

# Public Appointment and Swearing-in of Expert Witnesses

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## ABSTRACT

One of the most distinguished tasks of the Chamber of Engineers is the public appointment and swearing-in of expert witnesses in the field of technical engineering.

Besides, it is the effort of the Chamber of Engineers to call attention to the exceptional importance of the appointed and sworn expert witness in our labour-divided and technified daily business for

- companies as well as for
- authorities and courts
- but also for the single consumer,

to stress the independent and impartial expert in his importance as a mediator between the state and its citizens. At the same time, the state should thereby be relieved of his tasks and controllable for the security of the consumers.

However, only the designation *expert witness* does not offer any guarantee for quality as this designation is not protected by law. **The public appointment of specially qualified expert witnesses is an award designated by the legislator.**

The public appointment and swearing-in is **not** a vocational admission but an award for a special vocational or technical qualification respectively, expressed by a governmental legal act.

Many applicants for public appointed and sworn expert witness are convinced of their qualification as expert witness. This has to be assessed absolutely positively as without a certain portion of self-confidence, an expert witness would not be in the position to fulfill his task and to withstand the accusations and remonstrances at court. But this self-confidence must not degenerate in an exaggerated opinion of himself.

Unfortunately, the field of expert witnesses is becoming increasingly unclear. Expert witnesses who are not appointed and sworn, and who are justifying their expert opinion by different manners are not concerned with the following remarks.

The representation of all engineers in Lower Saxony had been assigned to the Chamber of Engineers as a public corporation by the law for engineers. On a long-term basis, it has to be expected that the biggest part of technical expert witnesses are public appointed and sworn in

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by the chamber. Especially in view of the European development of expert witnesses, this will take a wide space at the Chamber of Engineers of Lower Saxony.

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