

Rule 612: Refreshing Recollection

Kicking It Old School
Old Blue v. Harrison University

Step 1

- Establish that the Witness Does Not Remember

Step 2

- Show the Witness Previously Remembered



Step 3

- Ask the Witness if Anything Would Help Them Remember



Step 4

- Show the Item to Opposing Counsel and the Witness



Step 5

- Ask the Witness If Their Recollection Has Been Refreshed
 - Read/Review the Item Silently
 - Put the Item Down
 - If a document, turn it over

Step 6

- Ask Your Original Question

