

DEPOSITIONS 101: TIPS & TRICKS

Taking a Deposition

- Preparation
 - Review case overall
 - Review all relevant prior discovery
 - Involve your expert(s) in prep if needed
 - Make an outline
- Planning Logistics
 - Court reporter
 - Interpreter(s) if needed
 - Setting
- Key Concepts and Skills
 - Efficiency
 - Communication
 - Clear
 - Use simple words and concepts (unless complex terms or concepts are needed for your case)
 - Listen
 - Follow Up
 - Ask questions if you don't understand terms the witness is using or what they just said

Defending a Deposition

- Same prep as for taking a deposition PLUS prepare your witness
- Same planning logistics as for taking a deposition but opposing counsel will likely choose the court reporter and setting
- Listen
 - Listen to opposing counsel—if you don't understand the question, your witness probably doesn't either
 - Listen to your witness

Don't forget the snacks!