

Expert witness research checklist

Using the LexisNexis® Total Research System at www.lexis.com

The following examples may help you find information on a specific expert (suggested search: *first name /3 last name*) or find an expert with a particular specialty (using searches such as *mechanical engineer* or *trauma surgeon* or *accident reconstruct!*).

Case law and related materials		Searched
Case opinions	Legal tab > Cases – U.S. > Federal & State Cases, Combined <i>Also consider searching non-U.S. cases, as appropriate.</i>	<input type="checkbox"/>
Verdict reports	Public Records tab > Public Records > Jury Verdicts & Experts > Jury Verdicts and Settlements, Combined	<input type="checkbox"/>
Mealey publications	Legal tab > Secondary Legal > Mealey Reports & Conferences > Mealey's Litigation Reports > All Mealey Publications – Full Text – PLUS Court Documents	<input type="checkbox"/>
LexisNexis® CourtLink® service	Go to www.courtlink.com , sign on, and select the Search icon	<input type="checkbox"/>
Agency information		Searched
Federal agency opinions	Legal tab > Federal Legal – U.S. > Administrative Agency Materials > Federal Agency Decisions, Combined	<input type="checkbox"/>
State agency opinions	Legal tab > States Legal – U.S. > Combined States > Administrative Materials & Regulations > Agency Decisions > State Administrative Agency Decisions, Combined	<input type="checkbox"/>
Personal information		Searched
Judgments and liens	Public Records tab > Public Records > Judgments & Liens > Combined Judgments & Liens > Combined Judgment and Liens Filings and UCC Lien Filings	<input type="checkbox"/>
Federal court filings	Public Records tab > Public Records > Civil & Criminal Court Filings and Regulatory Actions > Combined U.S. District Courts > U.S. District Courts, Civil and Criminal Filings	<input type="checkbox"/>
State court filings	Public Records tab > Public Records > Civil & Criminal Court Filings and Regulatory Actions > Combined State Civil and Criminal Filings	<input type="checkbox"/>
Real estate	Public Records tab > Public Records > Real Property Locator > Combined Deed Transfers, Tax Assessor Records and Mortgage Records <i>Also consider searching aircraft, boat, and car registrations.</i>	<input type="checkbox"/>
Political affiliation	Public Records tab > People, Business & Asset Locators > Person Locator > Voter Registrations > US Voter Registrations, Combined	<input type="checkbox"/>



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Personal information		Searched
Conflicts	Public Records tab > Public Records > Business & Corporation Information > Combined Business and Corporation Information	<input type="checkbox"/>
	Legal tab > States Legal – U.S. > Delaware > Public Records > DE Secretary of State <i>You must search Delaware Secretary of State Filings separately.</i>	<input type="checkbox"/>
Bankruptcies	Public Records tab > Public Records > Bankruptcy Filings > Combined Bankruptcy Filings	<input type="checkbox"/>
SmartLinx™ feature	Public Records tab > SmartLinx > SmartLinx – Person Summary Reports <i>A good alternative source when searching for personal information because it utilizes more than 1,400 different public records sources simultaneously.</i>	<input type="checkbox"/>
Biographical and professional information		Searched
Expert directories—specialty	Legal tab > Reference > Biographies > Yearbook of Experts <i>Also consider AMI Physician Directory and Forensic Services Directory.</i>	<input type="checkbox"/>
	Public Records tab > Public Records > Jury Verdicts & Experts > Expert Witness Directories > Martindale-Hubbell® Law Directory – Experts and Services <i>Also consider checking the JurisPro Expert Witness Directory source</i>	<input type="checkbox"/>
Expert directories—state/regional	Public Records tab > Public Records > Jury Verdicts & Experts > Combined Expert Directories	<input type="checkbox"/>
Biographical sources	Legal tab > Reference > Biographies > Biographies	<input type="checkbox"/>
Professional licenses	Public Records > Public Records > Professional Licenses > Combined Professional Licenses – Selected States <i>For medical practitioners, also check Nationwide Directory of Medical Licenses</i>	<input type="checkbox"/>
Medical journals	Legal tab > Area of Law – By Topic > Medical > Medical Journals > All Full-Text Medical Journals <i>Also consider searching Medline References.</i>	<input type="checkbox"/>
Congressional Record	Legal tab > Legislation & Politics – U.S. & U.K. > U.S. Congress > Congressional Record, All Congresses Combined	<input type="checkbox"/>
Congressional testimony	Legal tab > Legislation & Politics – U.S. & U.K. > U.S. Congress > Federal Document Clearing House Congressional Testimony	<input type="checkbox"/>
Patents	Legal tab > Area of Law – By Topic > Patent Law > Patents > Utility, Design and Plant Patents	<input type="checkbox"/>
Other information		Searched
News	News & Business tab > News > News, All (English, Full Text)	<input type="checkbox"/>
Law reviews	Legal tab > Secondary Legal > Law Reviews & Journals > US Law Reviews and Journals, Combined or US & Canadian Law Reviews, Combined	<input type="checkbox"/>

Another approach: LexisNexis® Analyzer

LexisNexis Analyzer compiles relevant information from a wide array of sources, including federal and state cases, jury verdicts and settlements, Martindale-Hubbell Law Directory, various expert directories, law review articles, Mealey publications, thousands of news sources, public records documents, and many more. By having all this information at your fingertips, you can gain a strategic advantage in your cases.

