



Using Experts

Securing an Expert

1. Locate an expert to help you understand and/or refute an issue.
2. Explain the case to the expert.
3. If the expert can assist, determine hours needed, provide expert with timeline and submit a request for services.
4. Once approved, send engagement letter.
5. Send expert materials for review.
6. If the expert's findings are helpful, decide whether to have the expert write a report and/or testify.

If Expert Is Testifying

- Include the expert on witness list.**
- Prep the direct examination with expert's assistance (do a run-through.)
- Consult with the expert regarding cross examination of opposing witnesses.

Examining Experts in Court

- Present the expert's qualifications (position/title, education, licenses/trainings, years of practice, publications/studies, etc.)
- Qualify the expert in specific field(s) ("The Defense moves to qualify Dr. X as an expert in the field(s) of_____".)
- Educate the jury on the expert's field(s) of expertise.
- Discuss materials reviewed, highlight the expert's findings.
- Elicit the expert's opinion on salient issues(s).

Additional Pointers

*You only need to disclose the expert's report if you intend to call the expert at trial.

**** Upon prosecution request, you must : (1) provide expert's name and last known address OR make expert available to prosecution; (2) provide expert's CV and either (a) a copy of their report--if they wrote one--or, alternatively, (b) a description of their testimony, their opinion, and basis of that opinion.**