

Expert Witness Training

Profit from your Expertise

By Judd Robbins

Expert Witness Training

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To Albert Einstein

For motivation, inspiration, and imagination

And to my current, past, and extended family members
who have been by my side and in my heart
for so many years and in so many endeavors

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Choice of Words

Men v. Women - Throughout this book, I make conscious efforts to respect the fact that attorneys are sometimes men and sometimes women, and so are expert witnesses. Authors often struggle with the desire to use “his or her” pronoun references, as opposed to simply “his” all the time, or “her” all the time. I have chosen to use all three approaches at various times during the book. Whoever you are, I have thought of you in my writings, and hope that you will recognize my efforts to surmount these potential word problems.

Attorney v. Retaining Attorney - A similar problem arises in referring to the attorneys who may hire you as an expert witness. In real life, the attorney who hires (retains) you as an expert is most often referred to as “your attorney”, although “retaining attorney” might be more accurate. Since they may hire you, but in fact be considered as a ‘client’ of yours, it might be equally accurate to refer to them as “your attorney-client”. Either of these longer phrases might be arguably more accurate, but after significant consideration, I have decided not to bog down the text of this book with them. I’ve used them from time to time to satisfy some readers who want the greater accuracy, and other readers who don’t want the expert to sound like a ‘hired gun’.

Criminal v. Civil – As an expert witness, you will have the experience of helping clients in both criminal and civil cases. The laws as well as the legal procedures are different. The side that brings the case is called the plaintiff in a civil case and the prosecution in a criminal case. The attorney representing the plaintiff in a civil case is called the plaintiff or the plaintiff’s attorney. The attorney representing the prosecution in a criminal matter is called the prosecutor. Throughout most of this book, I refer to the plaintiff and the defense sides. Your work as an expert witness is virtually identical in either so I have chosen not to muddy up the text by trying to use both terms *plaintiff* and *prosecution* when discussing the side that brings a case.