinung nach einen Einfluss auf die Einschätzung seiner/ihrer Glaubwürdigkeit bei irgendeinem Beteiligten?

Es geht hier erneut um ihre persönliche Einschätzung, nicht um einen etwaigen Idealzustand. Es gibt insofern keine richtigen oder falschen Antworten.

	Völlig Irrelevant	Sehr Relevant
	1	100
Geschlecht ()		
Ethnie ()		
Alter ()		
Dokortitel ()		
Proaktive Beteiligung im Gerichtssaal (z.B. Meldungen) ()		
Tragen einer Brille ()		
Berufserfahrung (in Jahren) ()		
Formulierungen wie "Ich glaube..." ()		
Erfahrung mit dem Richter/der Richterin (z.B. frühere Zusammenarbeit) ()		
Gepflegtes Erscheinungsbild ()		
Physische Attraktivität ()		

End of Block:

Start of Block:

2) Bitte geben Sie nachfolgend noch an, in welcher Reihenfolge Sie die Eigenschaften für relevant bzgl. der Glaubwürdigkeitseinschätzung der Gutachterin/des Gutachters in der

Anhörungssituation halten. Dabei geht es wie gehabt um die gesamte Einschätzung, d.h. aller Beteiligten.

- ☐ Geschlecht (1)
- ☐ Ethnie (2)
- ☐ Alter (3)
- ☐ Dokortitel (4)
- ☐ Proaktive Beteiligung im Gerichtssaal (z.B. Meldungen) (5)
- ☐ Tragen einer Brille (6)
- ☐ Berufserfahrung (in Jahren) (7)
- ☐ Formulierungen wie "Ich glaube..." (8)
- ☐ Erfahrung mit dem Richter/der Richterin (z.B. frühere Zusammenarbeit) (9)
- ☐ Gepflegtes Erscheinungsbild (10)
- ☐ Physische Attraktivität (11)

End of Block:

Start of Block:

Haben Sie noch Anmerkungen/ etwas hinzuzufügen?

End of Block:

Start of Block: Ende

Vielen Dank für Ihre Zeit.

Diese Studie wird im Kontext eines Praktikums durchgeführt und dient als Grundlage für eine Master-These, welche sich mit den Faktoren, die die Glaubwürdigkeit eines psychologischen Gutachters an deutschen Familiengerichten beeinflussen, beschäftigt.

Wenn Sie an den Ergebnissen dieser Master-These interessiert sind oder andere Frage zu der Studie haben, senden Sie mir gerne eine E-Mail: s.a.weidner@student.utwente.nl .

End of Block: Ende

Appendix C

Main Study: Credibility of Psychological Expert Witness

Start of Block: Introduction

Willkommen zu dieser Studie! Diese Studie wird im Rahmen einer Masterarbeit im Studiengang "Psychologie für Konflikt, Risiko und Sicherheit" an der University of Twente durchgeführt. Sie befasst sich mit der Tätigkeit von Psycholog:innen, die als **psychologische Sachverständige** an deutschen Gerichten arbeiten. Unser Ziel ist es einen Einblick in die Entscheidungsfindung bezüglich der Glaubwürdigkeit dieser Psycholog:innen zu erhalten. Als Teilnehmer:in dieser Studie, werden Sie daher einen fiktionalen Fall über Sorgerechtsentscheidungen in einem familiengerichtlichen Verfahren lesen. Da dies ein sensibles Thema ist, bitten wir Sie, nur an der Studie teilzunehmen, wenn Sie sich wohl damit fühlen, dass dies thematisiert wird.

Die Teilnahme an dieser Studie ist komplett freiwillig und wird schätzungsweise circa 15 Minuten in Anspruch nehmen. Sie können jederzeit die Teilnahme beenden, ohne nach einem Grund gefragt zu werden oder Konsequenzen befürchten zu müssen. Unter allen Teilnehmer:innen, die die Studie beenden, wird ein **50€ HEMA-Gutschein** verlost! Nutzer:innen von **SurveyCircle** und **SurveySwap** erhalten für ihre Teilnahme Punkte, mit denen sie kostenlos Studienteilnehmer:innen rekrutieren können. Die Codes erhalten Sie nach Beantwortung der letzten Frage.

Die Daten werden mindestens zehn Jahre anonym aufbewahrt, mit Vertraulichkeit behandelt und die Ergebnisse werden ebenfalls ausschließlich anonym veröffentlicht. Antworten, die in dieser Studie gegeben werden, könnten anonym in der Publikation zitiert werden. Wenn Sie Fragen haben oder an den Ergebnissen dieser Studie interessiert sind, schreiben Sie gerne eine E-Mail an Frau Weidner: s.a.weidner@student.utwente.nl.

Ich stimme hiermit zu, dass ich die oben genannten Informationen gelesen und verstanden habe und bin damit einverstanden, dass meine Antworten zu Forschungs-Zwecken genutzt werden. Ich habe verstanden, dass meine Antworten anonym in der Publikation zitiert werden könnten, die Teilnahme freiwillig ist und ich jederzeit meine Teilnahme abbrechen kann.

☐ Ich stimme zu (1)

☐ Ich stimme nicht zu (2)

End of Block: Introduction

Start of Block: Demographics

Wie würden Sie sich beschreiben?

- ☐ Weiblich (1)
- ☐ Männlich (2)
- ☐ Divers (3)
- ☐ Keine Angaben (4)
- ☐ Eigene Angabe (5) _____
-

Wie alt sind Sie? (Angabe in Jahren)

Welchen Bezug haben Sie zum juristischen Bereich?

- ☐ Ich studiere Jura oder habe es studiert (1)
- ☐ Ich bin als Jurist:in tätig (z. B. Richter:in) (2)
- ☐ Ich arbeite in einem rechtlichen Umfeld, aber nicht als Jurist:in (z. B. Rechtsanwaltsfachangestellte:r) (3)
- ☐ Ich habe kein juristisches Studium oder keine Tätigkeit im juristischen Bereich (4)
- ☐ Keine der oben genannten Optionen trifft zu. *Bitte beschreiben Sie Ihren Bezug zum juristischen Bereich:* (5) _____

End of Block: Demographics

Start of Block: Gap Slide

Auf der nächsten Seite wird Ihnen ein Protokoll einer Gerichtsanhörung präsentiert. Bitte lesen Sie sich das Protokoll **aufmerksam** durch und klicken Sie dann weiter.

