So You Want to be An Expert?
Perspectives from the Transportation Expert Witness Council

Dalene J. Whitlock
Principal, Whitlock & Weinberger Transportation, Inc.
Institute of Transportation Engineers

Presentation to the San Francisco Bay Area Section
September 19, 2013
What Does a Transportation Expert Do?

- Help sort out the facts after a crash and determine what they mean.
- Assist the attorney with technical aspects related to a crash.
- Assess if the deficiency is related to the driver, vehicle or transportation infrastructure.
What Does a Transportation Expert Ask?

- Were corrective measures necessary or applied?
- Is a change to the transportation system reasonable or necessary?
  - Suggest changes to enhance safety and risk management.
What Does “Expert Witness” Mean?

- **Expert Witness**: A person who assists the attorney and client in the litigation process because he/she has special knowledge in a particular field. This entitles them to testify about their opinion on the meaning of facts.

- Requires experience to develop special knowledge:
  - No surprise that 75% are greater than 50 years old
  - However, 18% over 70 years old
  - Need exists to develop people more in the middle of their careers into the role of transportation experts
How Do You Become an Expert?

- Establish an area of interest
- Understand tort liability
- Gain technical competence
- Build credentials
Establish an Area of Interest

- Understand development of policies, procedures and requirements
- **Current Issues:**
  - Traffic Control Signs and Signals
  - Roadway Design
  - Maintenance and Construction
  - Pedestrians/Bicycles
  - Work Zones
  - Transit Facilities
  - Automated Enforcement
Understand Tort Liability

- Know roles of an attorney and their purpose in the U.S. legal system
- Know roles of an expert and the role’s relationship to the civil and criminal court system
- Know the differences between depositions and trial testimony
Gain Technical Competence

- Research new and emerging issues
- Build a reference library
- Gain work experience on technical projects
- Attend or teach seminar classes and workshops
- Write Articles, reports, research, presentations
- Understand realistic & practical, day to day, implementation of measures.
- Become an information resource if someone has a question
Build Your Credentials

• Education
• Registration / certification
• Experience
• Technical involvement
• Presentations
• Publications
• Field investigations / court experience
• Prepare a resume or Curriculum Vitae (CV)
Get Case Experience

- Associate with known experts
- Seek involvement and court experience
- Find a Mentor – Be a Mentor
- Get involved – Make yourself a better engineer
ITE Resource: Transportation Expert Witness Council

**Mission:**
- Foster ethical conduct
- Promote professional development
- Advance knowledge and skills that improve transportation safety

**History:**
- Chartered by ITE in 1986
- 24 Founding Members
- Currently 500+ members

- Accessible through the ITE web site
- Expert Witness Council members
- Listing input and updated by individual
- Selection of specialty area
- No verification of data
- No endorsement by Council or ITE
- Searchable directory
- Free to Council Members
Questions