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Dear Colleague,

Fellows of the American College of Surgeons serve as expert witnesses on behalf of both plaintiffs and defendants in medical liability cases. By providing testimony that is fair and accurate, the expert witness can contribute to a just outcome and improve the quality of surgical care.

The College has developed the enclosed Expert Witness Affirmation, a document that declares the witness will uphold certain professional principles in providing expert evidence or expert witness testimony. The affirmation is consistent with the College's "Statement on the Physician Acting as an Expert Witness" and is intended for voluntary use by Fellows who wish to make explicit their commitment to knowledgeable and ethical expert witness testimony.

Those Fellows who testify may sign the affirmation and give it to the attorney representing the party on whose behalf they intend to testify. During litigation, the document can be used to examine the witness and enhance the qualifications of those who have signed it. Conversely, witnesses who chose not to sign the affirmation can be cross-examined about their failure to do so. Such affirmations have proven useful to members of other organizations that have similar statements and may assist in the promulgation of credible and appropriate expert testimony.

Sincerely,

Thomas R. Russell, MD, FACS
Executive Director