

# STRATEGIES FOR SURVIVING CROSS-EXAMINATION

## Testifying as an expert witness is no simple task.

Beyond one's training and expertise in a particular subject, an effective witness must withstand an opposing counsel's barrage of questions. Below are some strategies to consider before taking the stand.



## Practice Your Responses

There are a handful of questions you can anticipate during cross-examination.

### Remember the 2 Ps

**PRACTICE** a mock question-and-answer session with your attorney prior to testifying.

**PREPARE** responses to areas of potential weaknesses, such as errors in documents sponsored by you.

## Understand the Question

### Listen to each question carefully

Do you understand what is being asked?

Is the question open-ended or unclear?

Do not hesitate to ask the opposing counsel to clarify or restate the question to limit the scope of the answer.

Avoid responding to overarching or generalized statements that may contradict your testimony or project.



## Remember Your Expertise

When on the stand, it's important to only answer questions related to your expertise.

### Stay in your field

If an engineering question is asked and you are the environmental expert, do not guess. Pass the question to the correct expert on the team.

## Tell the Truth

Make sure that all your responses are truthful.

### What if you don't know?

Do not try to make up a response if you are not confident in the answer.

It's okay to simply respond with a "yes," "no" or "I don't know."



## Pace Yourself

It may feel awkward to pause or to review your notes, but it is better to get the answer right. The official record does not document pauses.

Take your time and answer with confidence. Besides, the faster you reply, the faster the questions may come.

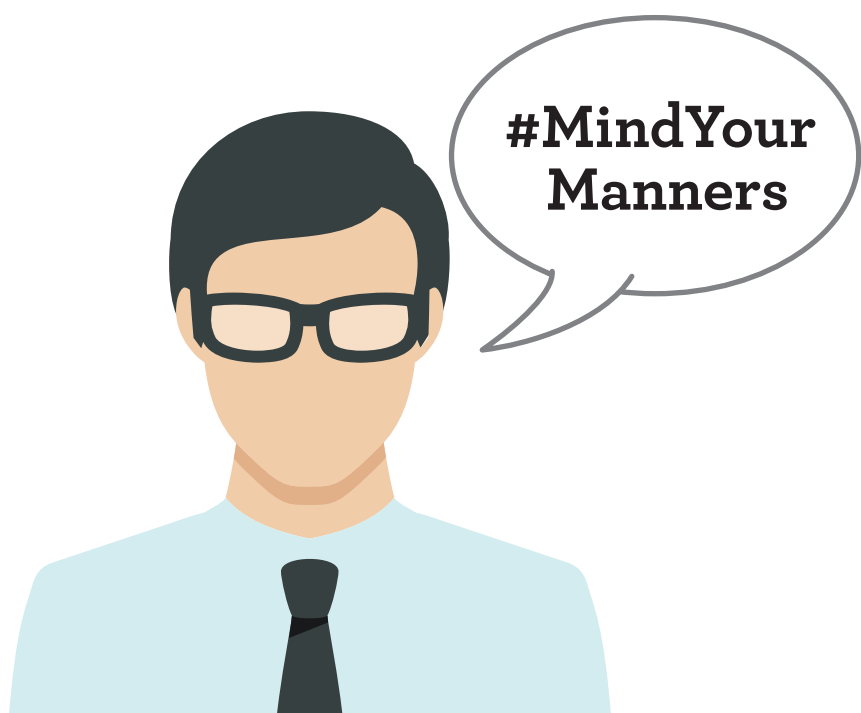
## Be Polite

### Appearances count

As an expert witness, it is important that you appear likeable.

The opposing attorney will try to discredit your expertise by making you flustered or confused.

Keep your composure, be professional and answer in a calm and polite tone.



## Let's Talk Expert Testimony

**Lisa Barko Meaux** | Project Manager

(281) 765-5507 | [lisa.barko@powereng.com](mailto:lisa.barko@powereng.com)

For more information about this topic, check out Lisa's article [Do You Swear: Six Tips from an Expert Witness](#).