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The costs of maintaining the expert witness system

The Institute of Justice examined the civil and commercial case files in which expert witnesses were involved¹ and conducted a survey among judges on their views regarding the expert witness system in Poland as well as appropriate measures to improve its performance².

The next stage of the research project *'An expert witness in court proceedings – a comprehensive picture of the system according to case file research, surveys, statistical and economic studies'* was to estimate the structure of budget expenditure on expert opinions and to assess feasibility of selected reforms.

The researchers analysed 63,712 records from auxiliary registers used by courts to record commissioned expert opinions (in Polish: *'kontrolka Wab'*). Building upon this data – and aggregated statistics on number of different categories of cases – they estimated the full structure of budget expenditure on expert witnesses and the share of the costs of appointing multiple experts in the same case. To assess the validity of obtained results, they also conducted internal verification of data.

The outlook for budgetary expenditure in relation to the expert witness system is an important practical supplement to the above mentioned three types of research. Moreover, this issue gained practical relevance as Supreme Audit Office scrutinized numerous failed attempts to pass complex regulation of expert witnesses status, undertaken during last decade. It has been concluded that *'among other factors, the Finance Minister's position on the financial consequences of the drafted regulation*

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¹ J. Włodarczyk-Madejska, *Opinia biegłego w sprawach cywilnych w świetle badania aktowego* [Expert opinion in civil cases in light of case file research], "Prawo w Działaniu" 2017/29 (The study covered 925 random civil and commercial cases heard by district and regional courts that heard at least one piece of expert witness evidence.)

² J. Klimczak, *System biegłych sądowych w ocenie sędziów* [Expert witness system in the opinion of judges], "Prawo w Działaniu" 2017/29 (45 presidents of the regional courts and 627 presiding judges of individual divisions in district courts took part in the survey).

had an impact on that situation³. Thus, determining the costs of operating the current system together with estimating feasibility of selected alternative scenarios – became part of the wider research agenda.

Initially, the very idea of attempting to estimate country-level structure of expenditure on expert witness system might be surprising. However, as documented during Supreme Audit Office scrutiny, despite substantial effort to digitalize book-keeping in common court, the available data on expert opinions expenditures are rather scant⁴. The data gathered as part of the budget reporting (RB-28) provide total expenditures on expert opinions – as well as setting into tiers of common court system (district courts, regional courts and courts of appeal)⁵. Thus, to link expenditures with case categories (commercial, civil, criminal) on different tiers of the system, data from auxiliary registers and case files needed to be utilized. Conclusions drawn on the basis of a sample are subject to uncertainties, therefore all presented findings should be interpreted with caution as an attempt of bringing closer unavailable financial data.

1. ESTIMATING THE STRUCTURE OF EXPENDITURE FOR THE FEES OF EXPERT WITNESSES

In order to reconstruct the structure of the expenditure for the fees of expert witnesses, the researchers used the data from the “kontrolka Wab” control sheets; those control sheets included all instances, in 2013 and 2014, in the randomly selected seven district courts and four regional courts in which an expert witness was appointed. The total expenses for the fees of expert witnesses and the annual amounts paid out from the state budget for that purpose were estimated on the basis of:

1. the number of opinions in the 22 categories of cases to the overall inflow of cases of a given type⁶ (see Table 1),
2. the amount of average fees for preparing expert opinions in the 22 categories of cases, and the share of those fees disbursed from the State Treasury (cf. Table 2),
3. data on the total inflow of cases in the 22 categories to the common courts in 2015 (cf. Table 3).

³ Informacja o wynikach kontroli “Funkcjonowanie biegłych w wymiarze sprawiedliwości” [Notice on the results of the audit on the expert witnesses in the system of justice], Supreme Audit Office 2015, <https://www.nik.gov.pl/plik/id,9608,vp,11856.pdf>, p. 15, more details on pages 56–58.

⁴ The Integrated System of Accounting and HR Management was supposed to improve the situation. The system was to offer “higher quality data and make it possible to conduct complex financial and HR analysis. (...) in order to build management mechanisms where effective implementation of the goals of the system of justice will not only depend on an additional stream of funds from the state budget but also on the ability to use the existing HR resources, funds and assets in the optimum manner.” See response to parliamentary question no. 33260, 7th term, <http://www.sejm.gov.pl/sejm7.nsf/InterpelacjaIresc.xsp?key=2F8E121C>.

