

HAVING YOUR DAY (AND SAY) IN COURT

Participating in a trial or hearing is not a routine experience for most people. The following are some simple tips for making the most of your opportunity to influence the outcome of your case. Please share this information with anyone who may accompany you to Court or appear as a witness on your behalf.

General Courtroom Demeanor: Treat all court personnel (including opposing counsel) with respect and courtesy. You should also treat the opposing party and witnesses courteously. Do not carry on conversations in the courtroom when court is in session. No eating, drinking, use of tobacco products, or gum chewing. Children should be kept outside of the Courtroom.

Attire: Dress conservatively and in a manner which reflects respect for the Court. Jewelry should be kept to a minimum. Please limit earrings to one per ear (and nowhere else). Men are encouraged not to wear earrings at all. ABSOLUTELY NO shorts, T-shirts, tank tops, tube tops, mini skirts, or hats are to be worn in the courtroom.

While at the Counsel Table:

1. Be calm, the Judge is watching you even when you are not testifying.
2. DO NOT react to witness testimony or questions asked by opposing counsel (no grunts, groans, eye rolling, gesturing, verbal outbursts, etc.).
3. DO NOT make statements to the Judge, witness, or opposing attorney from the counsel table unless I specifically direct you to do so.
4. Pay attention and take notes. I will provide you with a pen and note pad. Write down anything you think I need to address in the witness' testimony.
5. Please don't try to talk to me when someone else is testifying. I need to listen to what is being said.
6. Don't shuffle through papers while another witness is testifying.

While Testifying:

1. Sit still - no fidgeting, rocking, or squirming.
2. Listen carefully to each question.
3. If you do not hear or understand a question, ask the attorney to repeat it or rephrase it.
4. Wait until the attorney finishes the question before beginning your answer.
5. Think about your answer.
6. Speak up, so the Judge, lawyers, and court reporter can hear you.
7. Make a verbal response (not uh-huh or un-huh).
8. Keep your answers short.
9. Answer only the question you are asked. Do not volunteer additional information.
10. If you do not know the answer or do not remember, say so.
11. Do not guess at an answer unless you make it clear that is what you are doing.
12. Be polite. Do not argue with opposing counsel and certainly not with the Judge.
13. TELL THE TRUTH.