



Witnesses: Top 10 Tips



Basic Tips



Tip 1: Know your affidavit

- Read it once per day
- Know how to frame the good information as great
- Know how to frame the bad information as Not Terrible

Tip 2: Know your witness

- Where are they from?
- How do they walk?
- How do they talk?

Tip 3: Dress like your witness

- No Costuming!
- Suit vs. sport coat vs. just a tie
- Hairstyle
- If your witness would dress inappropriately, dress appropriately

Direct Tips



Tip 4: Establish your character ASAP

- Within the first three questions
- Character Quips
- A note on jokes...

Tip 5: Maintain your character throughout

- Character Quips are not just for background
- Longer answers (3 or 4 sentences) are your time to shine
- If you have an accent, keep it

Tip 6: Your direct examination is a story

- Treat it like one.
- It needs a beginning, middle, and an end
- It needs to build to a climactic finish

Cross Tips



Tip 7: Maintain your character on cross

- Fastest way to lose points on cross: drop your character
- If you were upbeat on direct, be upbeat on cross
- If you were helpful on direct, be helpful on cross

Tip 8: Pick your battles

- Second fastest way to lose points on cross: fighting too much
- Let the little stuff go
- Don't argue the big points - explain them

Tip 9: No is your strongest answer

- If your crossing attorney is wrong about something in their question, just say a nice calm no.
- What are they going to do?
 - Ask an open ended question (run with it)
 - Go back to the affidavit and read (uncomfortable for them)
 - Move on having lost the point (nice)

Finally...



Tip 10: Word-for-word memorization is the worst.

- Seriously.
- I get that you want the security of a script,
- But for real.
- It's the worst.