⁵ This is mainly applicable to the courts at district and regional levels because under the appeal model effective in Poland, expert witnesses are generally appointed by court of first instance.

⁶ It was decided that the manner in which orders for conducting an expert opinion are registered in the “kontrolka Wab” control sheet is closer to the manner of registering incoming cases; however, using the data concerning the number of completed cases, rather than the incoming ones, leads to similar conclusions.

Table 1			
Total number of cases and the number of expert opinions issued in 2013 and 2014 in the four regional courts and seven district courts			
Case symbol	Total number of cases	Number of expert opinions issued	Number of expert opinions issued per 100 cases
REGIONAL COURTS			
C (civil litigious cases)	38,081	12,601	33.1
U (social security litigious cases)	34,300	13,543	39.5
Kow (imprisonment cases)	30,024	125	0.4
Ca (civil appeal cases)	16,591	210	1.3
Ka (criminal appeal cases)	11,290	174	1.5
Ko (other criminal cases)	10,149	15	0.1
GC (commercial litigious cases)	9,841	1,645	16.7
Ga (commercial appeal cases)	5,438	12	0.2
Ns (civil non-litigious cases)	3,455	1,783	51.6
Pa (labour law appeal cases)	2,822	25	0.9
K (criminal litigious cases)	2,470	2,096	84.9
Uo (other social security cases)	846	123	14.5
P (labour law litigious cases)	721	251	34.8
Ua (social security appeal cases)	444	28	6.3
CG-G (geological and mining law cases)	140	226	161.4
Total selected categories	166,612	32,857	19.7
DISTRICT COURTS			
Ko (other criminal cases)	77,329	153	0.2
C (civil litigious cases)	39,318	4,770	12.1
W (misdemeanours cases)	34,585	1,001	2.9
Ns (civil non-litigious cases)	32,588	1,355	4.2
K (criminal litigious cases)	25,582	2,456	9.6
Nsm (minors non-litigious cases)	13,306	849	6.4
RC (family litigious cases)	9,860	247	2.5
GC (commercial litigious cases)	9,562	863	9.0
Rns (family non-litigious cases)	8,090	1,984	24.5
P (labour law litigious cases)	7,035	423	6.0
U (social security litigious cases)	4,900	3,537	72.2
Nkd (juvenile cases)	2,955	128	4.3
Now (juvenile cases)	2,170	169	7.8
Cps (judicial assistance in civil cases)	2,128	245	11.5
Uo (other social security cases)	19	7	36.8
Total selected categories	269,427	18,187	6.8

Source: own calculations.

Case symbol	Fee disbursed				
	Average	Median	Min	Max	N
REGIONAL COURTS					
GC (commercial litigious cases)	2,285.6	554.8	23.0	57,760.0	163
C (civil litigious cases)	1,735.6	768.5	4.8	147,600.0	5,623
Ca (civil appeal cases)	846.9	660.0	189.0	4,877.1	15
P (labour law litigious cases)	758.9	450.4	100.0	1,726.4	3
U (social security litigious cases)	604.0	604.0	604.0	604.0	3
K (criminal litigious cases)	397.3	225.9	23.0	9,559.0	1,230
Ka (criminal appeal cases)	282.6	291.6	87.0	459.9	4
TOTAL	1,424.0	578.8	4.8	147,600.0	7,869
DISTRICT COURTS					
Ns (civil non-litigious cases)	1,682.8	1,219.0	28.8	23,735.9	748
RC (family litigious cases)	960.8	571.1	56.6	3,523.5	62
GC (commercial litigious cases)	934.9	700.0	1.9	11,105.1	591
C (civil litigious cases)	708.0	470.4	7.6	28,373.1	3,633
P (labour law litigious cases)	625.1	496.8	25.0	2,642.6	104
Ko (other criminal cases)	513.6	189.0	30.0	19,842.0	138
Nsm (minors non-litigious cases)	469.0	378.0	60.8	1,517.2	157
K (criminal litigious cases)	443.6	200.0	24.6	19,952.7	1,463
W (misdemeanours cases)	423.7	189.0	31.9	5,658.0	526
Cps (judicial assistance in civil cases)	331.6	315.3	15.6	1,205.0	89
Now (juvenile cases)	296.5	281.1	90.0	1,293.0	46
U (social security litigious cases)	285.6	175.6	7.0	16,132.0	390
Nkd (juvenile cases)	231.0	198.1	178.4	527.0	37
Rns (family non-litigious cases)	193.7	178.0	26.9	760.0	726
TOTAL	661.9	380.9	1.9	28,373.1	8,991

Source: own calculations.