End of Block: Gap Slide

Start of Block: Vignette A: High Confidence + Doctoral Degree

**Nichtöffentliche Sitzung
des Amtsgerichts**

Geschäfts-Nr.: 78 F 1234/56

Karlsruhe, 14.06.2024

Richterin am Amtsgericht Frau Becker - ohne Protokollführer gemäß § 28 Abs. 4 FamFG /
Protokoll wurde vorläufig auf Tonträger aufgezeichnet

In der einstweiligen Anordnungssache

betreffend das minderjährige Kind Felix Brosch, geboren am 22.11.2020,
Verfahrensbeiständin des Kindes: Rechtsanwältin Monika Lange, Hauptweg 1, 78131
Karlsruhe

an der weiter beteiligt sind:

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Mutter,

Verfahrensbevollmächtigter: Rechtsanwalt Schulze, Lindenstr. 11, 78131 Karlsruhe,

2. Herr Daniel Brosch, Bergweg 678, 78131 Karlsruhe,

Vater,

Verfahrensbevollmächtigter: Rechtsanwalt Klein, Kirchstraße 22, 78131 Karlsruhe,

erschieden bei Aufruf:

1. die Kindesmutter Frau Brosch mit Rechtsanwalt Schulze,
2. der Kindesvater Herr Brosch mit Rechtsanwalt Klein,
3. die Verfahrensbeiständin Frau Rechtsanwältin Lange,
4. für das Jugendamt der Stadt Karlsruhe Frau Friedrich und Herr Schmitz,
5. die psychologische Sachverständige Frau Dr. Winter

Vorab beschlossen und verkündet:

Die einstweiligen Anordnungsverfahren 78 F 1232/56 und 78 F 1233/56 werden verbunden.
Es führt das Aktenzeichen 78 F 1234/56. Begründung: Über das elterliche Sorgerecht ist einheitlich in einem Verfahren unter Berücksichtigung sämtlicher relevanter Vorschriften (§§ 1666, 1671 BGB) zu entscheiden.

Sodann wurde die Sach- und Rechtslage ausführlich mit den Erschienenen erörtert. Beide Kindeseltern erklärten, an allen Terminen im Zuge der Begutachtung teilgenommen sowie keine Einwände gegenüber der Sachverständigen zu haben.

Die Kindesmutter erklärte sodann, sich von dem Kindesvater sehr ungerecht behandelt zu fühlen. Darüber hinaus könne sie aber die Empfehlungen der Sachverständigen, wie sie dem schriftlichen Gutachten zu entnehmen waren, akzeptieren, wenn dies im Moment das Beste für Felix sei. Sie wolle aber weiterhin unbedingt eng eingebunden werden.

Der Kindesvater erklärte, alle Ausführungen der Sachverständigen zu akzeptieren. Er sei froh, dass endlich gesehen werde, was er für seinen Sohn tue und dass nun endlich Ruhe einkehren werde. Er hoffe, dass die Kindesmutter verstanden habe, was das Problem sei und sich in Zukunft raushalte.

Die psychologische Sachverständige Frau Dr. Winter erklärte, dass nochmal zu betonen sei, dass das Gutachten weder aussage, dass die Kindesmutter sich kindeswohlgefährdend gegenüber Felix verhalte, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies sei explizit nicht der Fall. Die gutachterlichen Ergebnisse ergäben klar, dass aufgrund der hohen Strittigkeit und der gänzlich fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden müsse sowie wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden müssten. Laut Frau Dr. Winter könne mit großer Sicherheit gesagt werden, dass das Beste für Felix wäre, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich. Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier sei es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen zu befunden gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei gutachterlich eine höhere Erziehungseignung des Kindesvaters feststellbar gewesen. Trotzdem sei aber dem Gutachten klar zu entnehmen, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch bleiben sollten. Hierzu solle die Elternberatung fortgeführt werden. Außerdem solle weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Auf erneute richterliche Ansprache erklärten beide Kindeseltern, die Ausführungen der Sachverständigen Frau Dr. Winter akzeptieren zu können. Eine vor Ort ausgehändigte Beratungsvereinbarung mit dem Jugendamt wurde von beiden Kindeseltern unterschrieben.

Sodann beschlossen und verkündet:

Im Verfahren 78 F 1234/56 wird beiden Kindeseltern im Wege einstweiliger Anordnung die nachstehende Auflage erteilt: Eine Zusammenarbeit mit der Elternberatungsstelle ist mindestens für die kommenden 12 Monate zuverlässig zu realisieren. Ebenso verpflichtet sich beide Kindeseltern die schriftlichen Ausführungen der Beratungsvereinbarung mit dem Jugendamt einzuhalten.

Die Kosten des Verfahrens werden gegeneinander aufgehoben. Der Verfahrenswert wird auf 2.000 € festgesetzt.

Begründung:

Die erteilten Auflagen erscheinen zur Sicherung des Kindeswohls einstweilen notwendig.

Frau Becker
Richterin

Für die Richtigkeit der Übertragung vom Tonträger
Hr. Meyer, Justizbeschäftigter als Urkundsbeamter der Geschäftsstelle

End of Block: Vignette A: High Confidence + Doctoral Degree

Start of Block: Vignette B: High Confidence + No Doctoral Degree

Nichtöffentliche Sitzung
des Amtsgerichts
Geschäfts-Nr.: 78 F 1234/56

Karlsruhe, 14.06.2024

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3. die Verfahrensbeiständin Frau Rechtsanwältin Lange,
4. für das Jugendamt der Stadt Karlsruhe Frau Friedrich und Herr Schmitz,
5. die psychologische Sachverständige Frau Winter

Vorab beschlossen und verkündet:

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Sodann wurde die Sach- und Rechtslage ausführlich mit den Erschienenen erörtert. Beide Kindeseltern erklärten, an allen Terminen im Zuge der Begutachtung teilgenommen sowie keine Einwände gegenüber der Sachverständigen zu haben.

