



Expert Witness

Expert Witness

The American legal system often calls for expert medical testimony. Proper functioning of this system requires that when such testimony is needed, it be truly expert, impartial and available to all litigants. To that end, the following guidelines have been adopted by the Society for Vascular Surgeons® (SVS). These guidelines apply to all SVS members providing expert opinion services to attorneys, litigants, or the judiciary in the context of civil or criminal matters and include written expert opinions as well as sworn testimony.

Impartial Testimony

- The vascular surgeon expert witness shall be an impartial educator for attorneys, jurors and the court on the subject of vascular surgery practice.
- The vascular surgeon expert witness shall represent and testify as to the practice behavior of a prudent vascular surgeon giving different viewpoints if such there are.
- The vascular surgeon expert witness shall identify as such any personal opinions that vary significantly from generally accepted vascular surgical practice.
- The vascular surgeon expert witness shall recognize and correctly represent the full standard of vascular surgery care and shall with reasonable accuracy state whether a particular action was clearly within, clearly outside of, or close to the margins of the standard of vascular surgery care.
- The vascular surgeon expert witness shall not be evasive for the purpose of favoring one litigant over another. The vascular surgeon expert shall answer all properly framed questions pertaining to his or her opinions on the subject matter thereof.

Subject Matter Knowledge

- The vascular surgeon expert witness shall have sufficient knowledge of and experience in the specific subject(s) of his or her written expert opinion or sworn oral testimony to warrant designation as an expert. Ideally, the witness should hold current hospital privileges to perform those same procedures.
- The vascular surgeon expert witness shall review all pertinent available medical information about a particular

patient prior to rendering an opinion about the appropriateness of medical or surgical management of the patient.

- The vascular surgeon expert witness shall be very familiar with prior and current concepts of standard vascular surgical practices before giving testimony or providing a written opinion about such practice standards. Ideally, the witness should be able to demonstrate evidence of continuing medical education relevant to the subject matter of the case.

Compensation

- The vascular surgeon expert witness should be prepared to document the percentage of his or her time that is involved in serving as an expert witness.
- The vascular surgeon expert witness shall not accept a contingency fee for providing expert medical opinion services.
- Charges for medical expert opinion services shall be reasonable and commensurate with the time and effort given to preparing and providing those services.