Case symbol	Total number of cases*	Estimated number of expert opinions issued	Total fees of expert witnesses estimated on the basis of average amounts	Total fees of expert witnesses estimated on the basis of medians
APPEAL COURTS				
A Ca (civil appeal cases)	16,764	218	184,566.61	143,835.12
A Ka (criminal appeal cases)	3,466	52	14,692.37	15,160.28
A Pa (labour law appeal cases)	356	3	2,713.47	2,114.64

Table 3 cd.				
Inflow of cases to common courts by category in 2015 and the estimated total fees of expert witnesses				
Case symbol	Total number of cases*	Estimated number of expert opinions issued	Total fees of expert witnesses estimated on the basis of average amounts	Total fees of expert witnesses estimated on the basis of medians
A Ua (social security appeal cases)	21,093	1,329	1,125,410.69	877,046.94
A Ca-commercial (commercial appeal cases)	3,649	47	40,174.40	31,308.42
Other	70,007	70	99,689.97	40,518.65
TOTAL	115,335	1,719	1,467,247.50	1,109,984.06
REGIONAL COURTS				
C (civil litigious cases)	133,252	44,106	76,551,088.67	33,895,777.62
U (social security litigious cases)	113,250	44,734	27,019,185.00	27,019,185.00
Kow (imprisonment cases)	126,489	506	720,481.34	292,837.21
Ca (civil appeal cases)	60,136	782	662,079.32	515,966.88
Ka (criminal appeal cases)	49,597	744	210,241.68	216,937.28
Ko (other criminal cases)	41,640	42	59,295.36	24,100.40
GC (commercial litigious cases)	15,367	2,566	5,865,510.14	1,423,777.14
Ga (commercial appeal cases)	12,535	25	35,699.68	14,510.01
Ns (civil non-litigious cases)	16,360	8,442	12,021,066.24	4,885,921.85
Pa (labour law appeal cases)	8,102	73	103,835.23	42,203.48
K (criminal litigious cases)	10,149	8,617	3,423,335.85	1,946,467.58
Uo (other social security cases)	8,096	1,174	1,671,662.08	679,441.42
P (labour law litigious cases)	1,714	596	452,662.60	268,650.99
Ua (social security appeal cases)	2,701	170	242,312.11	98,486.94
CG-G (geological and mining law cases)	141	228	324,065.38	131,715.28
Other	305,454	305	434,966.50	176,790.67
TOTAL	904,983	113,110	129,797,487.18	71,632,769.75
DISTRICT COURTS				
Ko (other criminal cases)	1,067,812	2,136	1,096,856.49	403,632.94
C (civil litigious cases)	618,491	74,837	52,984,886.99	35,203,518.13
W (misdemeanours cases)	703,930	20,414	8,649,399.09	3,858,240.33
Ns (civil non-litigious cases)	512,135	21,510	36,196,472.68	26,220,287.73
K (criminal litigious cases)	362,923	34,841	15,455,293.71	6,968,121.60
Nsm (minors non-litigious cases)	231,469	14,814	6,947,773.50	5,599,698.05
RC (family litigious cases)	149,338	3,733	3,587,098.76	2,132,173.30
GC (commercial litigious cases)	129,011	11,611	10,855,114.55	8,127,693.00
Rns (family non-litigious cases)	149,243	36,565	7,082,550.43	6,508,487.23
P (labour law litigious cases)	61,057	3,663	2,290,003.84	1,819,987.06
U (social security litigious cases)	39,128	28,250	8,068,318.81	4,960,773.05

Table 3 cd.
Inflow of cases to common courts by category in 2015 and the estimated total fees of expert witnesses

Case symbol	Total number of cases*	Estimated number of expert opinions issued	Total fees of expert witnesses estimated on the basis of average amounts	Total fees of expert witnesses estimated on the basis of medians
Nkd (juvenile cases)	78,867	3,391	783,385.91	671,812.77
Now (juvenile cases)	0	0	0.00	0.00
Cps (judicial assistance in civil cases)	25,785	2,965	983,285.19	934,951.21
Uo (other social security cases)	2,904	1,069	707,354.00	407,057.16
Other	10,003,665	20,007	13,242,851.73	7,620,792.00
TOTAL	14,135,758	279,807	168,930,645.67	111,437,225.54