Die Kindesmutter erklärte sodann, sich von dem Kindesvater sehr ungerecht behandelt zu fühlen. Darüber hinaus könne sie aber die Empfehlungen der Sachverständigen, wie sie dem schriftlichen Gutachten zu entnehmen waren, akzeptieren, wenn dies im Moment das Beste für Felix sei. Sie wolle aber weiterhin unbedingt eng eingebunden werden.

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Die Kosten des Verfahrens werden gegeneinander aufgehoben. Der Verfahrenswert wird auf 2.000 € festgesetzt.

Begründung:

Die erteilten Auflagen erscheinen zur Sicherung des Kindeswohls einstweilen notwendig.

Frau Becker

Richterin

Für die Richtigkeit der Übertragung vom Tonträger

Hr. Meyer, Justizbeschäftigter als Urkundsbeamter der Geschäftsstelle

End of Block: Vignette B: High Confidence + No Doctoral Degree

Start of Block: Vignette C: Low Confidence + Doctoral Degree

Nichtöffentliche Sitzung

des Amtsgerichts

Geschäfts-Nr.: 78 F 1234/56

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Die psychologische Sachverständige Frau Dr. Winter erklärte, gerne sagen zu wollen, dass es aus ihrer Sicht weder so erscheine, als verhalte sich die Kindesmutter kindeswohlgefährdend gegenüber Felix, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies scheine eher nicht der Fall zu sein. Nach ihrem Erachten wirke es so, als müsse aufgrund der hohen Strittigkeit und der scheinbar fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden sowie müssten wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden. Laut Frau Dr. Winter könne es möglicherweise vorteilhaft für Felix sein, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei scheinbar in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich. Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier scheine es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen einzuschätzen gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlschädigend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei eine möglicherweise höhere Erziehungseignung des Kindesvaters anzunehmen gewesen. Trotzdem glaube sie es könnte wichtig sein, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch blieben. Hierzu könne die Elternberatung fortgeführt werden. Außerdem solle eigentlich weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Auf erneute richterliche Ansprache erklärten beide Kindeseltern, die Ausführungen der Sachverständigen Frau Dr. Winter akzeptieren zu können. Eine vor Ort ausgehändigte Beratungsvereinbarung mit dem Jugendamt wurde von beiden Kindeseltern unterschrieben.

Sodann beschlossen und verkündet:

Im Verfahren 78 F 1234/56 wird beiden Kindeseltern im Wege einstweiliger Anordnung die nachstehende Auflage erteilt: Eine Zusammenarbeit mit der Elternberatungsstelle ist mindestens für die kommenden 12 Monate zuverlässig zu realisieren. Ebenso verpflichten sich beide Kindeseltern die schriftlichen Ausführungen der Beratungsvereinbarung mit dem Jugendamt einzuhalten.

Die Kosten des Verfahrens werden gegeneinander aufgehoben. Der Verfahrenswert wird auf 2.000 € festgesetzt.

Begründung:

Die erteilten Auflagen erscheinen zur Sicherung des Kindeswohls einstweilen notwendig.

Frau Becker
Richterin

Für die Richtigkeit der Übertragung vom Tonträger
Hr. Meyer, Justizbeschäftigter als Urkundsbeamter der Geschäftsstelle

End of Block: Vignette C: Low Confidence + Doctoral Degree

Start of Block: Vignette D: Low Confidence + No Doctoral Degree

Nichtöffentliche Sitzung
des Amtsgerichts

Geschäfts-Nr.: 78 F 1234/56

Karlsruhe, 14.06.2024

Richterin am Amtsgericht Frau Becker - ohne Protokollführer gemäß § 28 Abs. 4 FamFG /
Protokoll wurde vorläufig auf Tonträger aufgezeichnet

In der einstweiligen Anordnungssache

betreffend das minderjährige Kind Felix Brosch, geboren am 22.11.2020,
Verfahrensbeiständin des Kindes: Rechtsanwältin Monika Lange, Hauptweg 1, 78131
Karlsruhe

an der weiter beteiligt sind:

1. Frau Mia Brosch, Schulstr. 345, 78131 Karlsruhe,

Mutter,

Verfahrensbevollmächtigter: Rechtsanwalt Schulze, Lindenstr. 11, 78131 Karlsruhe,
2. Herr Daniel Brosch, Bergweg 678, 78131 Karlsruhe,

Vater,

Verfahrensbevollmächtigter: Rechtsanwalt Klein, Kirchstraße 22, 78131 Karlsruhe,

erschienen bei Aufruf:

1. die Kindesmutter Frau Brosch mit Rechtsanwalt Schulze,
2. der Kindesvater Herr Brosch mit Rechtsanwalt Klein,
3. die Verfahrensbeiständin Frau Rechtsanwältin Lange,
4. für das Jugendamt der Stadt Karlsruhe Frau Friedrich und Herr Schmitz,
5. die psychologische Sachverständige Frau Winter

Vorab beschlossen und verkündet:

Die einstweiligen Anordnungsverfahren 78 F 1232/56 und 78 F 1233/56 werden verbunden. Es führt das Aktenzeichen 78 F 1234/56. Begründung: Über das elterliche Sorgerecht ist einheitlich in einem Verfahren unter Berücksichtigung sämtlicher relevanter Vorschriften (§§ 1666, 1671 BGB) zu entscheiden.

Sodann wurde die Sach- und Rechtslage ausführlich mit den Erschienenen erörtert. Beide Kindeseltern erklärten, an allen Terminen im Zuge der Begutachtung teilgenommen sowie keine Einwände gegenüber der Sachverständigen zu haben.

Die Kindesmutter erklärte sodann, sich von dem Kindesvater sehr ungerecht behandelt zu fühlen. Darüber hinaus könne sie aber die Empfehlungen der Sachverständigen, wie sie dem schriftlichen Gutachten zu entnehmen waren, akzeptieren, wenn dies im Moment das Beste für Felix sei. Sie wolle aber weiterhin unbedingt eng eingebunden werden.

Der Kindesvater erklärte, alle Ausführungen der Sachverständigen zu akzeptieren. Er sei froh, dass endlich gesehen werde, was er für seinen Sohn tue und dass nun endlich Ruhe einkehren werde. Er hoffe, dass die Kindesmutter verstanden habe, was das Problem sei und sich in Zukunft raushalte.

