



SEVEN THINGS TO CONSIDER WHEN APPOINTING AN EXPERT WITNESS

Support in a legal dispute for plastic materials and products

1 Plastic failures can be complex

The performance of plastic products is dependent on a number of things ... the type and quality of the plastic, design, manufacturing process and use. The issues are often complex and technical in nature meaning legal professionals and the court need specialist input to fully understand them.

2 Get expert input early in the process

For any plastic product failure dispute, contact an expert at early stage, before matters have reached formal court or arbitration proceedings. This can help to identify the 'real' technical issues in the dispute and understand more about the liability at stake.

3 Select carefully

Experts need to demonstrate their track record and experience of giving opinion on matters within their technical expertise, and to the specific requirements of the court. Making the wrong appointment will be disastrous to your case. Polymer science and technology is a vast subject area with many specialisms. Be sure that your expert has the specialist plastics knowledge you need.

4 Time management is vital

Laboratory tests and investigations can be time consuming. Your expert must fully appreciate the extent of their obligations and the preparation needed to fulfil them. It is important to ensure they have the capacity to meet the procedural timetable and submit the important report on time.

5 Instructions need to be precise and specific

Plastics failure disputes can be complicated and difficult to describe. Courts are aware that differences in experts opinion can be due to disparities in the instructions given and may not evidence the genuine issues in the dispute.

6 Don't forget personal skills

Giving evidence by examination and cross-examination can be adversarial and stressful. An expert witness needs the skills and capacity to deal with this process and not falter under the pressure.

7 There needs to be some independence

Clients need to be clear of their requirements prior to engaging a consultant to investigate a failure. If there is an expectation that an expert consultant will act as an expert witness it must be ensured that a degree of independence is maintained throughout the consultants initial involvement.

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PS Partnerships are friendly and open, providing expert witness support for plastic product disputes, including preparation of expert witness statements and impartial opinion.