

DIRECT EXAMINATION

1. Direct examination is conducted by the attorneys of their own witnesses. It should be designed to get facts from the witnesses which are understandable and, hopefully, to convince the judge to accept your position. Questions on direct examination should:

- * make the witness seem like he/she ought to be believed
- * keep the witness "in control" (prevent the witness from rambling since this might weaken the effect on his/her evidence)
- * not be leading (where the attorney is telling the story for the witness)

2. The attorney calls the witness for direct examination:

"Your Honor, I'd like to call _____ to the stand."

After the witness is sworn in by the bailiff or court clerk, some introductory questions should be asked.

- * please state your name, address and occupation.
- * length of residence or present employment, if this information is relevant in establishing his/her credibility
- * further questions about professional qualifications if you wish to qualify the witness as an expert.

3. Examples of proper questions on direct examination:

- * directing your attention to (date), could you please tell the court what occurred?
- * what happened then...? or, what did you see...?
- * how long did you see...?
- * did John (the defendant) say anything about...?
- * how long have you worked with Mrs. Smith?

4. Conclude your direct examination:

"Thank you, Mr./Ms. _____. That will be all, your Honor." The witness remains on the stand for cross-examination by the opposing attorney.)