Die psychologische Sachverständige Frau Winter erklärte, gerne sagen zu wollen, dass es aus ihrer Sicht weder so erscheine, als verhalte sich die Kindesmutter kindeswohlgefährdend gegenüber Felix, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies scheine eher nicht der Fall zu sein. Nach ihrem Erachten wirke es so, als müsse aufgrund der hohen Strittigkeit und der scheinbar fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden sowie müssten wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden. Laut Frau Winter könne es möglicherweise vorteilhaft für Felix sein, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei scheinbar in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich. Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier scheine es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen einzuschätzen gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlschädigend. Vielmehr habe eine Entscheidung getroffen werden müssen und in

Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei eine möglicherweise höhere Erziehungseignung des Kindesvaters anzunehmen gewesen. Trotzdem glaube sie es könnte wichtig sein, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch blieben. Hierzu könne die Elternberatung fortgeführt werden. Außerdem solle eigentlich weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Auf erneute richterliche Ansprache erklärten beide Kindeseltern, die Ausführungen der Sachverständigen Frau Winter akzeptieren zu können. Eine vor Ort ausgehändigte Beratungsvereinbarung mit dem Jugendamt wurde von beiden Kindeseltern unterschrieben.

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Frau Becker
Richterin

Für die Richtigkeit der Übertragung vom Tonträger
Hr. Meyer, Justizbeschäftigter als Urkundsbeamter der Geschäftsstelle

End of Block: Vignette D: Low Confidence and No Doctoral Degree

Start of Block: Witness Credibility Scale

Bitte geben Sie nun eine Bewertung zur Person der psychologischen Sachverständigen auf der folgenden Skala ab. Wenn Sie sich unsicher sind, nehmen Sie gerne die Antwort, die ihrer Meinung nach **am ehesten** zutrifft. Hierbei gibt es keine falschen oder richtigen Antworten.

Unwise

	Unklug (1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	Klug (10)
(1)	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Unscientific

	Unwissenschaftlich (1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	Wissenschaftlich (10)
(1)	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

Für wie glaubwürdig halten Sie die psychologische Sachverständige insgesamt?

sehr unglaubwürdig

sehr glaubwürdig

1

10

0	
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End of Block: Witness Credibility Scale

Start of Block: Context Questions

Bitte beschreiben Sie **warum** Sie zu dieser Einschätzung gekommen sind.

Was würde die psychologische Sachverständige noch glaubwürdiger machen?

Was würde die psychologische Sachverständige weniger glaubwürdig machen?

Basierend auf dem was Sie wissen, wie sehr würden Sie der Empfehlung der psychologischen Sachverständigen zustimmen?

	Stimme gar nicht zu	Stimme völlig zu
	1	10
()		

End of Block: Context Questions

Start of Block: Highlight Vignette A

Bitte markieren Sie welche Textstellen aus dem Anhörungs-Protokoll Ihre Einschätzung beeinflusst haben. Grün steht dabei für einen positiven Einfluss und rot für einen negativen Einfluss.

Die psychologische Sachverständige Frau Dr. Winter erklärte, dass nochmal zu betonen sei, dass das Gutachten weder aussage, dass die Kindesmutter sich kindeswohlgefährdend gegenüber Felix verhalte, noch dass sie zukünftig in keinerlei ihn betreffende

Angelegenheiten einbezogen werden solle. Dies sei explizit nicht der Fall. Die gutachterlichen Ergebnisse ergäben klar, dass aufgrund der hohen Strittigkeit und der gänzlich fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden müsse sowie wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden müssten. Laut Frau Dr. Winter könne mit großer Sicherheit gesagt werden, dass das Beste für Felix wäre, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich.

Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier sei es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen zu befunden gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlschädigend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei gutachterlich eine höhere Erziehungseignung des Kindesvaters feststellbar gewesen. Trotzdem sei aber dem Gutachten klar zu entnehmen, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch bleiben sollten. Hierzu solle die Elternberatung fortgeführt werden. Außerdem solle weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Haben Sie irgendwelche Anmerkungen oder noch etwas hinzuzufügen?

End of Block: Highlight Vignette A

Start of Block: Highlight Vignette B

Bitte markieren Sie welche Textstellen aus dem Anhörungs-Protokoll Ihre Einschätzung beeinflusst haben. Grün steht dabei für einen positiven Einfluss und rot für einen negativen Einfluss.

Die psychologische Sachverständige Frau Winter erklärte, dass nochmal zu betonen sei, dass das Gutachten weder aussage, dass die Kindesmutter sich kindeswohlgefährdend gegenüber Felix verhalte, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies sei explizit nicht der Fall. Die gutachterlichen Ergebnisse ergäben klar, dass aufgrund der hohen Strittigkeit und der gänzlich fehlenden

Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden müsse sowie wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden müssten. Laut Frau Winter könne mit großer Sicherheit gesagt werden, dass das Beste für Felix wäre, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich. Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier sei es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen zu befunden gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei gutachterlich eine höhere Erziehungseignung des Kindesvaters feststellbar gewesen. Trotzdem sei aber dem Gutachten klar zu entnehmen, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch bleiben sollten. Hierzu solle die Elternberatung fortgeführt werden. Außerdem solle weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Haben Sie irgendwelche Anmerkungen oder noch etwas hinzuzufügen?

End of Block: Highlight Vignette B

Start of Block: Highlight Vignette C

Bitte markieren Sie welche Textstellen aus dem Anhörungs-Protokoll Ihre Einschätzung beeinflusst haben. Grün steht dabei für einen positiven Einfluss und rot für einen negativen Einfluss.

Die psychologische Sachverständige Frau Dr. Winter erklärte, gerne sagen zu wollen, dass es aus ihrer Sicht weder so erscheine, als verhalte sich die Kindesmutter kindeswohlgefährdend gegenüber Felix, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies scheine eher nicht der Fall zu sein. Nach ihrem Erachten wirke es so, als müsse aufgrund der hohen Strittigkeit und der scheinbar fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden sowie müssten wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden. Laut Frau Dr. Winter könne es möglicherweise vorteilhaft für Felix sein, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende

Entscheidungen gemeinsam treffen könnten, aber dies sei scheinbar in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich. Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier scheine es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne Einschränkungen einzuschätzen gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlschädigend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei eine möglicherweise höhere Erziehungseignung des Kindesvaters anzunehmen gewesen. Trotzdem glaube sie es könnte wichtig sein, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch blieben. Hierzu könne die Elternberatung fortgeführt werden. Außerdem solle eigentlich weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Haben Sie irgendwelche Anmerkungen oder noch etwas hinzuzufügen?

