

POINTERS FOR TRIAL TESTIMONY

1. **TELL THE TRUTH.**
2. **DON'T GUESS.** If you don't know, say you don't know. If you don't remember, say you don't remember.
3. **LISTEN.** Listen to the question that is asked of you very carefully.
4. **BE SURE YOU UNDERSTAND THE QUESTION BEFORE YOU GIVE AN ANSWER.** If you don't understand the question, tell the lawyer you do not understand it so s/he can rephrase the question. Do not answer a question you do not understand.
5. **KEEP YOUR ANSWERS SIMPLE.** You are there to answer his/her questions. Therefore, answer the questions only. Do not go into a narrative monologue, volunteering information that was not requested by the attorney.
6. **TAKE YOUR TIME.** Think about the question you have been asked before responding to it; do not hurry. Answer the question as simply as possible.
7. **WAIT UNTIL THE LAWYER HAS FINISHED ASKING THE QUESTION.** Do not anticipate what the question is before the question is finished, and do not start nodding your head or answering until s/he has finished the question.
8. **BE CAREFUL OF QUESTIONS WHERE THE ATTORNEY ATTEMPTS TO PUT WORDS IN YOUR MOUTH.** An attorney sometimes will phrase the answer and ask if that answer is correct. For example: "You have had some pain for a while, but you feel fine now, isn't that right?" Do not let the attorney put words in your mouth unless you fully agree with what s/he has said.
9. **STICK TO THE FACTS.** Do not speculate, assume, or guess. Testify only to that which you know or which you are reasonably certain.
10. **ANSWER VERBALLY.** There will be a reporter at the hearing who will be taking down the questions and answers. The reporter cannot hear you nodding your head. You must speak verbally and you should speak clearly and loudly enough so you can be heard.
11. **DO NOT LOOK TO YOUR LAWYER FOR HELP IN ANSWERING A QUESTION.** Your lawyer will make objections if necessary, but s/he cannot answer the question for you.
12. **IF YOUR LAWYER MAKES AN OBJECTION, STOP TALKING IMMEDIATELY.**

13. **BE CAREFUL WITH QUESTIONS CONCERNING DISTANCE AND TIME.** If you do make an estimate, say it's an estimate. If you can't make an estimate, don't.

14. **BE COURTEOUS AND RESPECTFUL TO THE OTHER ATTORNEY.** Do not get angry with the other attorney and do not argue. Keep cool. It is wise to address the attorney as "ma'am" or "sir" when answering. Avoid joking or making wise cracks.

15. **KNOW OBVIOUS PERSONAL INFORMATION.** Know your past addresses, date of your marriage, and ages of your children. If asked whether you have talked to your lawyer, admit it freely -- such conversations are perfectly proper.

16. **BE COMPLETE IN YOUR ANSWER.** You may be asked to describe all of your observations, injuries or problems. Try to be complete. If you don't remember all of the details, tell the attorney there may be more, but that's all you can remember at the moment.

While a trial is a serious affair, it is not something to be nervous about. If you follow the rules that are listed above, you will have no problem.