Source: Records of cases in common courts according to the areas of law and instances for 2015, isws.ms.gov.pl/baza-statystyczna/opracowania-jednoroczne/rok-2015/download,3169,10.html and our own calculations on the basis of data in Tables 1 and 2 in this chapter (the share of the number of opinions in the total number of cases; average fee amounts; the values for cases from the courts of appeal were estimated on the basis of data for comparable categories in the regional courts; however, as some data concerning the average fees were missing, for cases in category A Ca, A Pa, A Ua and A Ca-gosp, we adopted the average fee in the Ca case; in A Ka cases, we adopted the average fee in the Ka cases; where there was no information concerning the average amount of fees in the analysed data and for other cases in the appeal court and in the regional court, the researchers adopted the average fee in the analysed sample data from the “kontrolka Wab” control sheets from the regional courts; as for the missing cases and other cases in the district courts, the researchers adopted the average fee in the analysed sample data from the “kontrolka Wab” control sheets from the district courts; the share of the number of the expert opinions to the total number of cases in the “Other” category in the appeal courts and in the regional courts was estimated on the basis of values for the most frequent category of “Other” cases in the analysed database which are not subject to registration in other systems, notably “Ko” from the regional courts; for the district courts, the researchers adopted the details from the Ko register in those courts).

The researchers decided to calculate these estimates according to two scenarios, using two measures of the central trend of the fees disbursed – the arithmetical mean and the median. The calculations based on the average values give a better picture of the skewness of distribution, or the impact of the highest and lowest values. However, these are exposed to a higher risk of misrepresentation due to possible errors in the data subject to analysis (such as errors when capturing the data and transforming the databases). The median value, or the “middle” value, is much more resistant to atypical observations, which minimises the impact of such errors. It needs to be emphasised, however, that the median value will always be lower than the average value in the analysis of data whose distribution is skewed, or uneven (which is the case in the distribution of fees). As a consequence, they arrived to the upper bound estimation (using arithmetic average) and lower bound estimation (using median) – with probable actual value sitting somewhere in between.

At this point, it is also possible to summarise the data presented above according to the individual divisions of the judiciary (cf. Table 4). That analysis makes it even clearer that more than half of the expenditure on expert witnesses is generated by civil cases before first instance courts; labour law and social security cases and criminal cases generate, respectively, nearly 20% and nearly 10% of the expenditures.

Table 4			
The estimated number of expert opinions issued and the structure of expenses on expert witnesses in 2015 broken down by the divisions and levels of the judiciary			
Cases	Estimated number of expert opinions issued	Total fees for expert witnesses estimated on the basis of average amounts	Total fees for expert witnesses estimated on the basis of medians
APPEAL COURTS			
TOTAL	1,719	1,467,247.50	1,109,984.06
REGIONAL COURTS			
Appeal courts (all divisions)	1,794	1,254,168.03	888,104.59
Civil cases*	52,776	88,896,220.28	38,913,414.75
Criminal cases*	9,164	4,203,112.55	2,263,405.19
Commercial cases*	2,566	5,865,510.14	1,423,777.14
Labour law and social security cases*	46,504	29,143,509.68	27,967,277.41
TOTAL	113,110	129,797,487.18	71,632,769.75
DISTRICT COURTS			
Civil cases	99,312	90,164,644.85	62,358,757.07
Criminal cases	55,255	24,104,692.80	10,826,361.93
Commercial cases	11,611	10,855,114.55	8,127,693.00
Labour law and social security cases	32,983	11,065,676.65	7,187,817.27
Family and minors cases	58,503	18,400,808.60	14,912,171.34
TOTAL	279,807	168,930,645.67	111,437,225.54
TOTAL			
TOTAL	394,636	300,195,380.35	184,179,979.35

* Cases before courts of first instance.

Source: own calculations.

2. INTERNAL VERIFICATION OF DATA

The data obtained during the studies, performed as part of the project called 'An expert witness in court proceedings – a comprehensive picture of the system according to case file research, surveys, statistical and economic studies' were verified by comparing results gathered using different research approaches. Particularly, (i) time required to prepare an expert opinion and (ii) the expert compensation (fee awarded by the court) across specific categories of cases estimated during case-files examination and statistical analysis were directly compared. A comparison of the time for preparing expert opinions in selected categories of cases is presented in Table 5. The similarity of the results confirms their reliability.

