

## PREPARING FOR DEPOSITION

Here are some simple things to tell client/witnesses whose depositions are being taken:

Depositions are designed so the other side can get information which they can use against you at trial. You will not win your case in deposition. But you can easily lose your case. These Rules are the best way to avoid losing your case:

1. Always tell the truth.
  - a. Use the fewest words possible. *e.g.*,
    - i. Yes,
    - ii. No,
    - iii. I don't know;
    - iv. I don't remember.
  - b. Don't guess. If you are not sure, say so. If the other attorney wants you to guess, he will ask you to guess. If he does ask you to guess, be sure that you emphasize that you are guessing.
  - c. Do not explain your answer. If the other lawyer wants an explanation he will ask for one.
2. If you don't understand the question, don't answer the question.
3. Your deposition is not a conversation nor is it something that has to be over quickly. Take your time and answer carefully. One trick that helps is to repeat the question back silently before answering.
4. If your attorney objects,
  - a. Listen to the objection, there may be a clue in it for you;
  - b. Do not answer the question unless s/he tell you to.
5. If you suddenly realize that you made a mistake, go back and fix it right away.
6. Don't lose your temper.
7. Dress as if you are going to a job interview.