

New Jersey Lawyer Discovers 95% of Accident Reconstruction “Experts” are Untrained Quacks – Gets Disqualification and Wins Case

Most lawyers mistakenly believe that all they need to do when they have an airbag defect case or a case requiring accident reconstruction is to hire an “engineer.” Such lawyers find out the hard way that most of the engineers who tout themselves as reconstruction experts are untrained quacks who usually do more harm than good for their clients, and do so for exorbitant fees. A defense lawyer in New Jersey learned this harsh lesson and we’ll tell you how in a minute.

If you are a lawyer, ask yourself, “What kind of engineer should I hire?” An electrical engineer? A software engineer? An industrial engineer? Maybe a mechanical engineer? A civil engineer? None of them has any real college training in accident reconstruction! If you have any doubt about this, you need to read a technical paper published by the Society of Automotive Engineers titled Qualifications of the Reconstructionist (SAE paper No. 941053).

The majority of engineers claiming to be accident reconstruction experts fit the following profile:

- 1) They were never successful as an engineer and never did any real engineering in their life. They hold no patents and never designed anything. Usually they held positions as engineering “project managers” which is the equivalent of “administrative paper shuffler.”
- 2) They are unemployable in any legitimate engineering field because they do not have current skills and cannot compete with younger, better educated engineers from India, China, etc.
- 3) They took either one preliminary course in accident reconstruction from Northwestern University to pad their resume or they took a “course” from some phony certificate mill run by hucksters who run around the country “credentialing” people who do not want to attend real accident reconstruction schools. A U.S. District Judge saw through this mischief and issued a scathing ruling about quack reconstruction experts in Wilson v. Woods, 163 F.3d 935.
- 4) They boast about being licensed P.E.’s when in fact there is not a single question on any P.E. licensing test about accident reconstruction.
- 5) They do not have the ambition to get thorough training in accident reconstruction from legitimate accident reconstruction schools so they lack specific training and legitimate credentials in such fields as commercial vehicle accident reconstruction, pedestrian accident reconstruction, watercraft accident reconstruction, bicycle accident reconstruction, biomechanics, low speed accident reconstruction, human factors, tire forensics, vehicle restraint systems, computer simulation of accidents, and so on. The quack engineer foregoes all this specialized training and credentialing and preys on the gullibility of unsuspecting lawyers who are duped into believing that an engineering

background somehow makes a person qualified in accident reconstruction.

- 6) They cannot stand up to vigorous cross examination about their training and capabilities. The New Jersey lawyer we told you about found this out and won a case. Here's how he did it.

Attorney Martin Goldman, Esq. of Harkavy, Goldman, Caprio and Gerstein in West Caldwell, New Jersey crushed a defense lawyer and two of her "experts" and won the case after he got the first expert, a Ph.D. licensed professional engineer disqualified, and the second mechanical engineer voluntarily withdrawn by the defense.

During voir dire of the Ph.D. engineer, Mr. Goldman got the "expert" to admit that there were no questions on the P.E. licensing test in the field of accident reconstruction. He also got him to admit that while he did take one course in accident reconstruction from Northwestern University, he was aware of many other course offerings and did not take any of them. Here are some of the questions Attorney Goldman asked this "expert" which ultimately led to his disqualification by the Court.

Questions To Ph.D. "Expert"

- 1) Sir, you assert that your expertise in mechanical engineering principles and physics somehow qualifies you as an accident reconstructionist. Well, would you agree that there are principles of mechanics and physics involved in building a house?
Answer: YES
- 2) So then, do you consider yourself a qualified carpenter because you know some principles of mechanics and physics?
Answer: NO
- 3) Would you agree that there are principles of mechanics and physics involved in repairing teeth?
Answer: YES
- 4) So, do you consider yourself a qualified dentist because you know some principles of mechanics and physics?
Answer: NO
- 5) Isn't it true Sir, that despite your knowledge of physics and mechanics your are not a qualified:
Auto mechanic?
Plumber?
Answer: THAT'S CORRECT

Answer THAT'S CORRECT
Electrician?
Answer: THAT'S CORRECT

“Judge, I move the Court to strike this “expert” on the grounds that he is not a trained accident reconstructionist and that his generalized background in physics and mechanical engineering do not qualify him in many fields of expertise such as auto mechanics, plumbing, dentistry, carpentry, and especially accident reconstruction, for which extensive training exists and which training this man chose not to get. I also ask the Court to use as guidance the federal decision in Wilson v. Woods as a basis for striking this expert.”

Attorney Goldman’s strategy worked. The trial judge disqualified the Ph.D. “expert” and the defense attorney felt compelled to withdraw her second expert witness who was a mechanical engineer with no real training in accident reconstruction. A testimonial from Attorney Goldman is posted on the HOME PAGE of this website. The testimonial concerns the role Sal Fariello played in getting the Ph.D. expert disqualified.

There are many fine accident reconstruction experts in America who are well trained. Some of them are engineers too who have made the effort to augment their education by getting fully trained in accident reconstruction at legitimate accident reconstruction schools (not by just taking one course from Northwestern University to pad their resume). Unfortunately, 95% percent of the “experts” claiming to be accident reconstructionists are untrained quacks. If you hire one of these charlatans, you might wind up like the defense lawyer in New Jersey who had her “experts” demolished by Attorney Goldman, thereby costing the defense the case.

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