

Argument from expert opinion as legal evidence:  
Critical questions and admissibility criteria of expert testimony  
in the American legal system

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ABSTRACT

While courts depend on expert opinions in reaching sound judgments, the role of the expert witness in legal proceedings is associated with a litany of problems. Perhaps most prevalent is the question of under what circumstances should testimony be admitted as expert opinion. We review the changing policies adopted by American courts in an attempt to ensure the reliability and usefulness of the scientific and technical information admitted as evidence. We argue that these admissibility criteria are best seen in a dialectical context as a set of critical questions of the kind commonly used in models of argumentation.

Godden, David M. and Douglas Walton. 2006. 'Argument from expert opinion as legal evidence: Critical questions and admissibility criteria of expert testimony in the American legal system,' *Ratio Juris*, 19(3), pp. 261-286.