End of Block: Highlight Vignette C

Start of Block: Highlight Vignette D

Bitte markieren Sie welche Textstellen aus dem Anhörungs-Protokoll Ihre Einschätzung beeinflusst haben. Grün steht dabei für einen positiven Einfluss und rot für einen negativen Einfluss.

Die psychologische Sachverständige Frau Winter erklärte, gerne sagen zu wollen, dass es aus ihrer Sicht weder so erscheine, als verhalte sich die Kindesmutter kindeswohlgefährdend gegenüber Felix, noch dass sie zukünftig in keinerlei ihn betreffende Angelegenheiten einbezogen werden solle. Dies scheine eher nicht der Fall zu sein. Nach ihrem Erachten wirke es so, als müsse aufgrund der hohen Strittigkeit und der scheinbar fehlenden Abstimmungsbereitschaft der Kindeseltern ein Lebensmittelpunkt für Felix ausgewählt werden sowie müssten wesentliche sorgerechtliche Entscheidungen in die Hand eines Elternteils gegeben werden. Laut Frau Winter könne es möglicherweise vorteilhaft für Felix sein, wenn beide Elternteile sich gleichermaßen einbringen und ihn betreffende Entscheidungen gemeinsam treffen könnten, aber dies sei scheinbar in der hiesigen Fallkonstellation aufgrund der hohen Strittigkeit der Kindeseltern leider nicht möglich. Es sei insofern *ein* Lebensmittelpunkt und *ein* hauptsorgeberechtigter Elternteil zu bestimmen gewesen. Hier scheine es nicht so, dass das Erziehungsverhalten des Kindesvaters ohne

Einschränkungen einzuschätzen gewesen sei und das Erziehungsverhalten der Kindesmutter kindeswohlgefährdend. Vielmehr habe eine Entscheidung getroffen werden müssen und in Abwägung aller Vor- und Nachteile der beiden Betreuungsvarianten sei eine möglicherweise höhere Erziehungseignung des Kindesvaters anzunehmen gewesen. Trotzdem glaube sie es könnte wichtig sein, dass die Kindeseltern bezüglich Felix betreffenden Themen im Austausch blieben. Hierzu könne die Elternberatung fortgeführt werden. Außerdem solle eigentlich weiterhin intensiver Kontakt zwischen Felix und der Kindesmutter bestehen, und zwar im Rahmen der wochenendlichen Besuche.

Haben Sie irgendwelche Anmerkungen oder noch etwas hinzuzufügen?

End of Block: Highlight Vignette D

Start of Block: Manipulation Check

Hatte die psychologische Sachverständige einen Doktor-Titel?

- ☐ Ja (1)
- ☐ Ich bin mir nicht ganz sicher, aber ich glaube ja (2)
- ☐ Weiß ich nicht (3)
- ☐ Ich bin mir nicht ganz sicher, aber ich glaube nein (4)
- ☐ Nein (5)

End of Block: Manipulation Check

Start of Block: Attention Check

Was war der Name des Kindes in dem Gerichtsprotokoll?

- ☐ Tom (4)
- ☐ Felix (5)
- ☐ Florian (6)
-

Haben Sie gewissenhaft an der Studie teilgenommen?

- ☐ Ja (1)
- ☐ Nein (2)

End of Block: Attention Check

Start of Block: Debriefing

Vielen Dank für Ihre Teilnahme! Das Ziel dieser Studie ist es herauszufinden ob der Doktor-Titel und/oder das Selbstbewusstsein von psychologischen Sachverständigen deren Glaubwürdigkeit vor Gericht beeinflusst.

Nachdem Sie nun vollständig über die Studie aufgeklärt wurden, **geben Sie bitte an, ob Sie immer noch einverstanden sind, dass ihre Daten für Forschungszwecke genutzt werden.**

- ☐ Ich stimme zu (1)
- ☐ Ich stimme nicht zu (2)
-

Wenn Sie an den Ergebnissen dieser Masterarbeit interessiert sind oder andere Frage zu der Studie haben, senden Sie gerne eine E-Mail an Frau Weidner: s.a.weidner@student.utwente.nl.

Um an dem Gewinnspiel für den 50€ HEMA-Gutschein teilnehmen zu können, geben Sie hier bitte ihre E-Mail Adresse an. Ihre E-Mail wird ausschließlich zu Zwecken des Gewinnspiels benutzt und nicht mit den erhobenen Daten verbunden.

An Nutzer:innen von SurveyCircle: Der Survey Code ist **ARL9-ERR7-1TBY-HXJ4** .
An Nutzer:innen von SurveySwap: Der Code ist **VZQX-HNLM-9U0W** .

End Um die Studie erfolgreich zu beenden, **klicken Sie bitte auf den Pfeil unten rechts**.
Vielen Dank!

End of Block: Debriefing

Appendix D

Pilot Study: Testing Confidence-Manipulation

Start of Block: Intro

Willkommen zu dieser Pilot Studie! Diese Studie wird im Rahmen einer Masterarbeit im Studiengang „Psychologie für Konflikt, Risiko und Sicherheit“ an der University of Twente durchgeführt. Sie befasst sich mit der Tätigkeit von Psycholog:innen, die als psychologische Sachverständige an deutschen Gerichten arbeiten. Als Teilnehmer:in dieser Studie, werden Sie daher einen fiktionalen Fall über Sorgerechtsentscheidungen in einem familiengerichtlichen Verfahren lesen. Da dies ein sensibles Thema ist, bitten wir Sie nur an der Studie teilzunehmen, wenn Sie sich wohl damit fühlen, dass dies thematisiert wird.

Die Teilnahme an dieser Studie ist komplett freiwillig und wird schätzungsweise circa 10 Minuten in Anspruch nehmen. Sie können jederzeit die Teilnahme beenden, ohne nach einem Grund gefragt zu werden oder Konsequenzen befürchten zu müssen.