A similar comparison may be conducted with respect to the amounts of fees paid to expert witnesses for their opinions which were determined in the course of the two studies (see Table 6). As for the results of the case file research, all categories

of fees (for preparing a “main” opinion, a supplemental opinion and compensation for their appearance in court) were added to ensure comparability with data from budget reports and auxiliary registers (in Polish: ‘kontrolka WAB’). However, these figures show much greater discrepancies – especially with regard to the average values. By contrast, the median values are broadly consistent.

Table 5										
Time allotted for preparing an expert opinion and the actual time for preparing expert opinions in civil and commercial cases (in days)										
Case symbol*	Time taken for preparing the expert opinions according to the data obtained from the case file research					Time taken for preparing the expert opinions according to the data obtained from the statistical research				
	Average	Median	Min	Max	N	Average	Median	Min	Max	N
REGIONAL COURTS										
Ca	68.4	33.0	9	218	5	65.4	50.0	0	318	207
C	73.0	53.0	3	551	153	69.2	55.0	0	711	12,538
GC	48.8	49.5	28	63	6	67.2	50.0	0	643	1,590
Ns	29.3	21.0	1	282	188	36.4	31.0	3	415	1,782
DISTRICT COURTS										
C	66.5	45.5	4	386	362	76.6	59.0	0	597	4,701
Ns	78.9	61.0	1	603	326	75.4	60.0	0	688	1,341
GC	52.7	45.0	7	179	100	59.7	43.0	0	403	830

* See Table 1–3.

Source: own calculations.

Table 6										
A comparison of the costs of expert opinions prepared for civil and commercial law cases heard by the regional and district courts (in PLN)										
Case symbol*	Amount of fee disbursed, according to the data obtained from the case file research					Amount of fee disbursed, according to the data obtained from the statistical research				
	Average	Median	Min	Max	N	Average	Median	Min	Max	N
REGIONAL COURTS										
GC	1,683.7	1,214.0	165.0	5,477.0	9	2,285.6	554.8	23.0	57,760.0	163
C	9,896.5	441.0	30.0	302,531.0	229	1,735.6	768.5	4.8	147,600.0	5,623
Ca	1,170.3	938.0	116.0	2,580.0	6	846.9	660.0	189.0	4,877.1	15
DISTRICT COURTS										
Ns	15,429.3	1,485.5	10.0	988,177.0	418	1,682.8	1,219.0	28.8	23,735.9	748
GC	5,337.0	777.0	38.0	198,745.0	131	934.9	700.0	1.9	11,105.1	591
C	17,137.3	556.5	10.0	750,303.0	498	708.0	470.4	7.6	28,373.1	3,633

* See Table 1–3.

Source: own calculations.

As far as our estimates of budget structures are concerned, the results show that in 2015 the total budget expenditure on expert opinions, sits somewhere between PLN 300,195,380.35 (of which 43.2% in the regional courts) and PLN 184,179,979.35, (of which 38.9% in the regional courts). The validity of these estimates might be assessed using two categories from budget reports (RB-28⁷).

According to them, the total expenses on expert opinions in 2015 amounted to PLN 213,070,457.13⁸, which is within the range estimated above. However, it should be emphasized that upper bound was overestimated by 40.9% while lower bound underestimated by 13.6%.

As far as distribution of expenditures between court tiers is concerned, data from budget reports of all 45 regional courts (their RB-28) suggests that their expenditures on expert opinions amounted to PLN 79,728,965.33, which is 37.4% of the total expenditures. That share seems reasonably close to the estimate based on median fees (lower bound estimate).

To sum up, the actual expenditures on expert opinions sits within the estimated range, and the estimates replicated reasonably well share of expenditures generated by the district and regional courts. That suggests that obtained results offer useful approximations of the unavailable financial data, and could be used to inform policy decisions. Improvement of the above mentioned Integrated System of Accounting and HR Management⁹ should provide the exact data on expert opinions costs – as well as the ultimate verification of presented findings.

3. THE FINANCIAL AND ORGANISATIONAL CONSEQUENCES OF SELECTED ISSUES RELATING TO THE SYSTEM

Although collected data are insufficient to carry out detailed regulatory impact assessment for numerous proposals of expert witness system rearrangement, implications of two important proposals can be assessed.

