Expert Witness Training

CHICAGO, IL

How to Start, Build and Run a Successful Expert Witness Practice
March 29-30, 2012

How to be an Effective Expert Witness
March 31–April 1, 2012

- Lucrative Legal-Consulting Assignments
- Most Work Can Be Done From Home
- Highly Acclaimed, Interactive, Continuing Education Workshops

### Registration Information

**LOCATION/HOTEL ACCOMMODATIONS:** A limited block of rooms will be available at special rates at the site hotel, The Crowne Plaza Chicago O’Hare ($129 Single/Double). To make your reservations at the special group rate, please call 877-337-5793 between the hours of 9:00am and 8:00pm Eastern Time and mention that you are with the SEAK, Inc. Group. Rooms are limited and this rate expires on March 7, 2012, so you are encouraged to make your reservations as soon as possible.

**SPECIAL EARLY REGISTRATION BONUS:** All persons registering prior to February 1, 2012 will receive a complimentary copy of the best-selling 52-minute DVD *The Expert Deposition: How To Be An Effective and Ethical Witness* (a $104 value).

**CONTINUING EDUCATION CREDIT:** Please see pages 3 & 6 for CEU information.

**CANCELLATIONS:** Conference cancellations received in writing prior to March 1, 2012 will receive a full refund.

### PLEASE REGISTER ME FOR:

- How to be an Effective Expert Witness ($1295) March 31–April 1, 2012

All confirmations will be sent via email to the individual indicated.

**Priority Code:** March2012

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- I've enclosed a check payable to: SEAK, Inc., P.O. Box 729 Falmouth, MA 02541
- OR I’m Paying by Credit Card (please circle card type) MC / Visa / Amex / Discover

**Card Number:**

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**MAIL to:** SEAK, Inc., P.O. Box 729, Falmouth, MA 02541  **FAX to:** 508.540.8304  **CALL:** 508.457.1111 or **REGISTER ONLINE:** www.seak.com

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Executive Summary: Excellent and ethical legal consultants can easily double their income by devoting one day a week to expert witnessing. Time spent by experts on such matters is commonly billed out at $200-$500 or more per hour. How to Start, Build and Run a Successful Expert Witness Practice is an intensive, content rich workshop that is designed to show you how to start, build, and run a successful expert witness practice. This course is appropriate for professionals with all levels of legal-consulting experience including prospective and novice witnesses. Attendees will learn from an experienced faculty in a step-by-step fashion how to start, build, and run a successful and ethical expert witness practice.

Learning Objectives: At the completion of this course you will learn:

- The role of expert witnesses in civil litigation,
- What attorneys are looking for from their experts,
- How to properly define your area(s) of expertise and practice areas,
- How to draft a curriculum vitae appropriate for expert witness work,
- How to get cases,
- How to avoid ethical problems and maintain your integrity,
- The essentials of expert witness report writing,
- How to set your fee and collect it,
- What to bill for and when,
- How to draft a retention agreement to protect your rights,
- How to form defensible opinions,
- The testifying skills and techniques attorneys are looking for,
- Techniques for maintaining your independence and objectivity,
- How to exceed expectations,
- How to build a tremendous reputation,
- Ethics,
- Expert witness risk management techniques, and
- Much, much more.

Here's What Last Year's Attendees Had To Say:

“Entertaining as well as informative”
“Excellent - beyond my expectations”
“Excellent, concise, fast moving”
“Outstanding - exceeded my expectations”
“Informative, encouraging, entertaining”

“Very helpful and enjoyable”
“Excellent in presentation, organization, supporting materials”
“Very well choreographed with super speakers and excellent syllabus”
“I absolutely loved it and wish I had found SEAK 20 years ago”
“Very Worthwhile”

Continuing Education Credits: Note: If your specialty does not appear below and you desire credits, please contact Karen Cerbarano (781-826-4974 or Karen@seak.com). We can often obtain desired credits upon request, but unfortunately, obtaining some types of credits are not feasible. Please register early, as we can only apply for credits after your registration form has been received and it can take time to get the requested approvals back from the accrediting agencies.

Accident Reconstructionists: SEAK will apply for credits through ACTAR upon written request at the time of registration.

