

**MAY 31 - JUNE 1, 2018 • SAN FRANCISCO, CA**

## **APPLYING EXPERTISE AS AN ENGINEERING EXPERT WITNESS**

*Developed exclusively for Professional Engineers, Architects and Surveyors*

# **Leverage Your Engineering Expertise**

- ***Build Professional Reputation***
- ***Expand Personal Opportunities***
- ***Enhance Service Value***

***This unique 1-1/2 day intensive program will help  
you increase the value of your expert testimony—  
in and out of the courtroom***



# APPLYING EXPERTISE AS AN ENGINEERING EXPERT WITNESS

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## BECOME A CONFIDENT ENGINEERING EXPERT WITNESS

- Earn new firm services revenue
- Enhance your professional credentials
- Expand personal opportunities
- Qualify for recognition as an Engineering Expert Witness

## GAIN THE KNOWLEDGE YOU NEED TO BECOME AN EFFECTIVE AND SOUGHT-AFTER ENGINEERING EXPERT WITNESS!

### COOL, CALM, AND COURT-SAVVY

Engineers are often asked to serve as expert witnesses in legal proceedings — but only the prepared and prudent engineer should take on these potentially lucrative assignments.

If asked, would you be ready to say yes?

Developed exclusively for engineers, architects, and surveyors, this unique course will show you how to prepare for and successfully provide expert testimony for discovery, depositions, the witness stand, and related legal proceedings.

### STEP-BY-STEP TRAINING IN UNDER TWO DAYS

#### *Applying Expertise as an Engineering Expert Witness*

is a focused and engaging 1-1/2 day course that will run you through each step of the qualifications, ramifications, and expectations of serving as an expert witness, including:

- Proper courtroom demeanor
- Maintaining credibility
- Differences between a fact witness and an expert witness
- Deposition behavior
- Permissible out-of-court statements
- Ethics
- Pre-courtroom testimony preparation
- Using visual aids ... and more!

### WHO SHOULD ATTEND?

Developed in 2009, this popular program has been a top choice for professional engineers, architects, and surveyors wanting recognition as an Expert Witness, taking engagements professionally, or looking for opportunities to expand client services.

*Note: Course qualifies toward the designation of Engineer Expert Witness (EXW)<sup>SM</sup>*

### JUDGE, ATTORNEY, EXPERT WITNESS—PROVEN EXPERTISE AT THE LECTERN

**James F. Lee, Esq.**, Partner, Lee/Shoemaker PLLC, concentrates his practice on design firms. He has defended malpractice



cases for every design discipline in jury trials and arbitrations. Over 30 years, he has examined and cross-examined hundreds of expert witnesses. A former Army JAG Corps trial attorney, he earned a BA and JD from Syracuse University. He is admitted to practice in federal and state courts in the District of Columbia, Maryland, New York,

US Claims Court, and the US Supreme Court.

**Guy Wm. Vaillancourt, PE**, is President of The Johnson Company, an environmental engineering and science firm



focused on contaminated groundwater and sediments. For the past 18 years, Vaillancourt has served clients as a testifying expert in ten trials, three arbitrations, and five mediations; given 75-plus days of depositions; and participated in over 45 principal-to-principal settlement negotiations. He

earned the BS from Syracuse University and MS from Cornell University in Environmental Engineering, and is a graduate of ACEC's Senior Executives Institute.

**Hon. Arthur Bergman** is a New Jersey Superior Court Judge who has presided over numerous complex construction cases.



He previously spent 31 years representing design professionals, owners, and contractors, as General Counsel of an international engineering consulting firm. He was also a law firm partner. Judge Bergman earned a BA from Brooklyn College and JD from the College of William and Mary. He was a founding member of the Legal Counsel Fo-

rum of ACEC. (Note: Pursuant to the New Jersey Constitution, Judge Bergman receives no compensation for his participation in this course.)





