



Institute of Transportation Engineers

A Community of Transportation Professionals

So You Want to be An Expert?:

Perspectives from the Transportation Expert Witness Council

Institute of Transportation Engineers

Presentation to the San Diego Section
January 10, 2013

...your source for expertise,
knowledge, and ideas



ITE Resource: Transportation Expert Witness Council

- Mission:
 - Foster ethical conduct
 - Promote professional development
 - Advance knowledge and skills that improve transportation safety
- History:
 - Chartered by ITE in 1986
 - 24 Founding Members
 - Currently 500+ members

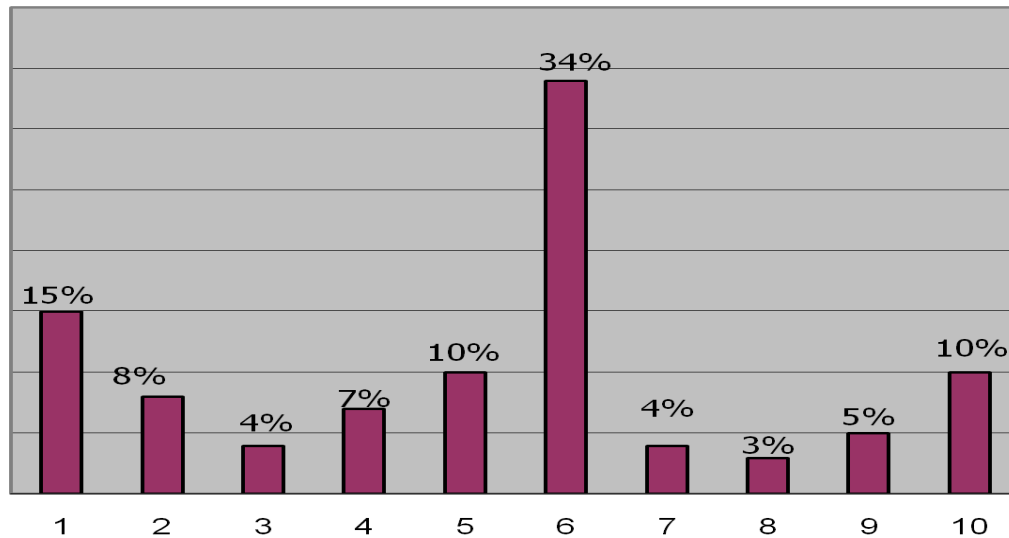


Leadership

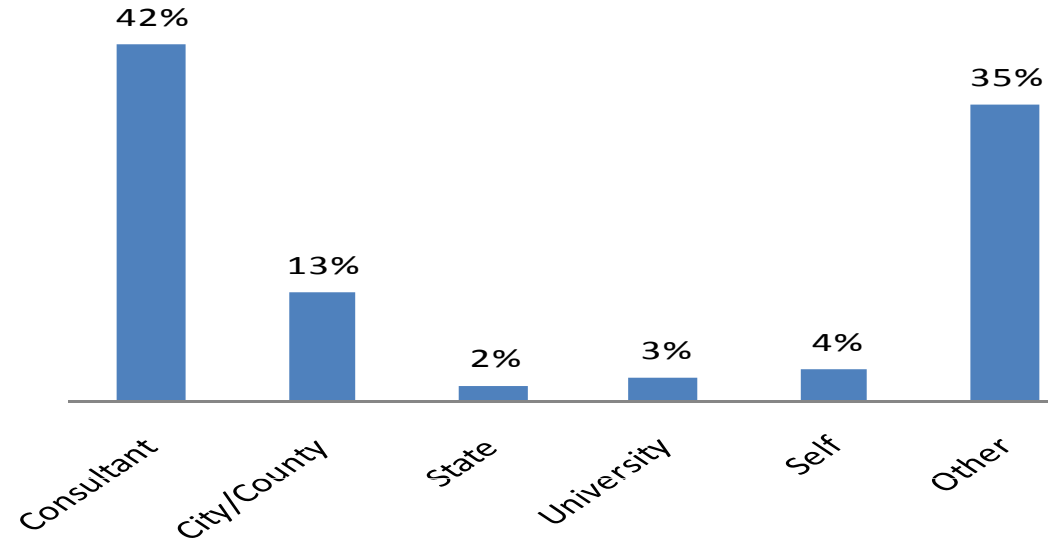
- **John Logan**, Chair (Seattle, WA)
- **Russell Brownlee**, Vice Chair (Toronto, ON)
- **Robert Stammer**, Past Chair (Nashville, TN)
- **Jim Pline** , Secretary (Boise, ID)
- **Keith Bergman**, Newsletter (Fort Washington, PA)
- **Executive Committee:**
 - Bernie Arseneau
 - Andrew Ramisch
 - Hibbett Neel
 - Bob Seyfried
 - Ron Eck