Die Daten werden mindestens zehn Jahre anonym aufbewahrt, mit Vertraulichkeit behandelt und die Ergebnisse werden ausschließlich anonym veröffentlicht. Wenn Sie Fragen haben oder an den Ergebnissen der Masterarbeit interessiert sind, schreiben Sie gerne eine E-Mail an Frau Weidner: s.a.weidner@student.utwente.nl.

Ich stimme hiermit zu, dass ich die oben genannten Informationen gelesen und verstanden habe und bin damit einverstanden, dass meine Antworten zu Forschungs-Zwecken genutzt werden. Ich habe verstanden, dass die Teilnahme freiwillig ist und ich jederzeit meine Teilnahme abbrechen kann.

- ☐ Ich stimme zu (1)
- ☐ Ich stimme nicht zu (2)

End of Block: Intro

Start of Block: Gap Slide

Auf der nächsten Seite wird Ihnen ein Protokoll einer Gerichtsanhörung präsentiert. Bitte lesen Sie sich das Protokoll aufmerksam durch und klicken Sie dann weiter.

End of Block: Gap Slide

Start of Block: High Confidence

**Nichtöffentliche Sitzung
des Amtsgerichts
Geschäfts-Nr.: 78 F 1234/56**

Karlsruhe, 14.06.2024

Richterin am Amtsgericht Frau Becker - ohne Protokollführer gemäß § 28 Abs. 4 FamFG /
Protokoll wurde vorläufig auf Tonträger aufgezeichnet

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betreffend das minderjährige Kind Felix Brosch, geboren am 22.11.2020,
Verfahrensbeiständin des Kindes: Rechtsanwältin Monika Lange, Hauptweg 1, 78131
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Mutter,

Verfahrensbevollmächtigter: Rechtsanwalt Schulze, Lindenstr. 11, 78131 Karlsruhe,

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erschieden bei Aufruf:

1. die Kindesmutter Frau Brosch mit Rechtsanwalt Schulze,
2. der Kindesvater Herr Brosch mit Rechtsanwalt Klein,
3. die Verfahrensbeiständin Frau Rechtsanwältin Lange,
4. für das Jugendamt der Stadt Karlsruhe Frau Friedrich und Herr Schmitz,
5. die psychologische Sachverständige Frau Winter

Vorab beschlossen und verkündet:

Die einstweiligen Anordnungsverfahren 78 F 1232/56 und 78 F 1233/56 werden verbunden.
Es führt das Aktenzeichen 78 F 1234/56. Begründung: Über das elterliche Sorgerecht ist
einheitlich in einem Verfahren unter Berücksichtigung sämtlicher relevanter Vorschriften
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Sodann wurde die Sach- und Rechtslage ausführlich mit den Erschienenen erörtert. Beide
Kindeseltern erklärten, an allen Terminen im Zuge der Begutachtung teilgenommen sowie
keine Einwände gegenüber der Sachverständigen zu haben.

Die Kindesmutter erklärte sodann, sich von dem Kindesvater sehr ungerecht behandelt zu
fühlen. Darüber hinaus könne sie aber die Empfehlungen der Sachverständigen, wie sie dem
schriftlichen Gutachten zu entnehmen waren, akzeptieren, wenn dies im Moment das Beste
für Felix sei. Sie wolle aber weiterhin unbedingt eng eingebunden werden.

Der Kindesvater erklärte, alle Ausführungen der Sachverständigen zu akzeptieren. Er sei froh,
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Frau Becker
Richterin

Für die Richtigkeit der Übertragung vom Tonträger
Hr. Meyer, Justizbeschäftigter als Urkundsbeamter der Geschäftsstelle

Not confident

[illegible][illegible][illegible][illegible]

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Nichtöffentliche Sitzung

des Amtsgerichts

Geschäfts-Nr.: 78 F 1234/56

Karlsruhe, 14.06.2024

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End of Block: High Confidence

Start of Block: Low confidence

**Nichtöffentliche Sitzung
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Für die Richtigkeit der Übertragung vom Tonträger

Hr. Meyer, Justizbeschäftigter als Urkundsbeamter der Geschäftsstelle

End of Block: Low confidence

Start of Block: Debriefing

Vielen Dank für Ihre Teilnahme! Das Ziel dieser Pilot-Studie ist es herauszufinden, welche Formulierungen ins Auge fallen, wenn das Selbstbewusstsein einer sachverständigen Person beurteilt werden soll. Wenn Sie Fragen zu der Studie haben, senden Sie gerne eine E-Mail an Frau Weidner: s.a.weidner@student.utwente.nl .

Um die Studie erfolgreich zu beenden, klicken Sie bitte auf den Pfeil unten rechts.