Accountants: Earn 17.0 CPE credits in the field of study of Specialized Knowledge and Applications. SEAK, Inc. 108578 is registered with the National Association of State Boards of Accountancy (NASBA) as a sponsor of continuing professional education on the National Registry of CPE Sponsors. State boards of accountancy have final authority on the acceptance of individual courses for CPE credit. Complaints regarding registered sponsors may be addressed to the National Registry of CPE Sponsors, 150 Fourth Avenue North, Suite 700, Nashville, TN, 37219-2417. Web site: www.nasba.org For SEAK, Inc’s complaint and program cancellation policies please call SEAK, Inc. at 508-457-1111. There are no prerequisites for this intermediate group-live program. No advanced preparation is required. To register, please follow instructions on page 2. Appraisers: Credits from the American Society of Appraisers will be applied for on written request at the time of registration. Arborists: SEAK will apply for Continuing Education hours through The International Society of Arboriculture (ISA) on written request at time of registration. Attorneys: Credit varies by state. Continuing legal education credits for attorneys will be applied for if requested in writing at the time of registration. Engineers: 14 PDHs. The acceptance of this course is dependent upon your state(s) of registration. The vast majority of states do not require preapproval of either courses or course sponsors. SEAK is preapproved as a sponsor by the State Boards of Florida and Louisiana. Life Care Planners: SEAK will apply for credits through The Commission on Health Care Certification (CHCC) upon written request at the time of registration. Physicians: SEAK, Inc. is accredited by the Accreditation Council for Continuing Education to provide continuing medical education for physicians. SEAK, Inc. designates this live activity for a maximum of 14 AMA PRA Category 1 Credit(s)™. Physicians should claim only the credit commensurate with the extent of their participation in the activity. Psychologists: No credits are available for this program because of its subject matter.

NOTE: SEAK does not accept commercial support for its programs and does not use faculty members with conflicts of interest.

Distinguished Faculty: Terrance Baker, MD is an attending emergency room physician at Good Samaritan Hospital and forensic expert in Baltimore, Maryland. He received his BS and MS from Johns Hopkins University and his MD from the George Washington University School of Medicine. Dr. Baker is board certified in Family Practice, Geriatrics, and Emergency Medicine. Dr. Baker is a former medical examiner of the city of Newport News, Virginia. Dr. Baker has served as a forensic medical expert for trial attorneys, defense attorneys, judges, district attorneys, and public defenders throughout the United States. Dr. Baker has also served as a forensic medical expert for the South Carolina Board of Medical Examiners, the joint Underwriters Association, and the Carolina Peer Review Organization. Dr. Baker has written and lectured extensively on expert witness issues.


Registration Information: To register, please use the form on page 2. The $1,295 tuition includes continental breakfast and lunch with faculty each day and a detailed conference manual. All persons registering prior to February 1, 2012 will receive a complimentary copy of the best-selling 52-minute DVD The Expert Deposition: How To Be An Effective and Ethical Witness (a $104 value).

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SEAK 2012 Expert Witness Training

How to Start, Build and Run a Successful Expert Witness Practice
The Crowne Plaza Chicago O’Hare, Chicago, Illinois
Day One (Thursday, March 29, 2012)

7:30–8:00  REGISTRATION & CONTINENTAL BREAKFAST

8:00–8:30  Role of Expert Witnesses in Civil Litigation
Attendees will learn the proper role of expert witnesses in civil litigation. Included is an explanation of Federal Rule of Evidence 702 and the types of specific assignments experts can expect from retaining counsel including forensic consulting, report writing, and where necessary, testifying at deposition or trial. Questions and Answers.

8:30–9:15  What Successful Expert Witnesses Have in Common
Faculty and the attendees will analyze what some of the nation’s “go to” experts have in common and how they got to their position of prominence. Videotaped interviews of the experts and trial attorneys will be reviewed. Lessons for the attendees will be drawn from these examples. Questions and Answers.

Faculty will explain the importance of identifying the right niche for yourself. Attendees will be provided with a protocol for researching their niche, determining the proper fit and developing their niche to its fullest potential. Questions and Answers.

10:15–10:30  BREAK AND NETWORKING OPPORTUNITY

10:30–11:30  Achieving Excellence: Going Beyond the Expectations of Retaining Counsel
Faculty will present the best practices for: Initial interviews with counsel; Case intake; Correspondence; Reports (written and oral); Depositions and Trials. Attendees will be presented with numerous ethical suggestions for exceeding the expectations of retaining counsel. Questions and Answers.

11:30–12:00  Pulling Together a CV Appropriate for Expert Witness Work
Anyone considering starting an expert witness practice needs to maintain a CV. Attendees will learn the importance of an accurate, up-to-date CV, what should and should not be on a CV, and how mistakes in preparing CVs can damage or destroy an expert's credibility. Questions and Answers.

12:00–12:45  LUNCH PROVIDED WITH FACULTY

12:45–1:30  Bulletproofing Yourself – Your CV, Qualifications, Marketing Activities & Web Site
A mock trial demonstration followed by bottom line bullet point advice with numerous examples on how to avoid potentially devastating problems in an expert’s CV, qualifications, marketing activities and web site. Questions and Answers.

