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G. Chris Nyce, Chair
Professionalism Policy Review Committee

June 26, 2017

Actuarial Standards Board (ASB)
1850 M Street NW
Suite 300
Washington, DC 20036

Re: Comments on Revision of Actuarial Standard of Practice 17 (Exposure Draft) on Expert Testimony

Dear Colleagues;

This comment letter is on behalf of the Professionalism Policy Review Council (we), a committee of the Casualty Actuarial Society, to provide our comments on the proposed revision to the ASOP Expert Testimony (Exposure Draft).

To start, we would like to thank the members of the drafting committee for the high quality work in drafting the revisions. The work is thoughtful and complete, as we have come to expect.

We have provided our thoughts below and note that they are more along the lines of improved clarity.

Section 1.4: Effective Date – Rather than an effective date attaching to when expert testimony is provided, we suggest an effective date attaching to the commencement of a matter. This is so different versions of the ASOP do not apply to different witnesses in the same case, nor to the same testimony at different times. We suggest:

“This standard will be effective for all expert testimony provided by the actuary regarding matters commencing on or after four months following adoption by the Actuarial Standards Board.”

The drafting committee may wish to obtain comment from the Academy Counsel as to language that best accomplishes the goal of clarifying that the same version of the ASOP should apply from initial filing through motions, removals to other jurisdictions, judgments, and appeals.

The committee may also wish to clarify the situation where multiple actions are merged into a class action.

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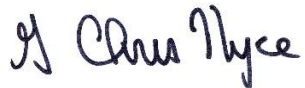
Section 2, Definitions: The committee may wish to consider including a definition of the word “advocate” as it is used in Section 3.6.

Section 3.2: Reliance Upon Attorney – We believe this needs to be clarified. We are not sure if the intent is that the actuary would be:

- “Not responsible” to the forum; which is likely overreaching the application of the standard; or
- “Not responsible” for what may otherwise be failure to comply with the standard due to the advice of the attorney; or
- “Not responsible” to follow the advice of the attorney in the first place.

We thank the drafters again for their efforts.

Sincerely,

A handwritten signature in black ink that reads "Chris Nyce". The signature is written in a cursive, slightly slanted style.

Chris Nyce, Chair
CAS Professionalism Policy Review Council