

BOOK REVIEW

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Review of *The Role of the Expert Witness in a Court Trial. (A Guide for the Expert Witness.)*

REFERENCE: Cantor, Benjamin J. *The Role of the Expert Witness in a Court Trial*, San Diego Book Distributors, Las Mesa, CA 160 pages; \$19.50.

This very brief text is intended as a “guide for the expert witness.” Areas covered include preparation of the consultant or witness, fees, credibility, qualifications of an expert, deposition testimony/direct and cross examination and suggestions on being an effective witness. Two appendices deal with demonstrative evidence and a third contains a glossary of legal terms.

The author is a pioneer and accomplished expert on photography and demonstrative evidence. He developed his expertise in photography while attending law school and has spent his career on developing photographic evidence.

The entire book is only 160 pages, 35 of which are a legal glossary. The glossary is obviously more extensive and all encompassing than the text. Forty-five pages include an appendix deal with “examples of effective use of demonstrative evidence.” These are primarily photographs that are well chosen to present the point, however, one-half of the forty-five pages are blank, with no text or photos. The preceding appendix presents a good case for the value of demonstrative evidence.

The two pages on “expert fees” are short on advice while accurate in description. The two pages on “credibility of witness” are likewise lacking in practical advice. The author advises, for example, that “an expert should not always align himself with

only one side.” Some suggestions for the novice would have been invaluable. For instance, how does one market his expertise to both sides?

The three pages dealing with the role of expert as an “Expert Witness”, are incomplete and fail to acknowledge that under the most recent Federal Rules of Evidence, experts can address the “ultimate” issues that were once exclusively within the province of the jury.

The two plus pages on “Qualifications of expert as an ‘Expert Witness’” are accurate and as thorough as one can be in approximately 500–600 words. The one page section (chapter) dealing with “Depositions” doesn’t scratch the surface of this important aspect of expert witness work. Perhaps one reason may be because photographs don’t have the same role in deposition testimony that they do in court and this book is about photographs and their value to experts.

The brief sections on “Direct” and “Cross-Examination” suffer from the same brevity that plagues this book. What is included is accurate and appropriate, including references to personal appearance.

At the real risk of this review being longer than the book itself, a summary is in order. Would I recommend the book to someone who is about to experience his/her first appearance as an expert witness? Possibly, but not likely because there are several texts available that cover this important area in more detail. Would I recommend the book for a forensic scientist’s library? No, for the same reasons. The author published the book without the benefit of a commercial publisher. Too bad, because an experienced publisher could have aided the author in improving the material and presentation. And I am not critical of the amateurish layout.

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