

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 543
HOUSE BILL 394

AN ACT TO ELIMINATE THE HYPOTHETICAL QUESTION.

The General Assembly of North Carolina enacts:

Section 1. There shall be no requirement that expert testimony be in response to a hypothetical question.

Sec. 2. If scientific, technical, or other specialized knowledge will assist the trier of fact to understand the evidence or to determine a fact in issue, a witness qualified as an expert by knowledge, skill, experience, training, or education, may testify thereto in the form of an opinion.

Sec. 3. Disclosure of Facts or Data Underlying Expert Opinion. Upon trial the expert may testify in terms of opinion or inference and give his reasons therefor without prior disclosure of the underlying facts or data, unless an adverse party requests otherwise, in which event the expert will be required to disclose such underlying facts or data on direct examination or voir dire before stating the opinion. The expert may in any event be required to disclose the underlying facts or data on cross-examination.

Sec. 4. This act shall become effective October 1, 1981.

In the General Assembly read three times and ratified, this the 11th day of June, 1981.