

POINTERS FOR WITNESSES AND OFFICERS

1. **TELL THE TRUTH**--A lie may lose the case. In a lawsuit, as in all other matters, honesty is the best policy. Telling the truth, however, means more than refraining from telling a deliberate falsehood. Telling the truth requires that a witness testify accurately about what he knows. If you tell the truth and tell it accurately, nobody can cross you up. Lying under oath is perjury.
2. **DON'T GUESS**--If you don't know, say you don't know, but don't let the cross-examiner get you in the trap of answering question after question with, "I don't know."
3. **UNDERSTAND THE QUESTION** before you attempt to give an answer. You cannot possibly give a truthful and accurate answer unless you understand the question. If you do not understand, ask the lawyer to repeat it. He will probably ask the Court Reporter to read it back. Keep a sharp lookout for questions with a double meaning and questions which assume you have testified to a fact when you have not done so.
4. **TAKE YOUR TIME**--Give the question such thought as it requires to understand it and formulate your answer and then give the answer. Do not give a snap answer without thinking, but bear in mind that it will look bad if you take so much time to answer each question that the jury will think you are making up an answer.
5. **ANSWER THE QUESTION** that is asked and then stop. Don't volunteer information not called for by the question that you are asked.
6. **TALK LOUD ENOUGH** so everybody can hear you. Do not chew gum, and keep your hands away from your mouth. You cannot speak distinctly while chewing gum or with your hand over your mouth. Dress conservatively and be well groomed.
7. **GIVE AN AUDIBLE ANSWER** so the Court Reporter can get it. Do not nod your head "yes" or "no."
8. **DON'T LOOK AT THE LAWYER FOR HELP** when you are on the stand. You are on your own. You will not get help from the Judge either. If you look at the lawyer for your side when a question is asked on cross-examination or for his approval after answering a question, the jury is bound to notice and it will create a bad impression.
9. **BEWARE OF QUESTIONS INVOLVING DISTANCES AND TIME.** If you make an estimate, make sure that everyone understands that you are estimating. Think clearly about speeds, distances, and intervals of time. Remember that time can easily be computed from distance and speed, and that speed can just as easily be computed from time and distance. Be sure your estimates are reasonable.
10. **KNOW YOUR NAME**, where you live, how old you are, when you were married, etc.
11. **DON'T ARGUE OR FENCE WITH THE LAWYER** on the other side. He has a right to question you, and if you give him some smart talk or give evasive answers, the Judge may jump down your throat. Don't answer a question with a question unless the question you are asked is not clear.
12. **DON'T LOSE YOUR TEMPER** no matter how hard you are pressed. Lose your temper and you may lose the case. If you lose your temper, you have played right into the hands of the other side.

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13. **BE COURTEOUS.** Being courteous is one of the best ways to make a good impression on the court and jury. Be sure to answer, "Yes, sir" and "No, sir" and to address the Judge as "Your Honor."
14. **IF ASKED WHETHER** you have talked to the lawyer on your side or to the investigator, admit it freely. Remember, you are not getting paid for your testimony; you are being reimbursed for the time you lose and your expenses.
15. **VOID JOKING AND WISE CRACKS.** A lawsuit is a serious matter.
16. **DON'T BE AFRAID** to look the jury in the eye and tell the story. Jurors are naturally sympathetic to the witness and want to hear what he has to say. Look at them most of the time and speak to them frankly and openly as you would to a friend or neighbor.
17. **GIVE A POSITIVE ANSWER** when you can. Do not let the lawyer on the other side catch you by asking you whether you are willing to swear to your version on what you know by reason of seeing or hearing. If you were there and know what happened or did not happen, do not be afraid to "swear" to it. You were "sworn" to tell the truth when you took the stand. Avoid such phrases as "I think," "I believe," "In my opinion," and "Probably."
18. **UNDER THE LAW** this case must be tried without a jury being advised as to whether or not the defendant has a criminal record or has never committed any misconduct other than the act for which he is presently on trail. Therefore, do not mention prior offenses, prior convictions, parole, probation, or any similar words. The attorneys will not ask you questions calling for such an answer.