



New Jersey Continuing
Legal Education Services
www.NJCLES.com

Presents:

A Continuing Legal Education Seminar



“Survive ‘til Five!”

A Comprehensive Review
of

**EFFECTIVE
COURTROOM
TESTIMONY**

LESSON PLAN by Matthew Regulski, Assistant
Prosecutor, Mercer County

Purpose

- To familiarize law enforcement personnel with the techniques of effective communication and testimony in Court
- To avoid the common pitfalls of cross-examination
- To retain some shred of dignity from a very difficult process

“This Is How We Do It”

* Lecture by experienced Prosecutors in the areas of:

- Case Preparation

-Effective Techniques of Direct Examination

-Cross Examination

“Come On Down”

* Importance of the first meeting: first impressions are everything!

“Meetin’ Da Suits!”

- All prosecutors are different
- Allows for the planning of logical presentation of facts
- In-depth analysis of the case from two perspectives
- Allows a discussion of trial strategies
- Opportunity to ask questions
- Allows the prosecutor to brief the officer of the style of the defense attorney

What We Need From You

- Timeliness
- Familiarity with the case
- Professional attitude toward the prosecution of the case

What You Get In Return

- Timeliness
- Familiarity with the case
- Respect for the officer
- Input from the prosecutor as to strategy

- Ability to ask questions and receive thoughtful responses

Direct Examination (Don't Get Too Comfortable!)

- TELL THE TRUTH !
- Walk to the stand w/o hesitation
- Take the Oath like you mean it!
- If you don't understand something –say so!
- Don't guess – it's O.K to say “I don't know”
- If you estimate, call it an estimate.
- Objections – your silence is golden.
- If it needs an explanation – explain it!

- Of course you have discussed the case with the prosecutor! That is when you told him what happened – not the other way around.
- On direct, talk to whom the questioner directs that you answer; ie “please tell the jury”, “please tell the Court”.
- Do not look at the prosecutor for help, chances are he won’t be looking at you (but the Jury is!)
- **TELL THE TRUTH !**

Cross Examination

(“All the fun of root canal w/o the needle!”)

“Cross – Excruciation”

Sequestration – it is not having a cat spayed

- Read all reports – even your partners
- How to refer to your report
- Information not in your report – the slow death

“Thank God Court Ends at 5:00”

- Explaining distances

- Organizing the disorganized witness
- Playing the guessing game
- It's not what you know – it's what you think you know!

TELL THE TRUTH

A Jury will forgive a mistake, an oversight or a typo, they will not forgive a lie!