



TALE Code of Ethics and Professional Conduct for Researcher-Practitioner Track

1. Relationship to Forensic Linguistics, TALE and ILE

- As a member of the interdisciplinary community of forensic linguistics, I recognize my responsibility to support the discipline, to hold myself and my colleagues to the highest standards of competence, integrity and professionalism, and to put self-interest below the interest of the discipline at large, for the benefit of the community and the legal system in which I live and work.
- I shall refrain from professional or personal conduct that adversely affects or discredits the reputation, integrity or image of (i) forensic linguistics, broadly defined, (ii) TALE: The Association for Linguistic Evidence, and (iii) its sponsoring organization, the Institute for Linguistic Evidence (ILE).
- I shall refrain from making public statements regarding the position of TALE without specific authorization from the Board of Directors of the Institute for Linguistic Evidence and the Leadership Circle of TALE to do so.
- I shall report to the Leadership Circle of TALE any violations of the TALE Code of Ethics and Professional Conduct by my self or others.

2. Credentials

- I shall truthfully and without any misrepresentation, exaggeration or embellishment report my
 - education,
 - training,
 - experience,
 - areas of expertise,
 - admissibility record as an expert witness,
 - involvement in specific cases as a consulting or testifying expert, or provider of litigation support, or
 - other credentials,in conversations leading to my engagement, any sworn deposition or testimony, or on my curriculum vitae or résumé.
- I shall not misrepresent, exaggerate or embellish my publications and conference presentations, including topics, methods, datasets or relevance to the field of forensic linguistics.
- I shall not misrepresent, exaggerate or embellish my teaching or training, including topics, methods, locations or relevance to the field of forensic linguistics.
- I shall not misrepresent, exaggerate or embellish my
 - relationship to other experts, attorneys, judges, clients, or other parties,
 - involvement in professional activities, such as peer review, editing, etc., or
 - membership and activity in scientific or professional societies.
- I understand and agree that any misrepresentation will prevent my admission or continued membership in TALE.



3. Practice and Professional Conduct

- Prior to accepting any engagement, I shall research potential conflicts of interest, including names of client(s), attorneys, law firms and litigants, and disclose any conflict of interest immediately to prospective clients and attorneys.
- I shall not accept cases outside my areas of expertise or beyond my ability to properly perform the work at the highest standard. If the scope of work changes materially, I shall promptly inform my client or employer to reach a new understanding, including consultation with or referral to other experts.
- If I desire to consult with another expert, I shall ask permission from my client or employer, and I shall disclose my consultation with other experts to my client or employer, including any scope of work or tasks that the consulting expert provides.
- I shall not misrepresent data upon which an expert opinion or conclusion is based.
- I shall not change or manipulate data in any way that can change the analyses upon which an expert opinion or conclusion is based.
- I shall not obscure or omit evidence that may be either exculpatory or incriminating so that I reach a conclusion consistent with the client's theory of a case.
- I shall present all facts and analytical conclusions to the client, without bias and independent of the impact on the case at hand.
- I shall not knowingly violate basic procedures of statistical tests so that a conclusion consistent with the client's theory of a case is possible.
- I shall report with clarity and forthrightness
 - standard operating procedures for any methods I use,
 - restrictions imposed by limitations on quantity and quality of data,
 - known error rates in relation to standard operating procedures,
 - the current status of a method's development, including unknown error rates, and
 - the current status of validation and reliability testing for any methods I use.
- I shall not use methods that have been shown, through empirical research, in peer-reviewed, published scholarship to be unreliable, and if I do use such methods for rebuttal or other kinds of testimony, I shall report the published scholarship and error rates.
- I shall not misuse or misrepresent the methods that are standard in my field that I bring to problems and cases in forensic linguistics.
- I shall not use statistical language to describe non-statistical findings or any conclusion which lacks empirical supporting data.
- I shall distinguish between probative and investigative evidence; I shall not present evidence that is non-probative as though it is probative.

