

06 - Playing Witnesses

I am a character, expert, or sympathetic witness.

If you were this witness, how would you feel? Put yourself in their shoes to better understand them. You are not just memorizing a script - you have to embody a character. This means knowing them inside and out. Use the following questions to help you out.

1. Knowledgeable

- a. Where do you work? Does it matter?
- b. Background?
- c. Relation to the case?
 - i. Were you there?
 - ii. Was it traumatic in any way?
 - iii. Why do you matter? Do other witnesses say the same thing?
- d. How do I contribute to my team's story?
 - i. What facts need to get out?

2. Trustworthy

- a. How do I want to communicate facts?
- b. What should my tone be? Do I change it throughout my questioning? At what parts?
- c. What parts do I need the jury to listen to? How do I make them focus on those parts?

3. Interesting

- a. What is my personality like?
- b. What do I sound like?
 - i. Make sure this is appropriate, but accents can embellish characters
- c. How do I feel about the case?
 - i. What parts do I find sad, confusing, comical?
- d. Do you use humor?
 - i. At what parts?
 - ii. Are there parts where it would not be appropriate?

4. Bonus

- a. Expert Witness
 - i. Am I completely serious? Do I add some humor?

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- ii. How do I make the confusing things I am describing interesting?
 - 1. Any demonstratives (whiteboard, poster, etc.) that would help explain?
 - 2. Any analogies I could use to describe?
 - 3. Any way can storytell the process of finding out?
- b. Character Witness
 - i. What type of humor?
 - ii. At what parts? Any serious parts?
 - iii. How do I refrain from being obnoxious?
- c. Sympathetic Witness
 - i. Am I mourning? Detached? Hysterical?
 - ii. Which parts do I get the most emotional at? How do I naturally shift from being sad and not sad?
 - iii. How long ago did this happen? Would it make sense to be this dramatic about something?
 - 1. Genuinely put the event in perspective. Is it reasonable to be this emotional?