

# IADC Trial Academy 2019

## Cross Examination

# Preparation for a Good Cross...Can Start with a Good Deposition

- Usually Starts with Taking a Good Deposition
- Gather facts and have goals going into the Deposition
- A good Deposition will provide an arsenal of weapons to use during a trial cross examination



# Cross Examination

- Prepare....Prepare....PREPARE...PREPARE AGAIN!
- Know the facts COLD
- Know the Subject Matter BETTER than the witness
- ORGANIZE (the flow, the exhibits, introduction of new exhibits)
- Have Plan and be READY to PIVOT but stick to the GOALS

# Two High Level Strategies for Cross Examination

- Constructive?
  - Facts supportive to your case/theories/your witnesses
- Destructive?
  - Damage....hurt....destroy the witnesses credibility
- A LITTLE BIT OF BOTH...

# A Good Cross....

- Organize the Cross to Start and End on Strong Points
- Control/ CONTROL!
- Use Leading Questions;
- Use Short Questions with One Fact per Question.
- Impeach Inconsistencies Effectively
- Listen and Stay Focused on the Goal
- Try to Use a Scalpel (Don't get bogged down on unimportant points)
- The Poker Face...

# The Cross Examination....