End of Block: Debriefing

Appendix E

Parametric Assumptions Tests

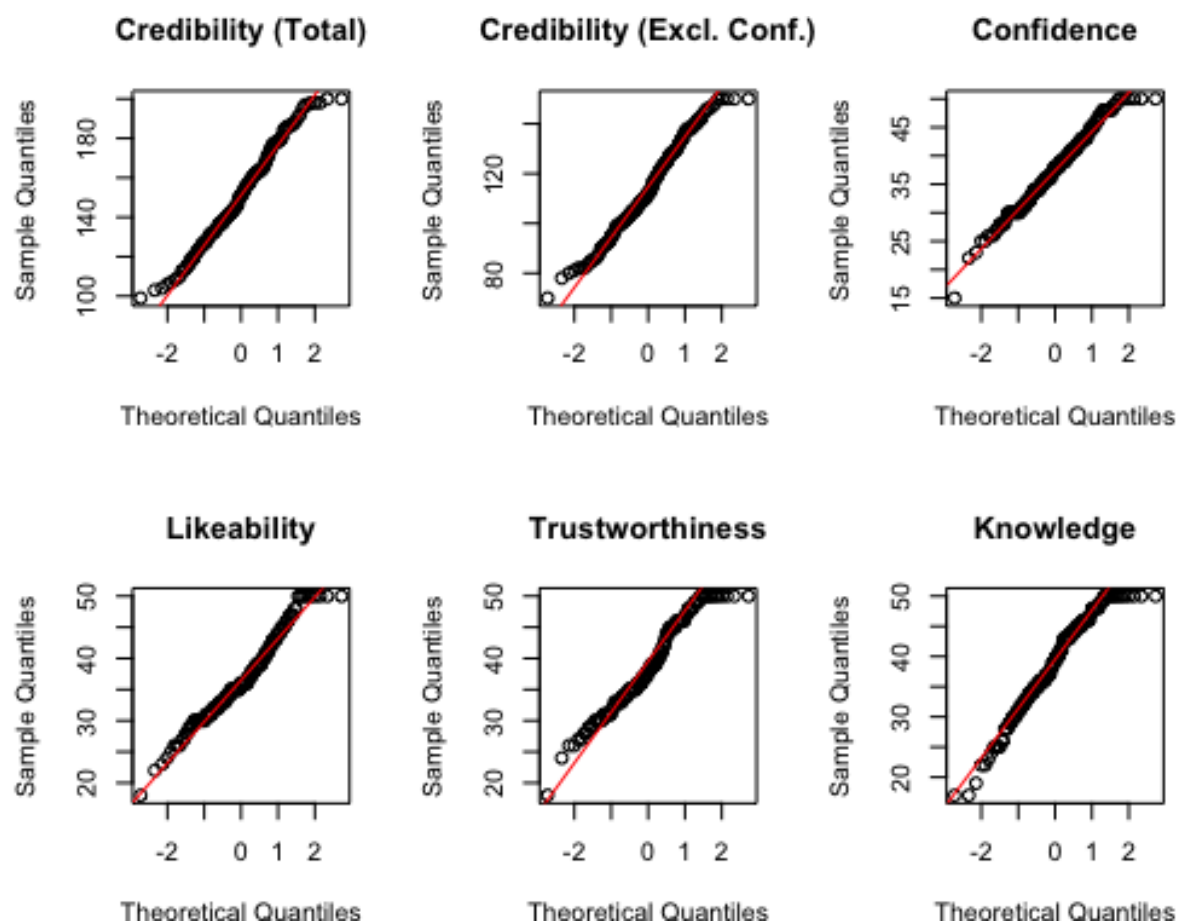
Before performing any parametric tests, the assumptions of normality and homogeneity of variances were assessed. The Shapiro-Wilk test indicated normality for the WCS as a whole ($p = .068$) and for the Confidence subscale ($p = .065$). With regards to the remaining three subscales (i.e. Knowledge, Likeability and Trustworthiness), the Shapiro-Wilk test indicated non-normality. Inspection of the skewness and kurtosis values suggested normality, with all values being within the acceptable ± 2 range for skewness (Kim, 2013; Harrison & Rentzelas, 2021) and the acceptable ± 4 range for kurtosis (Kim, 2013; see table E1). Visual inspection of quantile-quantile plots for these aggregated scores also supported the assumption of normality (see figure E1). Given the robustness of ANOVA and related parametric tests to (moderate) violations of normality (Blanca et al., 2017), analyses were conducted as planned. To test the assumption of homogeneity of variance, Levene's tests were conducted for the WCS and each subscale. All tests were non-significant ($p > .05$), indicating that assumptions of equal variances are met.

Table E1

Summary of Normality and Homogeneity of Variance Tests for (Sub-) Scales

Scale	Shapiro-Wilk p	Skewness	Kurtosis	Levene's Test p
Credibility (Total)	.068	-0.15	-0.25	.109
Credibility (Excl. Conf)	.030	0.06	-0.82	.053
Confidence	.065	0.23	-0.21	.053
Knowledge	< .001 ^a	-0.01	-0.74	.512
Likeability	.007	-0.49	-0.37	.242
Trustworthiness	< .001 ^a	0.06	-0.75	.089

Note. ^a indicates violations of parametric assumptions

Figure E1*Quantile-Quantile Plots for (Sub-) Scales*

Note. The plot heading “Credibility (Excl. Confidence)” denotes credibility scores excluding the Confidence subscale scores.

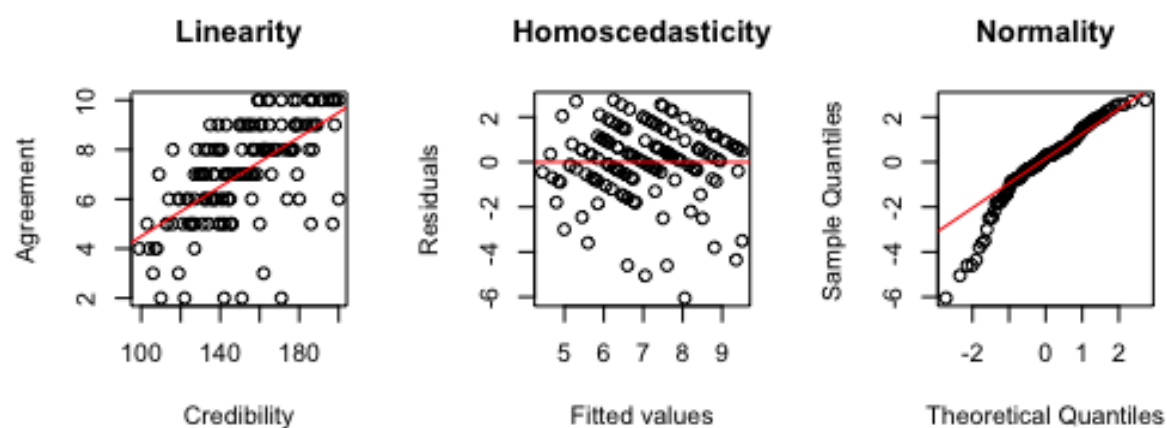
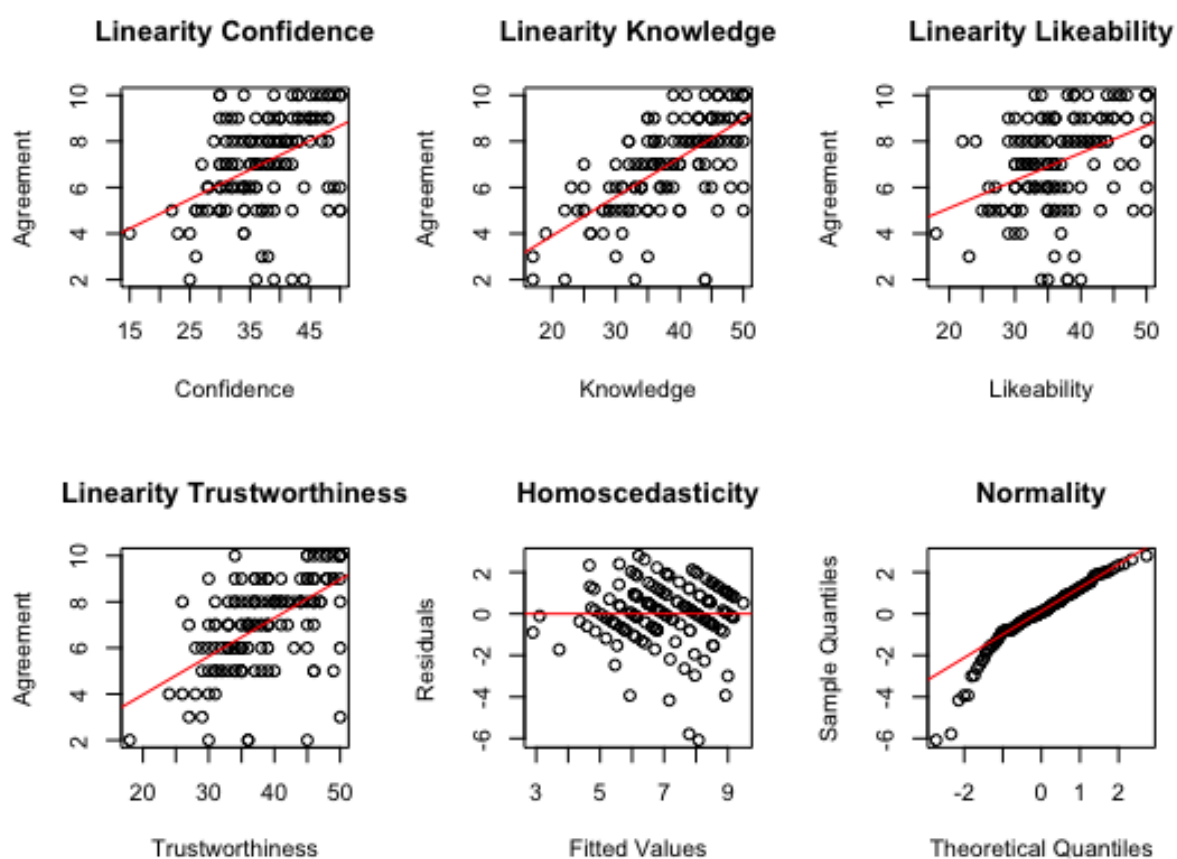
Figure E2*Assumption Diagnostics for First Linear Model*

