The Biomechanical Expert: A Valuable Defense Team Member

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In too many cases plaintiff and defense counsel fall into a trap of hiring too many experts. Sometimes in routine, soft-tissue injury cases counsel hire multiple liability and medical experts, when a simpler approach would suffice. However, in commercial motor carrier collision cases, using multiple liability and damages experts is often unavoidable. On the liability side, accident reconstructionists investigate collisions and help both counsel and client determine why a crash occurred. On the damages side, a sometimes overlooked expert is the biomechanical engineer. Biomechanical engineers are valuable because they can explain to counsel how the impact between vehicles, or vehicle and pedestrian, caused the injuries the claimant suffered. With this information, counsel can evaluate whether a claim should be defended or settled. However, counsel would be shortsighted to limit the use of these experts to trial as they can assist with early case assessment, deposition preparation, and disqualification motions. This article will first describe biomechanical engineers and then address the different roles these experts can play, including assisting with deposition preparation and strategizing with counsel on drafting motions to exclude plaintiff's experts from testifying.