

## **NSPE Position Statement No. 10-1748—NSPE-NAFE Joint Position on Forensic Engineering**

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**NSPE CONTACT: Committee on Policy and Advocacy (COPA) Professional Policy Supported: 10-Professional Practice**

### **It is the joint position of NSPE and NAFE that:**

1. “Forensic Engineering” is defined as; “the application of the art and science of engineering in matters which are in, or may possibly relate to, the jurisprudence system, inclusive of alternative dispute resolution.” [National Academy of Forensic Engineers - NAFE: 1991]
2. The practice of licensed Professional Engineers as Forensic Engineers is important for the protection of the public health, safety and welfare.
3. Forensic Engineering derives from and may include knowledge and experience from any engineering discipline or specialization, but forensic engineering practitioners should limit their offering of services to the fields in which they have actual experience, or which may require only basic engineering knowledge.
4. Licensed Professional Engineers in their practice as Forensic Engineers should be guided by the same codes of professional conduct (such as the NSPE Code of Ethics) as are other engineers in their particular disciplines and specializations.
5. Forensic Engineers should endeavor to provide objective, non-biased reporting and testimony. Contingency fee compensation arrangements by Forensic Engineers is deemed to be unethical. [BER Case 03-13].
6. Professional Engineering licensing boards should not impose codes of conduct or standards of practice for Forensic Engineers which would be any different from those applicable to all other practice areas of Professional Engineering.
7. Professional Engineering licensing boards should accommodate expedited interstate mobility for Professional Engineers in their fact-finding role as Forensic Engineers to maximize the availability of competent Professional Engineers in forensic matters involving dispute or litigation. The courts are encouraged to utilize licensed Professional Engineers for engineering related testimony.

8. Licensed Professional Engineers in their practice as Forensic Engineers are sometimes required to gather data and document accident sites. This activity should not be construed to be work done solely by Private Investigators or licensed Private Detectives. The practice of engineering should allow Professional Engineers to gather facts necessary to reach an engineering opinion without a requirement for separate licensure as an investigator or detective.
9. Professional Engineering licensing boards are charged with protecting the public from unethical practice by licensed Professional Engineers, including those involved in the practice of Forensic Engineering. However, the boards are encouraged to be prudent in investigating Forensic Engineering practice complaints as adversarial attorneys may use the board's investigative powers to seek an advantage in their litigation strategies.