

"What Is A Deposition?"

As you know, we have been asked to produce you for the taking of what is commonly referred to as "depositions" at the time and place indicated previously. A deposition, very simply, is sworn testimony under oath. However, it is extremely important since the other attorney will evaluate the impression he feels you will make with the Court. It is also his opportunity to decide whether the case should be settled or should go to trial. Therefore, we offer the following instructions:

1. Do not answer a question unless you understand it. If the question is unclear, ask the other attorney to ask it in more understandable language.

2. Tell the truth. Do not attempt to hide any facts or avoid giving requested information.

3. Think about each question before it is answered and do not supply information not requested by the question, even though you think it might be important. If the other attorney does not ask about all you know, DO NOT VOLUNTEER INFORMATION. The deposition is a chance for the other party to obtain information and is not the trial. You will have a full opportunity at the trial to give your complete story.

4. Do not feel that you are expected to know the answer to every question. Certainly, you should provide what information you have; however, if you do not know the answer to a question, you may say, "I do not know".

5. Give factual information in answer to a question only if you have firsthand knowledge of the facts. If your answer is based on something that someone else said or told you, be sure to state that you obtained this information from another person.

6. If you are instructed by your attorney not to answer a question, do not answer it.

7. Do not argue with counsel. Please remain polite and natural. NEVER become angry or hostile. Avoid asking questions in your answer, unless you are asking for a clarification of a question.

8. Do not try to memorize your answer. Please try to give a relaxed, unrehearsed, factual and straightforward response to the question.

9. Dress neatly and according to your usual habit and style.

At the deposition you have one goal: give the appearance of a person who is telling the truth, is doing so in a natural and convincing manner, and as a person who the Court will like.

If these instructions are followed, you will impress the other attorney as a good witness who is believable and who will make a favorable impression with the Court.

Please arrange to be there thirty minutes prior to the scheduled deposition to review your case.