

Ethical Considerations Associated with Deposition Preparation

On March 18, 2010, Donald O. Johnson, J.D., LL.M., CPCU made a presentation to the Greater Richmond Chapter of the Chartered Property and Casualty Underwriters (CPCU) Society concerning ethical issues that arise during deposition preparation. During the presentation, he identified the applicable ethical rules that govern the conduct of depositions and the other potentially applicable rules of the CPCU Society's Code of Ethics that may raise special concerns for those witnesses who hold the CPCU designation. He also described the differing testimonial obligations that fact witnesses, company designated witnesses, and expert witnesses have. Upon that foundation, Don addressed specific situations that may raise ethical concerns during deposition preparation.