



**EXPERTISE AS EVIDENCE IN CIVIL PROCEDURE**

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expert opinion means the use of knowledge and experience from various scientific and professional disciplines (except legal) in determining and clarifying the facts that are the subject of court proceedings and for which the court does not have adequate knowledge


In court proceedings, expert evidence is performed to establish and clarify some facts when expert knowledge is needed that the court does not have.

An expert can be any person who can be a witness and who has appropriate professional knowledge

Although the Law on Expertise regulates important issues in the field of expertise, in our opinion the legislator had to regulate what the written opinion of the expert should contain

In the existing legal solutions, neither the Law of Civil Procedure nor the Law of Expertise provides an answer to the question of what happens if the expert goes beyond the subject of the expert examination.

It very often happens that experts only make expertise in the documentation of the proposer of the expertise (the applicant)



Our legislator would do well to think and return to the old system that is immanent to continental law, with which the parties propose, and the court was the one who decided who would be the expert and determined the subject of the expert opinion

In the newly accepted expert system, neither the party nor the court has the right to object to the selection of the person of the expert

Experts are third parties in the procedure and represent a specific and expert source of knowledge