

**TESTIMONY TIPS AND HINTS****General**

- The goal is to appear credible, honorable and truthful.
- You must convince the jury you are both a smart/competent person and a good person – one does not stand without the other.
- How you look and behave is as important as what you say. Sometimes it is more important. Remember that emotion always trumps fact.
- Look engaged and interested, whether you are at the defense table or on the witness stand. Remember the jury will watch you throughout the trial.
- Prepare key messages – those points that reinforce your argument in the case. Memorize them, and practice them.
- Practice responses to anticipated questions in front of a mirror.
- Dress conservatively. No loud colors. Wear minimal jewelry. Get a haircut.

**When you testify**

- Sit up straight. Appear comfortable and confident.
- Remember you are the expert; the plaintiff's lawyer isn't. You were there; the plaintiff's lawyer wasn't. You know more than s/he does.
- Think first, then speak. Take a breath before you begin. Don't "snap at their bait."
- Remember your messages – and repeat them. Message first, then answers.
- Answer the question simply, clearly and confidently. If it requires a medical or scientific answer, present it in lay language – the language of the jury.
- It's ok to ask to have the question repeated.
- If you don't know the answer, say so. If you don't remember, say so.
- If you feel you have made a misstatement, push on. Your lawyer will correct it later.
- Avoid the kisses of death: arrogance, anger, lack of confidence, facial expressions.