

# TIPS FOR PREPARING EXPERT EVIDENCE

Expert evidence is admissible under section 79 of the *Evidence Act 1995* (Cth) as an exception to the opinion rule. Below are some tips for how to engage and prepare an expert.



## Identify the right expert

Before you engage an expert, identify exactly what kind of expert is needed.

For example, you might need an auctioneer, real estate agent or business valuer.



## State your assumptions

In briefing your expert, state your assumptions.

A successful engagement involves asking the right questions, providing source materials, and preparing a list of assumptions or facts.



## Prepare for cross examination

Assist the expert to prepare by doing a dry run of cross examination.

Ask the expert questions which may arise in relation to their report. Be careful not to coach answers.



## Engage a shadow expert

Where financially possible, engaging a shadow or "dirty" expert is a practical way of testing an existing independent expert report or preparing the legal team to brief an independent expert.