



CENTER FOR LEGAL EDUCATION

NEW MEXICO STATE BAR FOUNDATION

SKEPTICALLY DETERMINING THE LIMITS OF EXPERT TESTIMONY AND EVIDENCE: AN INVESTIGATION OF SCOPE, EXPERTISE AND PROCESS

Friday, March 26, 2010 • State Bar Center, Albuquerque
4.7 General, 1.0 Ethics, & 1.0 Professionalism CLE Credits

also available via
LIVE WEBCAST

Standard Fee \$219 Government, Legal Services Attorney, Paralegal \$189

"I became a prospective lawyer the day I learned I would have to use the numbers in the periodic table rather than just look at the pretty colors."
– Larry Pozner, Attorney

Fair use of quality expert testimony is a great concern to our profession. In 2009, the National Academies of Science issued a report pointing out that forensic science now significantly touches "criminal investigation and prosecution, civil litigation, legal reform, the investigation of insurance claims, national disaster planning and preparedness, homeland security, and the advancement of technology." That same report pointed out that little has been done by the legal side of science in courts to look at the limits and measures of performance of various scientific disciplines and areas of expertise.

This seminar will use some of the nation's leading authorities on the background, limits, and biases of scientific and expert testimony to present a multidisciplinary approach to expert testimony on scientific and technical matters. Singular skeptics of expert and scientific testimony will talk about how attorneys, as both proponents and opponents of expert testimony should view the prospect of using such evidence in their cases. They will also show that taking limitations into account when using experts at trial can promote better case preparation, fact-finding and the higher ends of the legal system to do justice.

This program may prove to be one of the most thought-provoking events on one of the leading hot topics of the year!

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| 8:30 a.m. | Registration | 1:45 p.m. | Forensic Screw-Ups from the Witness, the Lawyer, the Bench: A Survey of Confusing Case Law in New Mexico |
| 9:00 a.m. | Introductory Remarks
<i>Hon. Roderick T. Kennedy, New Mexico Court of Appeals</i> | | <i>Hon. Roderick T. Kennedy, New Mexico Court of Appeals</i> |
| 9:15 a.m. | The NAS Report as a Model for Examining All Expert Testimony
<i>Michael J. Saks, Regents' Professor, Sandra Day O'Connor College of Law, Arizona</i> | 2:45 p.m. | Break |
| | | 3:00 p.m. | An Expert's View of Ethically Dealing with Experts (1.0 E)
<i>Harrell Gill-King, PhD, Director, Institute of Forensic Anthropology University of North Texas</i> |
| 10:15 a.m. | Break | 4:00 p.m. | Preparing for Expert Testimony at Trial: A Professionalism Discussion (1.0 P)
<i>Hon. Roderick T. Kennedy, Moderator</i>
<i>Panelists TBA</i> |
| 10:30 a.m. | Limits of Methodology: Calibrations, Confidence Limits, and Measuring Accuracy
<i>Theodore Vosk, Law Offices of Vosk & Velasquez, Bellevue, Washington</i> | 5:00 p.m. | Adjourn |
| Noon | Lunch (provided at the State Bar Center) | | |
| 12:45 p.m. | Skeptical Evaluation of Expertise and Its Bases
<i>Fred Chris Smith, Trial Attorney, Special Prosecutor, Computer Security Consultant</i> | | |

TWO WAYS TO REGISTER

INTERNET: www.nmbarcle.org **FAX:** (505) 797-6071, 24 hour access

Please Note: For all WEBCASTS, you must register online at www.nmbarcle.org

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