TALE: THE ASSOCIATION FOR LINGUISTIC EVIDENCE



THE PROFESSIONAL SOCIETY OF THE INSTITUTE FOR LINGUISTIC EVIDENCE

- I shall not replace empirical support with my confidence in my education, training, experience or conjecture.
- I shall not state conclusions that are not empirically supported.
- I shall keep confidential any confidential or privileged information in my care, including the client's and case information, whether the client provides a non-disclosure agreement or not, unless required by a court of law or permitted by the owner of the confidential or privileged information.
- I shall not seek publicity of any kind during any open investigation or active investigation in which I am involved in any capacity, so as not to jeopardize the rights of my client and any opposing parties. I shall abide by any non-disclosure agreement between myself and my client regardless of the open or active status of the matter.
- I shall avoid a compensation plan in which my payment is a percentage of any settlement or verdict, but I shall negotiate a compensation plan with either an hourly rate or a flat-fee payment.
- Unless my employer provides forensic services as its primary function, I shall not use time paid by an employer for private expert consulting (i.e., colloquially known as "double-dipping"), even if this limits the amount of time I can perform expert consulting or testimony.
- I shall, in my report, deposition and/or testimony, report as clearly as possible my conclusions, as justified by scientific evidence, and make every effort to ensure that others (including other experts and attorneys) do not distort my opinion and conclusions.
- I understand and agree that (i) such misrepresentation of data, method, validation or reliability, analysis or conclusions or (ii) any violations of a client's confidentiality or case's privileged information or (iii) fiduciary or fiscal violations will prevent my admission or continued membership in TALE.

Representative of TALE / ILE

Printed Name_____

Signature_____

Date_____

TALE / ILE Member

Printed Name_____

Signature_____

Date_____



TALE Code of Ethics and Professional Conduct for Security-Law-Intelligence Track

1. Relationship to Forensic Linguistics, TALE and ILE

- As a member of the interdisciplinary community of forensic linguistics, I recognize my responsibility to support the discipline, to hold myself and my colleagues to the highest standards of competence, integrity and professionalism, and to put self-interest below the interest of the discipline at large, for the benefit of the community and the legal system in which I live and work.
- I shall refrain from professional or personal conduct that adversely affects or discredits the reputation, integrity or image of (i) forensic linguistics, broadly defined, (ii) TALE: The Association for Linguistic Evidence, and (iii) its sponsoring organization, the Institute for Linguistic Evidence (ILE).
- I shall refrain from making public statements regarding the position of TALE without specific authorization from the Board of Directors of the Institute for Linguistic Evidence and the Leadership Circle of TALE to do so.
- I shall report to the Leadership Circle of TALE any violations of the TALE Code of Ethics and Professional Conduct by my self or others.

2. Credentials

- I shall truthfully and without any misrepresentation, exaggeration or embellishment report my
 - education,
 - training,
 - experience,
 - areas of expertise,
 - record of testimony as a witness in security, enforcement or intelligence,
 - involvement in specific cases as a litigator, investigator, or provider of litigation support, or
 - other credentials,in conversations leading to my engagement, any sworn deposition or testimony, or on my curriculum vitae or résumé.
- I shall not misrepresent, exaggerate or embellish my publications and conference presentations, including topics, methods, datasets or relevance to the field of forensic linguistics.
- I shall not misrepresent, exaggerate or embellish my teaching or training, including topics, methods, locations or relevance to the field of forensic linguistics.
- I shall not misrepresent, exaggerate or embellish my
 - relationship to other experts, attorneys, judges, clients, or other parties,
 - involvement in professional activities, or
 - membership and activity in professional societies.
- I understand and agree that any misrepresentation will prevent my admission or continued membership in TALE.



3. Practice and Professional Conduct

- I shall abide and uphold professional codes of conduct, which apply to me
 - as an attorney, my state’s Code based on the American Bar Association Model, or
 - as a law enforcement officer, my jurisdiction’s Code based on the International Association of Chiefs of Police Model Policy on Standards of Conduct, or
 - as a security professional, the Code of Ethics provided by ASIS International, (ISC)², GIAC, ISACA, or IAPSC, or _____, or
 - as an intelligence analyst, the Code of Ethics provided by ODNI, SCIP or _____.

- Prior to engaging a researcher-practitioner who is providing forensic linguistic analysis or consulting services, I shall research potential conflicts of interest, including names of other client(s), attorneys, law firms and litigants, so as to avoid conflict of interest and undue disclosure of confidential case information.

- While working with a researcher-practitioner who is providing forensic linguistic analysis or consulting services, I shall provide
 - thorough, complete and sufficient data, to the best of my ability and any limitations of the case or security clearances;
 - minimal case fact-pattern information, refraining from telling the analyst opinions or suppositions.

- While working with a researcher-practitioner who is providing forensic linguistic analysis or consulting services, I shall refrain from
 - contaminating, mixing, changing or otherwise misrepresenting any data for analysis, to the analyst, opposing counsel, or the court,
 - withholding any data that appears to me to be detrimental to the case or investigation.

- I understand and agree that (i) such misrepresentation of data or expert conclusions or (ii) any violations of a client’s confidentiality or case’s privileged information or (iii) fiduciary or fiscal violations will prevent my admission or continued membership in TALE.

Representative of TALE / ILE
Printed Name_____

TALE / ILE Member
Printed Name_____

Signature_____

Signature_____

Date_____

Date_____