# COURSE HIGHLIGHTS

## **DAY ONE: MAY 31**

8:00 am - 5:30 pm

Registration

Welcome, Introductions, and Course Overview

### **THE FORUM**

- Federal and state courts; arbitration and mediation
- Parties
- Litigants, attorneys, judges, juries, and arbitrators
- Processes: discovery and testifying
- Fact witnesses or expert witnesses

### **THE AGREEMENT**

- Agreement and compensation — get a contract
- Role of expert witness with counsel and the judge
- Acting as the client's agent or advisor: limitations

### **THE EXPERT WITNESS**

- Qualifications: the PhD doesn't always win
- The effective expert witness maintains credibility
- Standard of care: what you may be expected to establish
- The expert's report; conflicts with other experts
- Focus on the issues at hand; avoid assumptions (unless asked)

### **PREPARATION**

- Arriving at your opinion, data review
- Tests — and their integrity — and investigations
- Deposition and Trial

### **TESTIMONY**

- Depositions: what to expect, how to respond
- Trial: surviving cross-examination
- Deposition and trial demeanor

## **DAY TWO: JUNE 1**

8:00 am - 12 Noon

### **ETHICAL GUIDELINES**

- Conflicts of interest: how to determine if they exist
- Terminating an engagement
- Compensation for testimony
- Confidentiality and your responsibility to your client
- Professional demeanor

### **RELEVANT CASES and FINAL NOTES**

- Superfund litigation
- Practical guidelines
- Q&A

### **What Attendees Will Take-Away:**

- 11 Professional Development Hours
- Guide to "Recommended Practices for Design Professional Engaged as Experts" which is endorsed by over 30 national trade associations
- Course completion certificate
- EXW designation application from ACEC

**REGISTER NOW!**

*Early Bird Rates until 4/6/18*



## EARN 11 PDHs!

AND CERTIFICATE OF COMPLETION

### REGISTRATION

ATTENDEES	Advance	After April 6, 2018
ACEC members	___@ \$895 = \$ ___	___@ \$995 = \$ ___
ACEC non-members	___@ \$1,095 = \$ ___	___@ \$1,195 = \$ ___

#### ATTENDEE INFORMATION

(For multiple attendees, please attach additional copies of this form.)

Name \_\_\_\_\_

Name for Badge \_\_\_\_\_

Title \_\_\_\_\_

Discipline \_\_\_\_\_

Role in Firm \_\_\_\_\_

Firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

#### PAYMENT INFORMATION

☐ AMEX® ☐ Visa® ☐ MasterCard® ☐ Discover®

Card # \_\_\_\_\_ Expiration Date \_\_\_\_\_

Name as shown on card \_\_\_\_\_

Signature \_\_\_\_\_

Make check payable to ACEC/Education Programs and send with form/s to:

**American Council of Engineering Companies**

**ATTN: Business Resources and Education**

**1015 15<sup>th</sup> St, NW, 8<sup>th</sup> Floor**

**Washington, DC 20005-2605**

Or Fax to 202-789-7220 (*secure*)

### LOCATION INFORMATION

All sessions will take place at Offices of Simpson Gumpertz & Heger (SGH), located at 100 Pine Street, Ste 1700, San Francisco, CA 94111. ACEC does not have a room block, but some nearby hotel options include:

- Loews Regency San Francisco
- Hyatt Regency San Francisco
- Club Quarters Hotel in San Francisco
- Hilton San Francisco Financial District

### REFUNDS, CREDITS, SUBSTITUTIONS AND CANCELLATIONS

For cancellations received by ACEC at least 30 days before the program date, ACEC will issue a full refund of registration fees, less a \$100 administration fee. For cancellations received by ACEC between 29 and 15 days before the program date, ACEC will issue credits toward future ACEC education seminars. Credits are valid for six months toward any ACEC education seminar. For cancellations received by ACEC 15 days or less before a program date, ACEC will issue no refunds or credits. In addition, ACEC will issue no refunds or credits for "no-shows." Substitute attendee registrations may be made at any time.

**Located in the exciting Financial District of San Francisco!**

Additional information is available at the [www.acec.org](http://www.acec.org), by email to [Education@acec.org](mailto:Education@acec.org), or by phone 202-347-7474, ext. 349.

GET FULL PROGRAM & REGISTRATION DETAILS:

<http://bit.do/acec-expertwitness2018>

