

2023 FORUM FOR STATE APPELLATE COURT JUDGES

Expert Testimony: Judges, Science, and Trial by Jury

SPONSORED BY THE NATIONAL CIVIL JUSTICE INSTITUTE
(FORMERLY POUND INSTITUTE)

The Forum is a one-day complimentary judicial education conference. Judges attend as guests of the Institute, at no cost to themselves or to their courts. Registrations are accepted on a first-come, first-served basis.

HOLD THE DATE: SATURDAY, JULY 15, 2023, PHILADELPHIA, PA

Program and travel are complimentary for sitting state appellate judges. Trial court judges will be accommodated as budget permits.
Space is limited. Request your spot at www.ncji.org.

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Saturday, July 15, 2023, Philadelphia, PA

Nearly 100 years ago, the “Frye” standard for expert opinion evidence was enunciated for the federal courts. Since then, American courts and legal scholars have struggled to achieve a treatment of expert testimony in litigation that is reasonable in an age of ever-developing scientific knowledge, allows litigants to make their cases using their own experts, and ensures experts meet a minimum qualification standard. The 1993 announcement of a new standard for federal courts (subsequently adopted by many state courts) in the Supreme Court’s *Daubert* decision portended less rigid treatment of expert testimony, but its appointment of judges as “gatekeepers” to determine the admissibility of evidence has diminished the role of the jury and engendered satellite litigation, often at prohibitive expense.

Judges attending the 2023 Forum will consider (1) the evolution of our current patchwork of scientific evidence rules and practices and how they impact access to justice; and (2) the impact of the “gatekeeper” philosophy on litigants’ rights to trial by jury.



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