

## NEWS & INSIGHTS

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### LIGHTFOOT PARTNER TERRY MCCARTHY PUBLISHES ARTICLE ON STATE'S DAUBERT AMENDMENT IN THE ALABAMA LAWYER

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**BIRMINGHAM, Ala. (August 3, 2018)** — Lightfoot, Franklin & White LLC partner **Terry McCarthy** recently co-authored an article for *The Alabama Lawyer*, a publication of the Alabama State Bar.

The article, titled "Alabama's Daubert Amendment: An Overview of the Current State of the Law and Resources for the Practitioner," appeared in **the publication's July 2018 issue**. The article addresses the current status of the *Daubert* amendment based on two major court decisions and outlines practical considerations for Alabama attorneys.

"The *Daubert* amendment was on the books for more than five years before any substantive Alabama appellate decisions were issued on the amendment," write McCarthy and Malcom, citing *Payne v. State* and *Mazda Motor Corp. v. Hurst*. "Because most cases are resolved before they reach the appellate stage, these two appellate decisions are just the tip of the *Daubert* amendment iceberg."

McCarthy (along with Charles Gamble and Robert Goodwin) is coauthor of the Third Edition of *Gamble's Alabama Rules of Evidence* and the forthcoming Seventh Edition of *McElroy's Alabama Evidence*. He serves on the advisory committee for the Alabama Rules of Evidence and has taught evidence courses at Cumberland School of Law, the University of Alabama School of Law and Birmingham School of Law.