



### **K36 A Dog, a Lawyer, and a Toxicologist - Proving the Need for Pre-Trial Conferences**

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After attending this presentation, attendees will understand the need for pre-trial conferences between lawyers and toxicologists is of paramount importance for the successful use of such testimony. Through case example, and without pre-trial conference, demonstration of how toxicological testimony was rendered useless and ineffective, and in fact, detrimental to the attorney's claim, even though he requested the scientific assistance.

This presentation will impact the forensic community and/or humanity by effectively using toxicological testimony in a helpful, timeeffective manner.

Toxicological testimony can be of significant importance in both criminal and civil litigation. Toxicologists, unless specifically trained though law school, do not have the requisite knowledge to understand courtroom tactics, policies or procedures; on the other hand, attorneys do not, generally, have the knowledge base to understand the scientific principles behind toxicological analyses and interpretations. The successful melding of the two disciplines is necessary for the successful presentation of toxicological data in legal proceedings. One of the primary means of ensuring successful use of toxicological testimony is through extensive and intensive pre-trial conferences, with the emphasis on the plural. Remarkably, experienced toxicologists consistently testify with the absence, or cursory forms, of such conferences, albeit not of their own choice. One case in point will demonstrate the ineffective use of a "pretrial" conference and the ultimate effect on the case outcome. In this case, the attorney failed to recognize the lack of significance of the toxicological data, and subsequent interpretation, in the case, despite thinking the contrary. As a result, the courtroom presentation was farcical in nature, humorous and disastrous.

**Pre-Trial Conference, Toxicologist, Lawyer**