1:30–2:15  Bulletproofing Yourself – Your Image and Reputation
This section begins with a mock trial demonstration which shows how an expert’s self-created image can be used against the expert. The didactic portion of this segment will show experts all the controllable elements that affect their image and how to best project a positive image. Examples include business cards, firm names, case selection, testifying extensively for plaintiffs/defendants, outside activities, etc. Questions and Answers.

2:15–2:45  Bulletproofing Your Opinions– Passing the Daubert Tests, Your Methodology
Mock trial demonstration followed by an in-depth discussion of the legal requirements of Daubert and FRE 702 as they relate to how an expert forms and expresses his/her opinion(s) and the admissibility of the opinions. Numerous examples will be discussed. The lecture continues with practical advice on how to avoid being caught in a Daubert nightmare and how to use the Daubert criteria as a roadmap to bolster the persuasiveness of any opinion. Questions and Answers.

2:45–3:00  BREAK AND NETWORKING OPPORTUNITY

3:00–3:45  Bulletproofing Your Opinions – Research, Investigation, Case Review and Examination
An expert’s opinion will only be as strong as the facts, research and investigation upon which it is based. A mock trial demonstration will be followed by a frank discussion of how to conduct an investigation, conduct research and collect data in a manner that bolsters an expert’s opinion. Included is a discussion of FRE 703 and cherry picking data to support an opinion. Questions and Answers.

3:45–4:15  Bulletproofing Your Opinions– Managing the Potentially Damaging Influence of Retaining Counsel
Experts often severely damage or destroy the persuasiveness of their opinions by allowing retaining counsel to influence (or appear to influence) their investigation, assumptions, and opinions. In this segment experts will learn how to insulate their opinions from the appearance of being under the influence of retaining counsel, for example through the information the expert relies upon, the modification of draft and preliminary opinions, and through the communications between the expert and retaining counsel. Questions and Answers.

4:15–4:45  Bulletproofing Your Opinions– Rebuttals and Commenting On Other Experts
Commenting on another expert’s opinions is an area that gets many experts into unnecessary difficulty. In this segment experts will learn the right way and wrong way to comment on another expert’s opinions. Questions and Answers.

4:45–5:00  Takeaways and Discussion
Concluding remarks will be followed with an open and frank give and take between the faculty and the attendees. Questions & Answers.
How to Start, Build and Run a Successful Expert Witness Practice

The Crowne Plaza Chicago O'Hare, Chicago, Illinois

Day Two (Friday, March 30, 2012)

6:30–7:00 CONTINENTAL BREAKFAST

7:00–7:45 Bulletproofing Your Opinions– Best Practices in Expressing and Supporting Your Opinions in Your Written Report and While Testifying

Even the most well researched opinions are worthless if not expressed with confidence, legal sufficiency and adequate bases. This segment will consist of a mock trial demonstration along with advice (with numerous examples) on how and how not to express and support your expert opinion(s). Included is a discussion of standards, using objective supporting data, citing research, and margins or error. Questions and Answers.

7:45–8:45 Best Practices in Forensic Office Management

Attendees will learn myriad techniques that will help them run an efficient and successful legal consulting practice. These include optimum new case intake procedures, billing systems, document receipt and retention policies, support staff training and instruction, file maintenance, trial scheduling, procedures for keeping your CV up-to-date, how to account for all time spent on the case, support staff training, responsibilities and boundaries, security and confidentiality protocols and developing and using forms, templates and checklists. Questions and Answers

8:45–9:00 BREAK AND NETWORKING OPPORTUNITY

9:00–9:45 Best Practices in Dealing With Counsel

A frank discussion of how to best deal with retaining and opposing counsel. Included is an explanation of the importance of maintaining boundaries, how to best communicate with retaining counsel, the importance of not giving away your theories or reviewing any confidential information until you have been retained, how to deal with non-responsive or incompetent lawyers, how to deal with failure to prepare you for deposition or trial, being pushed beyond your true area of expertise, how to handle “rush” requests for reports and opinions and how to avoid problems before they materialize. Questions and Answers

9:45–10:30 Reports Best Practices

Faculty will review the most efficient methods for dealing with requests for preliminary, draft, and other written reports. Best practices for responding to input from counsel, formatting, editing, controls over release of the report, signing, and proofreading will be provided. There will also be an in-depth discussion on the use and misuse of computer templates to assist in report writing. Questions and Answers

