

DIRECT EXAMINATION CRITIQUE FORM

A. INTRODUCTION

1. Start strong - emphasize important fact
2. Make witness's role clear to jury
3. Make good impression of the witness

B. WITNESS BACKGROUND

1. Things in common with jurors
2. Related to issues in case
3. Good eyesight, memory, record-keeping system
4. No bolstering

C. CASE BACKGROUND

1. Witness relation to others
2. Set scene

D. DEVELOPMENT OF FACTS

1. Chronological order
2. Subdivide into chapters
3. In each chapter, set scene, role, who was present
4. Transitions between chapters
5. Emphasize main points
6. Validate (motives, feelings, why witness remembers)
7. Explain weaknesses without emphasizing them
8. Follow up bad answers
9. Refresh memory if needed

E. GOOD CONCLUSION

F. PROPER PROCEDURE

1. Simple nonleading questions
2. No narratives

G. EXHIBITS & DEMOS

1. Foundation, proper procedure
2. Make record if necessary

H. PERFORMANCE

1. Lets witness dominate
2. How well does student move around courtroom
3. Courtesy to judge and opponent
4. Good voice, low-key approach