First, envisions substantial raising the experts compensation (via amendment in the ‘rates’ specified in the regulation of the Minister of Justice) and the second suggests establishing a uniform IT-based mechanism for identifying and designating expert witnesses that would allow for the efficient management of the entire system. While both solutions would require additional expenditures, they may also improve the effectiveness of the expert witnesses system. Furthermore, both solutions are highly significant in light of the unsatisfactory quality of some expert opinions, as noted by surveyed judges. The valuation of the costs of preparing and maintaining a new IT system is beyond the scope of this study. However, collected data might be used in order to approximate the potential financial consequences of changing expert witness rates or altering the entire expert witness model.

The long waiting period for an expert opinion, which may result in the excessive length of an entire court proceedings, is a frequent flaw of the process. The

⁷ Abbreviation for: *sprawozdanie z wykonania planu wydatków budżetu państwa* – report on state budget expenditure plan implementation.

⁸ A total of the following categories: supplemental fees to expert witnesses; reimbursement of lost remuneration to expert witnesses; and amounts for the opinions issued by medical schools and other institutions designated to issue expert opinions (the amounts due to the institutions).

⁹ Cf. note 4.

researchers were able to establish how much time was needed to obtain an expert opinion and how it related to the duration of the entire court proceedings on the basis of the results obtained during the above mentioned study of court records concerning 925 randomly selected civil and commercial cases heard by district and regional courts¹⁰. To achieve that goal, the researches defined three consecutive periods:

- 1) the time needed to find and appoint an expert witness, that is, the time from a decision to seek expert opinion to the date when case files are sent to the expert witness,
- 2) the time needed to prepare the expert opinion, that is, until the expert opinion arrives to the court, and
- 3) the time needed to issue a judgment upon the receipt of the opinion, that is, until a judgement issued by a first instance court.

To avoid outliers, 532 cases with only one expert opinion required were assessed (as cases with multiple opinions constitute only small fraction of the total, and probably are the most complicated and time consuming ones¹¹). Results are presented in the Table 7.

They show that the time required to appoint expert – and time required to prepare opinion – account for fairly low part of the entire proceedings. It is also worth emphasising that the estimated number of expert opinions per 100 cases of each type (see Table 1) is very high only in some categories (e.g., criminal trials before regional courts and social security cases before district courts). As for other cases, this number is definitely lower, and thus problems with expert witnesses, if any, accounts for only fragment of excessively long court proceedings.

Table 7 The time for the appointment of an expert witness, for the preparation of an expert opinion and the time from the receipt of the expert opinion until a judgement is issued in civil and commercial cases in which only one expert opinion was prepared (532 cases)			
	Time (in days)		
	Expert appointment*	Preparing the opinion**	From the receipt of the expert opinion to the judgement***
Average	41	71	325
Median	19	55	186
25th percentile	6	34	94
75th percentile	48	85	405

* From the decision on the appointment of an expert witness to the dispatch of files to the expert witness.

** From the dispatch of the files to the expert witness to the arrival of the expert opinion with the court.

*** From the arrival of the expert opinion with the court to the issue of a judgement by a court of the first instance.

Source: own calculations.

¹⁰ Only cases with at least one expert testimony were examined.

¹¹ Moreover, one might expect that strategic behavior of the engaged parties also affects time of adjudication.

Słowa kluczowe: system biegłych sądowych, wydatki budżetowe, koszty opinii biegłych.

Summary

Paweł Ostaszewski, Kamil Joński, *The costs of maintaining the expert witness system*

The lack of a uniform mechanism for finding, classifying and appointing expert witnesses seems to be one of the main problems relating to the expert witness system. As a consequence, the workload and the qualifications of individual specialists vary a lot. It is also for the very reason that the bodies requesting expert opinions have very limited knowledge as to when they can expect an expert opinion, and of what quality it will be. Other problems that are signalled in that respect include: excessively long proceedings due to the long waiting time for expert opinions, high costs of the entire expert witness system for the State Treasury and cases in which it is necessary to appoint other expert witnesses due to defects in previously issued expert opinions. It was possible to show some of those issues in the light of the data obtained during the research. A comparison of the time for preparing expert opinions and their costs in selected categories of cases showed that the results obtained in the course of case-file research and statistical research are highly convergent, which seems to confirm their reliability. The estimation of the structure of budget expenditure for expert witnesses for the entire country and a comparison of those estimates with the data from the budget reports filed by the courts confirms that the information gathered during the research may be used for subsequent work and analysis concerning the expert witness system.

Keywords: *expert witness system, budget expenditure, costs of preparing expert opinions.*