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# Overview

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## Course Description

*The Appraiser as an Expert Witness: Preparation and Testimony* is one of three courses in the certificate program designed to provide appraisers with the educational foundation needed to engage in litigation valuation work. This course focuses on the skills that appraisers need before and after preparation of the appraisal report: assessing the status of the case, acting in a consulting capacity to the client/client's counsel, appearance at a deposition, preparation of effective trial exhibits, and ultimately providing testimony at trial. The subsequent courses address the particular appraisal techniques and methodologies for litigation valuation assignments of various types.

The material covered in this two-day course includes legal terminology, USPAP issues, general litigation valuation methodology, and other important concepts. However, the primary focus of the course is to provide participants with a “hands on” experience for learning the strategies and techniques associated with deposition and testimony.

*The Appraiser as an Expert Witness: Preparation and Testimony* includes a case study that allows participants to practice many of the concepts taught in the course. The case study is structured to produce divergent value opinions to facilitate the learning process.

This course helps the participant to understand that the process of deposition and testimony is, by nature, adversarial. The lectures and reference materials included in the course are designed to help the participant prepare for an adversarial environment by analyzing the strengths and weaknesses of the case, anticipating the questions that will be posed, and formulating clear answers that are readily understood by persons who are not appraisal experts.

This process of preparation and anticipation is explored by placing the participant in the shoes of the opposing counsel with participants formulating possible questions and taking on the part of counsel in deposition and testimony role-play.

Finally, a mock trial is included in the course. The mock trial includes opening and closing statements by counsel, direct examination, and cross-examination, so that each participant will have a better understanding of the role of an expert appraisal witness in the context of the larger trial setting.

Upon successful completion of the three courses that make up the litigation program (*Condemnation Appraising: Principles and Applications*, *Litigation Appraising: Specialized Topics and Applications*, and *The Appraiser as an Expert Witness: Preparation and Testimony*) and passing the related program exams, participants will receive a Certificate of Completion. This Certificate will provide participants with evidence that they have completed education in this topic for potential clients and employers.

**Note.** This Certificate of Completion does not provide certification of any kind, nor does it attest to the competency of the participants. Recipients of a Certificate of Completion may represent that they have completed the program’s curriculum and passed the examinations. However, recipients of a Certificate of Completion may not represent themselves as certified in litigation or condemnation appraising, as holding a certification in litigation or condemnation appraising, or as having a specialization, competency, or expertise based solely on the successful completion of the program. The program provider does not assume any duty to the public for the services provided by program participants or any other person or entity.

## Learning Enhancements

The course has been designed with a variety of elements to enhance your learning experience.

- **Preview.** To give you a taste of what is to come, you will find a Preview page that begins each Part. Included on the Preview page is a brief overview of the content and learning objectives to consider as you move through the content that will assist you in understanding the information you’re about to learn.
- **Learning Objectives.** Each learning objective covers essential information you need to know to fully understand the concepts in the course. Look them over before the Part begins so that you have a frame of reference as you move through the material. At the end of each Part, reread the objectives. Are you able to do what is stated? If not, this is the time to ask your instructor for help or review the concepts that you do not understand.
- **In-class Problems.** Supplementing the discussions, we’ve included in-class problems to help you visualize and practice what you are learning.
- **Review.** Each Part concludes with a Review page that repeats the learning objectives that were covered.

## Classroom Guidelines

To make the learning environment a positive experience for everyone attending, please follow these guidelines when class is in session:

- 100% attendance is required. No exceptions.
- Refrain from using short-range wireless technology.
- Limit use of laptops to classroom projects.
- Communicate with business associates during break time instead of class time.

- Put away reading materials such as newspapers and books that are not used in class.
- Please silence cell phones.
- Use recording devices only if prior permission has been granted.
- Refrain from ongoing conversations with those seated near you and other distracting behavior.

## General Information

- **Calculators.** A financial calculator is required. The accepted model used in the course is the HP-12C.

For additional help, go to the “Using a Financial Calculator” section of the Appraisal Institute’s Web site:

[http://www.appraisalinstitute.org/education/fin\\_calc.aspx](http://www.appraisalinstitute.org/education/fin_calc.aspx).

- **Breaks.** There will be one 15-minute break during the morning session and one 15-minute breaks during the afternoon session unless noted otherwise by the course sponsor. The lunch break is one hour.
- **Attendance sheets** will be distributed during class to verify your attendance during the morning and afternoon sessions.
- **Certificates of completion** will be mailed after completion of the course, and attendance during the entire course is required.

## Recommended Text

- J.D. Eaton, MAI, SRA, *Real Estate Valuation in Litigation*, 2<sup>nd</sup> ed. (Chicago: Appraisal Institute, 1995.)