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Autore	Reynolds Michael P
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investigations; 5.4 Summary

Chapter 6: Procedures for Resolution of Disputes; 6.1 Changes to the English adversarial system; 6.2 Statutory adjudication under the 1996 Act; 6.3 Arbitration; 6.4 Litigation; 6.5 Alternative dispute resolution; 6.6 Conclusion; Chapter 7: Experts' Discussions and the Single Joint Expert; 7.1 Experts' discussions; 7.2 The single joint expert; 7.3 A case report on experts' meetings; Chapter 8: Evidence and the Expert; 8.1 Facts in issue; 8.2 Types of evidence; 8.3 The expert's evidence; 8.4 Hearsay evidence; 8.5 Admissibility; 8.6 Proof; 8.7 A checklist on points of evidence

Chapter 9: Disclosure; 9.1 What is 'disclosure'?; 9.2 Assisting with disclosure; 9.3 Privilege; 9.4 Costs considerations; 9.5 Practicalities; 9.6 Conclusion; Chapter 10: Preparation of Scott Schedules; 10.1 Objective; 10.2 What type of schedule?; 10.3 The expert's role; 10.4 Information technology (IT); 10.5 Checklist for preparing a Scott Schedule; Chapter 11: The Final Report and Trial; 11.1 Status of the final report; 11.2 Contents of the final report; 11.3 Report for the claimant; 11.4 Report for the defendant; 11.5 Conflicting duties; 11.6 Presentation of the final report
11.7 Trial preparation; 11.8 Procedure at trial; 11.9 Checklist for the trial; Chapter 12: 'Che sera sera'; 12.1 The expert and civil justice reformation; 12.2 Truth and justice; Appendix I: Expert Witness Institute Model Terms; Appendix II: Practice Direction 49C - Technology and Construction Court; Appendix III: The TeCSA Expert Witness Protocol; Appendix IV: Pre-action Protocol for Construction and Engineering Disputes; Appendix V: Civil Procedure Rules Part 35 - Experts and Assessors; Appendix VI: Draft Code of Guidance for Experts Under the Civil Procedure Rules 1999; Appendix VII: The Cala Homes case and the partisan expert

Sommario/riassunto

The role of the expert witness has long been important in construction litigation and arbitration and most other types of dispute resolution. Today there is a heavier burden on experts because of the diversity of the appropriate dispute process and the added responsibility this brings. The Woolf reforms and the introduction of the Civil Procedure Rules are having a major impact on the role of the expert witnesses. No longer is the expert accountable just to the client but directly owes a duty to the court. In the smaller value claim a new opportunity of acting as single joint expert arises
