



State Senator Bob Welch

Senate President Pro-Tempore

Vice-Chairman, Joint Committee on Finance
State Capitol • Madison

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Contact: Senator Bob Welch
(608) 266-0751

WELCH BILL TO ENSURE CREDIBLE TESTIMONY PASSES SENATE

Senate Bill 49 will ensure credible and reliable testimony in civil cases

MADISON- State Senator Bob Welch (R-Redgranite) announced today that Senate Bill 49 to avoid “junk science” in civil cases passed the Senate. Under this bill, Wisconsin courts will follow the same guidelines for admitting expert testimony that are used in federal courts and guarantee that any expert opinion testimony admitted into evidence in a Wisconsin state court is reliable and based on sound analytical methods.

“This is a common sense piece of legislation to ensure that testimony admitted into evidence in civil cases will be credible, based on proven methods and will be presented by a true expert,” explained Welch.

Under current law, if a witness is not testifying as an expert, the witness’s testimony is limited to those opinions that are rationally based on the perception of the witness and helpful to a clear understanding of the witness’s testimony or of a fact at issue in the case. In addition, current law allows the testimony of an expert witness if that scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact at issue in the case.

“This bill will help to prevent overburdening Wisconsin state courts with cases based on “junk science”, said Welch. “Let’s limit the type of “expert” testimony we allow as evidence to testimony that is actually based on sound, proven methods, instead of what a self-proclaimed “expert” seems to think is right.”

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