

Webinar Series
funded by the U.S. Department of Justice

Capital Litigation Initiative:
Crime Scene to Courtroom Forensics Training

Webinar #4

Toxicology Essentials: Emphasis Opioids

Tips for Toxicology Testimony for Opioid-related Cases: Expert Witness Testimony

Communication

- Prepare before meeting with your expert witness
- Allow adequate time for the expert to respond to your requests

Case Preparation

- Establish rapport with your expert witness
- Rely on your expert to help identify key, relevant issues
- Discuss discovery matters and ethical issues
- Discuss viability of motion in limine – Frye, Daubert regarding witness qualifications and reliability of evidence
- Work with your expert to vet opposing expert witnesses
- Develop exhibits, demonstrations and visual aids with the expert
- Discuss appropriate use of technical language, definitions and analogies to convey complex scientific information
- Inform expert who will be presiding over the case as well as the composition of the jury
- Discuss courtroom logistics and available technology for presenting exhibits and evidence

Trial Presentation

- Get witness off the stand to present exhibits and explain evidence; enhances credibility
- Communicate information to the jury at an appropriate level of understanding.