Council Membership Distribution

District



EMPLOYMENT



- 16 pct. of council members in their 40's
- 57 pct. of council members in their 50's and 60's
- 18 pct. over 70 years old
- 75 pct. greater than 50 years old

Why a Transportation Expert?

- When crashes occur someone needs to help sort out the facts and what they mean.
- Was there a deficiency related to the driver, vehicle or transportation infrastructure?
- Were corrective measures necessary or applied?
- What was required?



ITE Resource: Expert Witness Directory

- Accessible through the ITE web site
- Expert Witness Council members
- Listing input and updated by individual
- Selection of specialty area
- No verification of data
- No endorsement by Council or ITE
- Searchable directory
- **Free to Council Members**

Expert Witness Directory Information

- Name, address, phone, fax, e-mail
- Licenses, registrations and certifications
- Description of services
- Education
- Work experience
- Affiliations
- Specialties



Expert: What Does That Mean?

- **Expert Witness:** A person who testifies at a trial because he/she has special knowledge in a particular field. This entitles them to testify about their opinion on the meaning of facts
- How to become an Expert Witness:
 - Establish an area of interest
 - Use resources to obtain knowledge
 - Gain technical competence
 - Obtain work experience
 - Build credentials
 - Understand tort liability

Establish an Area of Interest

- Pick specific subjects or areas
- Have an interest and learn everything about subject
- Understand development of requirements
- Current Issues:
 - Pedestrians/Bicycles
 - Work Zones
 - Railroad Grade Xings
 - Transit Facilities

Use Resources to Obtain Knowledge

- Research field, learn background
- Understand what changes have occurred and why
- Understand new and emerging issues
- Build a reference library
- Become an information resource if someone has a question

Technical Involvement

- Work on technical projects
- Help to develop recommended practices
- Write Articles, reports, research, presentations
- Volunteer for assignments
- Participate in development of engineering standards.

Obtain Work Experience

- Gain actual field experience.
- Have responsibility for applications.
- Deal with public feedback.
- Understand realistic & practical, day to day, implementation of measures.
- Obtain knowledge of traffic operations.

Build Your Credentials

- Education
- Registration / certification
- Experience
- Technical involvement
- Presentations
- Publications
- Field investigations / court experience

Understand Liability

- Know functions of an expert
- Field investigations
- Engineering reports / affidavits
- Depositions and trial testimony
- Expert Witness Information Notebook

Get Case Experience

- Associate with known experts
- Seek involvement and court experience
- Find a mentor
- Advertise and market



EWC Resources

- Expert Witness Information Notebook
- Expert Witness Directory
- Sessions at Meetings
- Training Seminars
- Council Newsletter
 - Provide information to Keith Bergman (Newsletter Editor)
 - Email: kbergman@fleischerforensics.com
 - Published three times per year
 - Available – EWC page on ITE Web site

Expert Witness Information Notebook

- Updated in 2008
- Published as a CD-ROM
- Free to all Council members
- Written by members to help members

Notebook Content

Liability Information

- Tort liability background
- Liability doctrine and concepts
- Anatomy of a lawsuit
- Glossary

Notebook Content

Expert Practice

- What it takes to be an Expert
- Depositions
- Preparation for trial
- Professional ethics conduct
- Attorney / Expert / Client relationships
- Outline format for accident investigations
- Unethical practices
- How lawyers sabotage their Expert

Notebook Content Support Data

- Field investigations
- Obtaining information from witnesses
- Use of regulations standards, practices and procedures
- Court exhibits
- Input to design and traffic control litigation

Notebook Content

Miscellaneous

- Reference information notebook outline
- File and letter database
- Trail notebook outline
- Case database
- Bibliography of references



