



Quiz

Expert Witness Joint Conferences

1. In which piece of subordinate legislation do expert witness joint conferences have their source?
 - a. *Uniform Civil Procedure Rules 2005* (NSW)
 - b. *Supreme Court Rules 1970* (NSW)
 - c. *Practice Note SC Gen 11* (Supreme Court – Joint Conferences of Expert Witnesses) (17 August 2005)
 - d. Both A and C
2. What is the purpose of expert witness joint conferences?
 - a. To narrow the issues in dispute between the parties
 - b. To shorten the length of a hearing
 - c. To help promote a settlement
 - d. All of the above
3. What is the main role of a facilitator in an expert witness conference?
 - a. To provide the experts with guidance and assistance in a legal process that is outside their area of expertise
 - b. To act as scribe
 - c. To act as interpreter if there is a language barrier
 - d. To help settle differences of opinion between the experts
4. ~~Which of the following is not a problem that has been identified with video recording expert witness joint conferences?~~

- ~~a. Consent of all expert witnesses to the conference being recorded might be difficult to obtain~~
- ~~b. Video recording conferences may detract from the true and rigorous debate that often takes place in them, as the experts may not be able to forget that they are being recorded, which would lend an element of artificiality to the process~~
- ~~c. The extra cost involved, as experts might demand to be reimbursed for hair and makeup expenses if they knew they were being recorded~~
- ~~d. The recording of the conference may be subpoenaed for production, particularly given that it is not explicitly protected by confidentiality~~

4. The purpose of expert witness joint conference reports is:

- a. To bind the expert witnesses to their opinion
- b. To provide the court with guidance as to what the experts' views are
- c. To act as evidence in the proceedings
- d. All of the above

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5. Which of the following is *not* an accurate statement concerning expert witness joint conferences?
- a. Preparation by legal practitioners for expert witness conferences is paramount
 - b. Facilitators of expert witness conferences are prohibited from acting as mediators in the same matter
 - c. Expert witness conferences can sometimes cost in excess of \$50,000
 - d. Parties are advised to confer with expert witnesses in advance of the joint conference as to the questions that will be asked of the experts in the conference

Answers:

1. D 2. D 3. A 4. ~~D~~ 5. B

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