



## Toxicology Section – 2007

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### **K35 Discovery Issues: Deposing the Forensic Toxicologist**

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After attending this presentation, attendees will learn how to help the attorneys who engage them prepare them for written discovery requests, depositions and how to respond to discovery requests and questions so that the truth prevails. The presentation will aid the forensic community by helping the American justice system find the truth in contested criminal and civil matters. The presentation will focus upon the obligations of the experts and the attorneys to zealously represent their clients' interests without violating their ethical obligations.

This presentation will impact the forensic community and/or humanity by demonstrating the practical preparation needs and potential pitfalls discovery may impose upon a toxicologist.

State and Federal rules of civil and criminal procedure impose discovery obligations on each party. Experts may have trouble reconciling their professional ethics with discovery practices under the rules of procedure. The presentation will discuss the practical needs of attorneys for expert opinions and the ways in which experts can provide those opinions in good conscience. In addition, the presentation will inform the attendees of the tricks, traps and pitfalls they may encounter when they respond to written discovery requests or testify at depositions. The manner in which deposition testimony may be used against an expert who testifies at trial will be demonstrated.

#### **Discovery, Experts, Ethics**