You can:

Profile the **judge or arbitrator handling your case**. Review biographical information, previous cases opinions, authored law review articles, and more to learn of ...

Learn as much as possible about **opposing counsel or counsel you wish to hire ...**

Evaluate **opposing counsel's expert or an expert you wish to retain ...**

To learn:

- his experience/expertise in a particular area of law,
- her interaction (via other cases) with opposing counsel,
- his biases (to use as grounds for recusal),
- her tendencies, such as citing unpublished opinions, quoting Shakespeare, etc. ...

- whether she has expertise in this area of law,
- how often she has appeared before this judge,
- whether she settles most of her cases or winsthem on motions or takes them to trial...

- uncover potential skeletons in his closet,
- learn whether his testimony has ever been barred,
- learn whether he has been sanctioned,
- get indications of bias or inaccuracy in the information he has provided in the past,
- find inconsistencies in biographical information, etc. ...

In order to:

Help prepare your strategy and better advise your client about what to expect.

Help you better understand your opponent or make the best choice in selecting local counsel.

Learn of damaging information in advance to help you determine how you'll cross-examine an opposing expert, or decide whether you need to search further for an expert of your own.

The screenshot displays the LexisNexis Analyzer 'Expert Search' interface. At the top, there are navigation tabs for 'Judge', 'Attorney', 'Expert' (which is highlighted), 'Arbitrator', and 'Company'. The main search area includes the following fields and options:

- *Expert Last Name**: A text input field.
- Expert First Name**: A text input field.
- Enter Search Terms**: A text input field with a dropdown arrow.
- Date Restrictions**: A radio button selected for 'No Date Restrictions', and another option for 'From [mm/dd/yyyy] To [mm/dd/yyyy]'.
- Maximum Documents per Source**: A dropdown menu set to '40'.
- Select a Source**: A radio button selected for 'Select from list:'. Below this is a list of sources with checkboxes and information icons:
 - Federal & State Cases
 - Combined Jury Verdicts & Settlements
 - Federal Agency Decisions Combined
 - News
 - Law Reviews
 - Congressional Testimony
 - Martindale-Hubbell(R) Experts & Services Directory
 - Expert Directories, Combined
 - AMI Physician Directory
 - Canadian Cases, All Jurisdictions
 - State Agency Decisions Group file
 - Forensic Services Directory
 - Mealey's Legal News
 - Medline References
 - Congressional Record
 - Combined professional licenses
 - Nationwide Directory of Medical Licenses

At the bottom, there are options to 'Save selection as favorite source set' (with a 'Save' button) and 'Use a favorite source set' (set to 'No Favorite Set'). A '*Required Entry' note is at the bottom left, and 'Next' and 'Reset' buttons are at the bottom right.

Explanation of sources

Agency opinions (federal and state)	Because experts often work for federal or state agencies or testify before them, it makes sense to check agency opinions to gather more information about them.
Biographical sources	Checking biographical information is a good way to determine whether the expert has inflated his/her credentials in the resume given to you during discovery.
Case opinions (U.S. and non-U.S.)	Case law sources can be useful for finding instances when an expert's testimony has been challenged, whether successfully or not.
Congressional sources	More prominent experts submit documents—letters, reports, etc.—to Congress and some of them actually testify before Congressional committees. Track down what an expert said and/or what he/she submitted by searching through Congressional sources.
CourtLink® service	It's an incredibly powerful tool that can be used to uncover information relevant to a particular expert, including motions to exclude testimony, resumes, reports, filed transcripts of testimony, affidavits, declarations, etc.
Law reviews	Though seemingly an unlikely source of information about experts, law review articles do contain valuable information about experts, including discussions of their testimony.
Mealey publications	These sources provide articles that discuss cases in which an expert has testified or been successfully excluded.
Medical journals	Don't rely on any sort of listing of articles/publications given to you by a medical expert. Go out there and track down such information yourself and then compare it to the list submitted to you by the expert for possible omissions or inaccuracies.
News	News, All (English, Full Text) includes more than 12,000 news sources. It's a great way to track down professional and personal information about an expert. Articles discussing particular experts who have been accused of lying to juries and judges might be found here
Patents	Some experts, especially those in engineering and software, are also patent holders. Accordingly, there may be valuable information contained within any patents obtained by an expert.
Personal information	Uncovering personal information about an expert witness may lead to a suggestion of bias or even untruthfulness.
Professional licenses	Just because an expert states that he/she is licensed in a certain type of profession in a particular state does not necessarily mean that it's true, so double-check such claims.
Verdict reports	Verdicts can be helpful in identifying cases an expert has worked on and evaluating the expert with respect to certain potential bias (such as always testifying for the same attorney, the same side in lawsuits, etc.). Usually, it is best to search nationally, in a combined database, because an expert will often testify outside his/her state of residence.

You'll find several of the sources referenced in this piece all in one place on any of the LexisNexis® Litigation Research Tasks pages. Once there, just click on the + sign next to **Judge, Expert, etc., Investigation** on the right side of the screen, then click on **Individual Database Search**.

If you have questions or need research assistance, please call LexisNexis® customer Support at 1.800.543.6862 or contact your Applications Consultant.