10:30–10:45 BREAK AND NETWORKING OPPORTUNITY

10:45–11:15 Deposition Best Practices

Attendees will be provided with an in-depth look at scheduling, billing, postponements, cancellations, errata sheets, and retention/destruction of deposition transcripts. Questions and Answers

11:15–12:00 Best Practices in Fee Setting, Fee Schedules & Agreements, Billings and Collections

Experts will learn how to correctly value their time and set their fee. They will be taught the importance of not undercharging and how to determine exactly what their time is worth. Also included is a detailed discussion of the amount and frequency of retainers, whether retainers should be non-refundable, cancellation fees, expense reimbursement and proven techniques to improve collections of expert witness and consulting fees. Questions and Answers

12:00–12:45 LUNCH (PROVIDED WITH FACULTY)

12:45–1:45 Advanced Marketing Techniques for Building a Legal Consulting Practice

Faculty and attendees will engage in a frank discussion and analysis of the utility of: writing articles, speaking, directory listings, fees, advertising, referral sources and 24-7 marketing. Best practices will be explained and the experiences of “go to experts” and the attorneys who hire them will be utilized to arrive at a consensus. Questions and Answers

1:45–2:15 Ethics and Risk Management

Experts will learn how to deal with common ethical problems and will learn the potential civil and professional liability of experts. Numerous specific risk management techniques for experts will be explained including avoidance, maintaining the appropriate insurance coverages, due diligence, confidentiality protocols, anti-spoliation procedures, avoiding conflicts and the overriding importance of being 100% honest. Questions and Answers

2:15–2:30 Conclusion and Takeaways

Concluding remarks will be preceded by an attendee and faculty generated numbered list of action steps and takeaways from the covered material that attendees will be taking home to their practices to start, build and run a better and more successful expert witness practice. Questions and Answers
Executive Summary: The #1 way to grow an expert witness practice is to build the reputation of being an effective witness. This is a small group, hands-on, fast-moving interactive workshop covering deposition, direct examination, and cross-examination skills. Attendees will learn how to become more effective and significantly more valuable expert witnesses. Instruction will utilize four methods: lecture, questions & answers, videos of experts actually testifying in real cases, and mock trial demonstrations using student volunteers. The mock trial demonstrations are based upon a C.V. and sample report submitted in advance by each attendee. Each attendee will have an opportunity to participate in demonstrations and to receive constructive feedback as to how to improve their performance. Each attendee will also receive feedback on their pre-submitted bio and report. In addition, each attendee will be provided with a content rich, 239 page seminar manual.

Learning Objectives: At the conclusion of this workshop, you should be able to:

- Discuss the strategies and goals of opposing counsel at deposition and during cross-examination
- Describe how to properly prepare for deposition and trial
- Discuss strategies that can be followed when giving an expert deposition and when testifying at trial
- Explain techniques for excelling at videotaped depositions
- Explain opposing counsel’s deposition and cross examination tactics and how to defeat each tactic
- Describe techniques you can use when testifying at deposition and trial
- Discuss methods for responding to trick and difficult questions at deposition and trial
- List teaching methods that can be used to improve the persuasiveness of your expert testimony
- List techniques for developing powerful, memorable language and analogies
- Describe how to best insulate yourself from attacks by opposing counsel
- Discuss techniques to make a positive impression on the jury

Here’s What Last Year’s Attendees Had To Say:

“High Quality”
“Outstanding Seminar”
“Superb”
“Good pace, key information”

“The personal attention was most useful”
“Loved the videos which demonstrated the points”
“Terrific”
“Faculty is excellent!”

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Registration is limited. Register Today! To register, please see page 2. Please see page 2 for Special Early Registration Bonus!
How to be an Effective Expert Witness
The Crowne Plaza Chicago O'Hare, Chicago, Illinois
Day One (Saturday, March 31, 2012)

SECTION 1: DEPOSITION SKILLS

7:30-8:00 CONTINENTAL BREAKFAST & REGISTRATION

8:00-8:30 Deposition Law and Procedure
You will learn what counsel can and can not ask, the extent of privilege protections, what objections may and may not be made, how to recognize and deal with abusive attorney behavior and whether you should sign and read the deposition transcript. Questions & Answers

8:30-9:00 Understanding the Strategies and Goals of Opposing Counsel
You will learn the general and specific goals of deposing counsel and how counsel will prepare to depose you. Questions & Answers

9:00-9:30 Preparing for your Deposition
You will learn how to prepare for your deposition, both alone and with retaining counsel. You will be provided with a detailed list of the likely areas of inquiry in an expert deposition. Questions & Answers

