

## SUGGESTED RISK MANAGEMENT CHECKLIST FOR THE ENGAGEMENT OF A FORENSIC CONSULTANT

| <b>CONSULTANT EXPERTISE &amp; EXPERIENCE</b>   | <b>CHECKED?</b>         |
|--|-------------------------|
| Engineering issues likely to arise during the litigation (circle as appropriate).<br>Civil Engineering / Structural Engineering / Geotechnical & Ground Engineering.<br>Other engineering: .....   | Y / N                   |
| Are building & construction issues likely to arise?  | Y / N                   |
| Review of proposed expert's curriculum vitae (CV).<br>1. Has the proposed expert relevant experience in the engineering and other issues on which you need advice?<br>2. Does the expert have specific and additional experience in relation to the matter that is not listed in the proposed expert's CV?<br>3. Is the expert's additional experience relevant to the matter? | Y / N<br>Y / N<br>Y / N |
| Is the proposed expert listed on the National Engineers register [NPER]?<br>If the matter is in Queensland, is the proposed expert a Registered Professional Engineer in Queensland [RPEQ]?<br><b>Note:</b> It is only legal for engineers not registered in Queensland to provide advice in Queensland if the advice is provided under the supervision of an RPEQ.            | Y / N<br>Y / N          |
| Does the proposed expert have experience in the court relevant to the particular litigation?   | Y / N                   |
| Does the proposed expert have experience in litigation and writing expert reports?<br>If so, have you seen examples of the experts work?   | Y / N                   |
| Is the proposed expert part of the consulting team that regularly provides forensic engineering services?  | Y / N                   |
| Is the matter a complex legal / engineering matter, or is it a relatively straightforward engineering & building matter?   | Y / N                   |
| If the matter is a complex legal / engineering matter, does the expert and associated consulting team have sufficient resources to be able to undertake the project?   | Y / N                   |
| <b>CLIENT / CONSULTANT RELATIONS – THE PROJECT “TEAM”</b>  |                         |
| Does the expert have appropriate technology & systems in place for the transfer & exchange of information [e.g. digital & electronic form]?  | Y / N                   |
| Does the expert have formal processes for forensic investigations and assembly of factual information in a manner which is suitable for presentation to a court?   | Y / N                   |
| Is the expert someone both you and your Client respects?   | Y / N                   |
| Can you work with / are you comfortable with the proposed expert?  | Y / N                   |
| <b>COMMERCIAL CONSIDERATIONS</b>   |                         |
| Is the expert part of a well-established corporation? [i.e. will the corporation be around for the project duration?]  | Y / N                   |
| Does the proposed expert have measures in place for the continuing provision of advice from the corporation providing the expert advice should the lead expert become unavailable [e.g. serious accident, sickness, etc.]?   | Y / N                   |
| Does the consultant have PI cover? Is the cover relevant to the matter?  | Y / N                   |
| Do you have the consultant's PI cover 'certificate of currency'?   | Y / N                   |
| Has the proposed expert been granted a 'Cover of Excellence' [or limitation of liability] by the relevant Professional Standards Council in Australia?   | Y / N                   |
| Can you agree with the consultant's 'terms of engagement'? If not, what special provisions are necessary?  | Y / N                   |