

So You Have Been Called to Testify

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Through the Eye of the Attorney

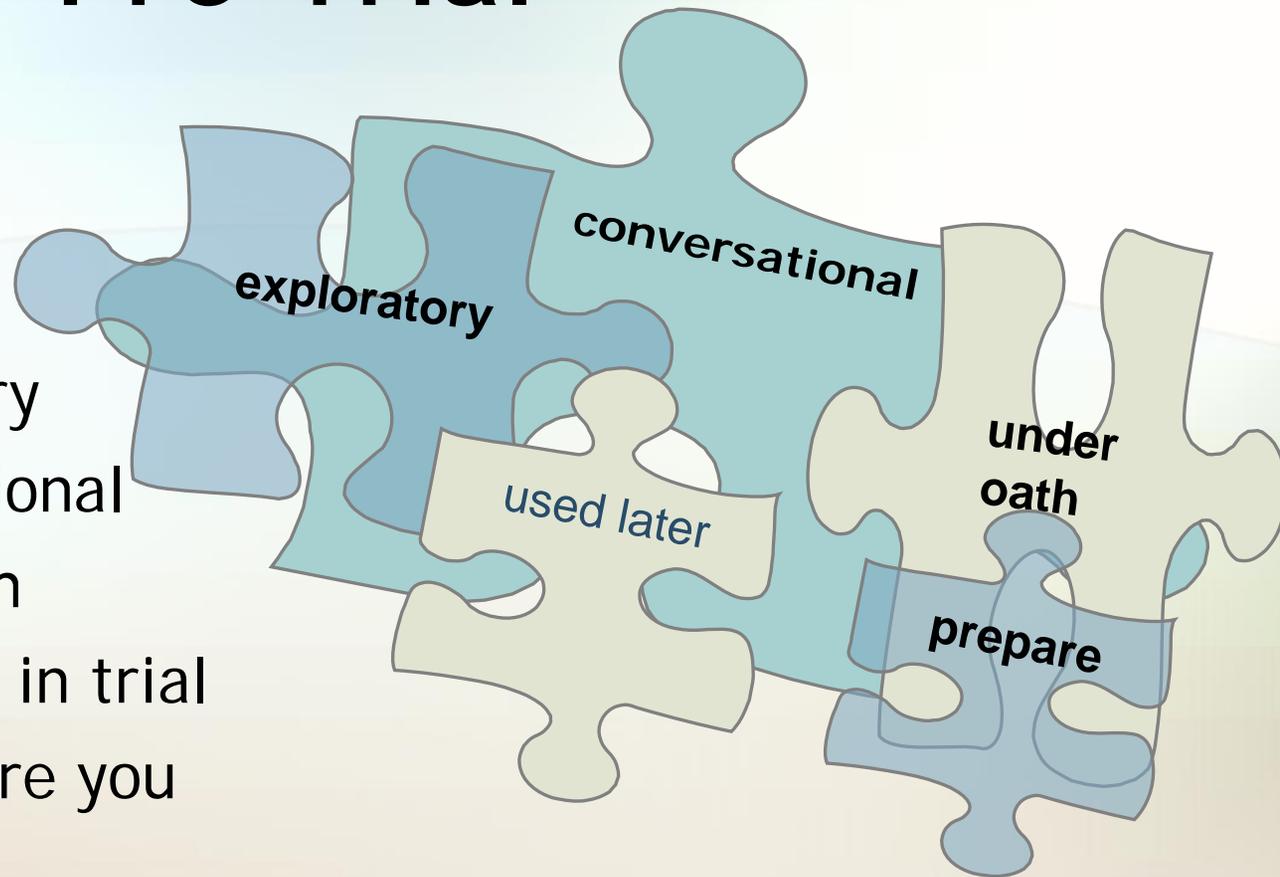
What to Expect

- Read e-mails before sending them
- “He said, she said”
- Do not destroy anything
- Photos are great
- Make sure you are covered



Pre-Trial

- Documents
- Preparation
- Depositions
 - exploratory
 - conversational
 - under oath
 - used later in trial
 - will prepare you



- *Review transcript carefully before signing it and before trial.*

At Trial



- Relax
- Dress
- Take a deep breath before answering.
- Be ready with the information.
- Answer what is asked.
- Don't fight the attorney.
- If an attorney objects, stop, wait and let the Court rule.

Summary

- Listen to the whole question.
- Give a complete, yet concise answer.
- Answer the precise question asked.
- If you don't know the answer, say so.
- Don't argue- calmly answer questions.
- Be open, calm and friendly.



Through the Eye of the Witness

What to Do

- Tell the truth.
- If you do not know-just say you don't.
- Think before you speak.
- Talk in full complete sentences.
- Allow 5 seconds before each answer.
- Answer the question being asked only.
- Always ask to have the question repeated if in doubt or need more time to answer.



What NOT To Do



- Never Guess.
- Do not answer a question you do not understand.
- Do not use gestures, grunts to answer.
- Do not explain your own thought processes or state of mind.
- Avoid adjectives/superlatives.
- Do not use derogatory terms or obscenities.
- Do not testify about what other people know.
- Do not let the examiner put words in your mouth.

What NOT To Do

continued

- Do not let the examiner put words in your mouth
- Do not adopt an examiners summery of your own testimony.
- If the examiner interrupts you, let them finish and then state that you were not finished answering the question.
- If you have completed your answer to a question and it is correct, do not expand on it--remain quiet.
- Do not try to be funny.
- NEVER be argumentative with counsel.



Summary



- There is no such thing as “off the record” .
- Unless it is to your advantage, do not educate the examiner.
- If you are asked a question about a document, make sure you read it before answering the question.
- If you make a mistake or oversight be truthful.

More Information

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