9:30-10:15 Deposition Strategies for Experts
You will learn a 4 step methodology for answering deposition questions. In addition, you will learn numerous strategies to truthfully and artfully answer deposition questions. Questions & Answers

10:15-10:30 BREAK AND NETWORKING OPPORTUNITY

10:30-11:00 Understanding and Defeating Counsel's Deposition Tactics
You will learn over two dozen tactics that are likely to be used against you and will be provided with strategies to defeat each of these tactics. Questions & Answers

11:00-11:15 Videotape Depositions: Special Techniques
You will learn special techniques which are applicable when your deposition is being videotaped. Questions & Answers

11:15-12:00 Advanced Deposition Tactics for Experts
You will learn numerous techniques that will help you to excel during your expert deposition. Questions & Answers

12:00-12:45 LUNCH WITH FACULTY (Provided)

12:45-1:30 Pulling it all Together: Truthfully and Artfully Answering Trick and Difficult Questions at Deposition
The faculty will go around the room and ask difficult deposition questions. The attendees’ responses will be critiqued.

SECTION 2: DIRECT EXAMINATION AND PERSUASION SKILLS

1:30-2:00 Introduction and Executive Summary of Persuasion Techniques for Expert Witnesses
You will learn the twelve key techniques to utilize in order to be a more effective expert witness during direct examination. Questions & Answers

2:00-2:30 Preparation
You will learn 15 techniques for how to best prepare to give persuasive expert testimony during direct examination. Questions & Answers

2:30-3:00 How to Best Put Forth your Qualifications
You will learn 14 techniques to more persuasively explain your credentials and to put your credentials in context. Questions & Answers

3:00-3:15 BREAK AND NETWORKING OPPORTUNITY

3:15-3:30 Commenting on the Opposing Expert and His Opinion
You will learn the special techniques to utilize when you are asked to comment on the opposing expert’s opinion. Questions & Answers

3:30-4:00 Developing a Harmonious Interaction with Retaining Counsel
You will learn how to make your testimony easy to understand and interesting to follow. You will also learn how to avoid making your testimony appear to be rehearsed and how to present non-traditional, “soft challenge” direct testimony. Questions & Answers

4:00-4:30 Creating and Using Powerful, Memorable Language and Analogies
You will learn 12 techniques for using more powerful, memorable and understandable language. Questions & Answers

4:30-5:00 Optimizing Your “Teaching” Skills
You will learn numerous techniques to more effectively “teach” the jury. Questions & Answers
How to be an Effective Expert Witness
The Crowne Plaza Chicago O'Hare, Chicago, Illinois
Day Two (Sunday, April 1, 2012)

6:30-7:00 CONTINENTAL BREAKFAST

7:00–7:30 Reading and Bonding with the Jury
You will learn 17 techniques to read and more effectively bond with the jury. Questions and Answers

7:30–8:00 Dealing with Problem Areas and Weaknesses
You will learn advanced ways to deal with problem areas during your direct examination. Questions & Answers

8:00–8:30 The Biggest Mistakes Experts Can Make that Can Turn Off Judge and Jury
You will learn how to avoid the 37 biggest mistakes that can turn off the judge and jury. Questions & Answers

SECTION 3: CROSS-EXAMINATION SKILLS

8:30–9:15 Protecting Yourself from Attacks on your Credibility and Credentials
You will learn 8 techniques for protecting yourself from attacks on your credibility and credentials. Questions & Answers

9:15–9:30 BREAK AND NETWORKING OPPORTUNITY

9:30–10:15 Forming Airtight Opinions
You will learn 24 methods to make your opinions resistant to effective cross-examination. Questions & Answers

10:15–10:30 How Trial Attorneys Prepare for Cross-Examination of an Expert
You will learn how an attorney investigates an expert and his opinions and how an attorney maps out the questions that he will ask during cross. Questions & Answers

10:30–10:45 BREAK AND NETWORKING OPPORTUNITY

10:45–12:00 Advanced Cross-Examination Techniques
You will learn over 40 techniques to be a more effective expert witness during cross-examination. Questions & Answers

12:00–12:45 LUNCH (PROVIDED WITH FACULTY)

12:45–1:15 Staying One Step Ahead of Counsel During Cross-Examination
You will learn 34 tactics that attorneys will use during cross-examination and how to defeat each of these tactics. Questions & Answers

1:15–1:45 Going on Offense During Cross-Examination
You will learn numerous techniques for how to turn the tables on opposing counsel. Questions & Answers

1:45–2:30 How To Skillfully Answer Trick And Difficult Questions
The faculty will go around the room and ask difficult cross-examination questions. The attendees’ responses will be critiqued. Questions & Answers

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