Table E2*Summary of Kruskal-Wallis Test Results for Main Analyses*

Variable	WCS		WCS Excluding Confidence Subscale	
	X^2	p	X^2	p
Confidence Level	1.11	.291	2.21	.138
Doctoral Degree	0.03	.853	0.01	.933

Note. $df = 1$ **Figure E3***Assumption Diagnostics for Second Linear Model***Table E3***Assessment of Multicollinearity Among Subscales*

Subscale	VIF	1	2	3	4
Confidence	2.37	-			

Knowledge	2.95	.723	-		
Likeability	2.10	.565	.520	-	
Trustworthiness	3.31	.655	.747	.706	-

Note. Pearson correlation coefficients are reported. VIF = Variance Inflation Factor

Appendix F

Credibility Subscale-Level Analysis

Table F

ANOVA Summary of the Effects of Confidence and Doctoral Degree on Credibility Subscales

Subscale	Variable	<i>F</i>	<i>p</i>	Effect Size η^2
Confidence	Confidence Level	0.09	.769	< .001
	Doctoral Degree	0.36	.549	.002
	Confidence Level * Doctoral Degree	0.27	.267	.008
Knowledge	Confidence Level	2.44	.120	.020
	Doctoral Degree	0.00	.956	< .001
	Confidence Level * Doctoral Degree	0.19	.664	.001
Likeability	Confidence Level	1.22	.270	.008
	Doctoral Degree	0.03	.865	< .001
	Confidence Level * Doctoral Degree	0.20	.200	.001
Trustworthiness	Confidence Level	2.112	.148	.010
	Doctoral Degree	0.040	.842	< .001
	Confidence Level * Doctoral Degree	0.014	.907	< .001

Note. η^2 = partial eta squared. df = 1, 152

Appendix G

Exploratory Analyses: Doctoral Degree Recognition and Belief

Based on the insight that a substantial number of participants (37%), who were exposed to a condition where the psychologist held a doctoral degree, did not accurately recognize this degree, the question was sparked whether there is a difference in credibility judgments between the group that correctly noticed the degree (i.e. for those in whom the manipulation worked as anticipated) and the group that did not. This was explored by conducting an independent samples t-test, which suggests no significant difference between the mean sum scores of the group who correctly recognized the doctoral degree ($M = 149.87$, $SD = 23.28$) and those who did not ($M = 153.08$, $SD = 29.57$), $t(42.98) = 0.48$, $p = .637$. Also, the 95% confidence interval for the mean difference between both groups ranged from -10.42 to 16.84, which shows a wide and inconclusive range of possible mean differences.

While the prior analysis focused on participants' accuracy in identifying the psychologist's doctoral degree, another analysis was conducted to explore whether the subjective belief in the psychologist's doctoral degree is associated with a difference in credibility perceptions. Therefore, another independent samples t-test was conducted which compared how credible the psychologist was rated between the group of participants who believed the psychologist held a doctoral degree and the other group of participants who did not believe so, regardless of whether this belief was factually correct. Similarly to before, the results suggest no significant difference in credibility ratings between both groups, $t(126.58) = 0.13$, $p = .896$. Also descriptively, there was almost no difference in means between both groups, with a mean of 151.85 ($SD = 25.02$) for those who did not believe that the psychologist held a doctoral degree and a mean of 151.33 ($SD = 23.32$) for those who did. Additionally, the 95% confidence interval, [-7.34, 8.38], indicates no meaningful difference in credibility perceptions depending on the subjective belief in psychologist's doctoral degree.

Overall, the results of both analyses suggest that neither the accurate recognition of a psychologist's doctoral degree nor the mere subjective belief that the psychologist held such a degree (e.g. when participants inferred that, even though it was not stated in the text) significantly affected psychologists' ascribed credibility.

