“Testifying as an Expert: Credibility, Believability and Finding the ‘Truth’”

At first glance, the idea of testifying in litigation as an expert witness may seem like a relatively simple and straightforward activity. The common wisdom in testifying – “just tell the truth” – even takes on a kind of mythological persona since Veritas -- whose very name means truth -- was, in Roman mythology, the daughter of Saturn, the goddess of truth and the mother of Virtue.

It is axiomatic that telling the truth is Rule One in testifying. Having said that, however, advising to simply “tell the truth” may offer little comfort, and often less guidance, to an expert during cross-examination facing a hypothetical fact set in an adversarial proceeding.

Acknowledging the paradox implicit in different “truths” about the same issues or evidence, Rule 702 of the Federal Rules of Evidence allows a witness with specialized knowledge to testify if it “will assist the trier of fact to understand the evidence or to determine a fact in issue.” This presentation will explore some basic elements of expert testimony, including common pitfalls and how to improve your chances of being believed.

Paul G. Leiman, a practicing attorney and principal of KeyWitness Consulting, works with corporations, law firms, financial institution associations on matters including high profile expert witness preparation, and regulatory and ethical governance. Mr. Leiman teaches Business and Leadership Ethics as an adjunct professor at the Carey Business School, Johns Hopkins University; and, he has taught Business Law at Hopkins’ Whiting School of Engineering, EPP.

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JHU Homewood Campus
Maryland Hall, Room 110
12:00 – 12:45 pm

Seminar is FREE. For parking please see link for visitors at www.jhu.edu and select information on Homewood Campus. One Professional Development Hour (PDH) will be awarded to attendees.