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**PRACTICAL ASSESSMENT OF TESTAMENTARY CAPACITY  
AND UNDUE INFLUENCE IN WILLS**

**Rachel M. Bédard, Ph.D. and Eric G. Mart, Ph.D., ABPP**

*Forensic assessments of testamentary capacity and undue influence in the execution of wills are likely to be performed more frequently in the years to come, due to changing population demographics. This article provides definitions of important terms related to these assessments, such as duress, fraud, sound mind, insane delusion and lucid interval. A practical methodology is provided for the assessment of both living and deceased testators based on Grisso's five-step model for the assessment of competencies. Recommendations are provided regarding the use of descriptions of functional capacity as opposed to the diagnosis of a particular DSM-IV-TR condition.*

**THE INFLUENCE OF MEDIA MESSAGES ON MOCK JUROR  
DECISIONS IN THE ANDREA YATES TRIAL**

**Kristine M. Jacquin, Ph.D. and Erica P. Hodges**

*Previous research suggests that jurors may be biased by pretrial media portrayals of the defendant. The media gag-order preceding the Andrea Yates trial provided an opportunity to empirically examine this bias in an actual case. Mock jurors ( $N = 488$  college students of voting age) were randomly assigned to a no media condition or to an unbiased, sympathetic, or unsympathetic media condition. Participants were given facts of the case and likely prosecution and defense arguments. Jurors who read the unsympathetic media portrayal of Yates were significantly more likely than jurors in the other media conditions to find her "guilty" and to impose a harsh sentence. Media messages also influenced attitudes about postpartum depression and mentally ill offenders.*

**WAIS-III IQs OF CRIMINAL DEFENDANTS  
WITH A MENTAL RETARDATION CLAIM SHOULD  
NOT BE REDUCED FOR THE "FLYNN EFFECT"**

**George C. Denkowski, Ph.D. and Kathryn M. Denkowski, Ed.D.**

*It is generally accepted that as intelligence tests' norms age, they tend to produce slightly higher IQs. This phenomenon has come to be called the "Flynn effect," after the person who attempted to measure the rate at which it occurs. On the basis of his work, Flynn came to believe that WAIS-III full scale IQs have inflated by 0.30 points annually since that test's development in 1995, and by an additional 2.34 points due to its "flawed" norms. In response, he began to advocate that WAIS-III full scale IQs of criminal defendants who claim mental retardation should*

*be decreased by those amounts. In this article, we review Flynn's evidence for his two WAIS-III IQ inflation theories. From a scientific perspective, we find that they are not supported by his data. We conclude that reducing WAIS-III full scale IQs for the "Flynn effect" is an unscientific practice, and provide some guidance for dealing with this phenomenon in court.*