

The highlight of this interesting, extensively referenced and readable book remains the fascinating cases that Ewing dissects in an illuminating fashion.

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## Law for the Expert Witness

By Daniel A. Bronstein. Third Edition. Boca Raton, FL: CRC Press, 2007. 230 pp. \$104.95.

The third edition of *Law for the Expert Witness* is described by Daniel Bronstein as a primer on the role of the expert witness in the modern U.S. court system. The book, which was written for professionals and students of various disciplines, including medicine, science, engineering, and industry, focuses on key situations that an expert witness may encounter.

The author organized the book into three main sections and two appendices. He uses case law to illustrate key concepts. The first section, titled "Before Trial," deals with legal procedure, including the purposes and methods of discovery. An initial chapter that briefly outlines the process of filing a lawsuit is followed by a discussion of how the rules of discovery are applied to paper and electronic records. The author reviews other types of evidence that are subject to discovery, such as interrogations and physical and mental examinations. He offers comprehensive reviews of depositions, pretrial conferences, and the consequences of not cooperating with discovery.

"Rule of Evidence," which describes evidentiary procedures and considers evidence-related problems that may arise during the trial, is the second and largest section of the book. Bronstein covers general trial concepts, including standards of proof and rules of evidence. He provides a detailed discussion about the characteristics and role of the expert witness, including how expert opinions are introduced; the admissibility of scientific tests, experiments, and exhibits; and the role of cross-examination. The section also contains a concise informative description of how experts manage their practices, including how they integrate scientific literature, physical evidence, and data into

expert opinions. Several small chapters are devoted to hearsay and exceptions to the hearsay rule. The author uses case law examples to illustrate many of the important ideas that are presented throughout the book.

The book's third section, "Suggestions and Hints for the Expert Witness," includes a discussion of useful strategies for experts who are preparing to appear in court, including planning and presenting direct testimony and handling cross-examination. Also, there are two appendices that contain sections from the Federal Rules of Civil Procedure and Federal Rules of Evidence that the author extensively refers to throughout the book when he introduces case examples.

Bronstein's book is a resource for experts of technical, industrial, scientific, and scholarly disciplines; it does not emphasize forensic mental health. Some of the evidentiary aspects are not necessarily pertinent to forensic psychiatry. Much of the commentary that is specific to expert medical and psychiatric testimony tends to be found in case examples or in exceptions to specific case examples. Also, the author's description of legal procedure is more detailed than is necessary for a forensic psychiatrist. As such, the book provides a level of background that may allow the psychiatric expert witness greater understanding of the workings of the legal process but may not contribute significant practical information.

The book focuses primarily on expert testimony during discovery and trial. The author does not examine report preparation and writing in detail. On rare occasions, the reader may question whether the discussions that accompany case examples are excerpted from actual cases or from the author. This has to be discerned via context and wording, as clear attribution is not always present.

The author offers helpful hints and tips for expert witnesses in the last section of the book, which is relatively brief. An expansion of this section would be welcome in future editions. Although students and early career experts are likely to find the tips more helpful, veteran experts may also learn useful concepts from the author.

Overall, *Law for the Expert Witness* presents useful information about situations that an expert witness, such as a forensic psychiatrist, is likely to encounter in practice. The book, which is written in a clear, concise manner, illustrates potentially confusing legal concepts with interesting case examples. Some of

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the information may not be as useful to forensic mental health professionals because the target audience is expert witnesses in all disciplines. However, Bronstein's book functions well as a general introductory text for expert witnesses with little to moderate court experience.

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