

ABOUT YOUR DEPOSITION

Under the Michigan Court Rules, each side in the lawsuit has the right to take sworn statements (depositions) from the opposing parties. Thus, you may be required to appear at a specified time and place and give your oral testimony under oath. This testimony is taken down by shorthand, recorded, or video taped and is transcribed for future use in the lawsuit.

Your deposition, properly given, can go a long way in assisting us in handling your case - either by way of settlement or at trial. What you do at the deposition can help or hurt you, depending upon your attitude, truthfulness and appearance.

Remember that the first opportunity that opposing counsel has to see you usually comes at your deposition. It is important that you impress opposing counsel with how good a witness you will be.

Some Suggestions:

1. Dress as you would expect to dress if you were actually going to court.
2. Treat all persons in the deposition room with respect.
3. Be honest and straightforward. The deposition is recorded and you cannot change your testimony later.
4. Do not lose your temper.
5. Speak slowly and clearly.
6. If you don't understand the question, ask that it be explained.
7. Answer questions directly. Give concise answers, then STOP TALKING.
8. Do not volunteer any information. Wait until the question is asked - answer it and STOP. If you can answer "Yes" or "No", do so and STOP.
9. Testify only to what you PERSONALLY KNOW.
10. Do not attempt to give opinions or estimates of time and distance, unless you have good reason for knowing such matters.
11. If you don't know, admit it. Some witnesses think they should have an answer for every question asked. You cannot know all the facts and you do yourself a disservice if you attempt to testify to facts with which you are not acquainted.
12. It is not our purpose to give the opposing party any more information than we have to. This is no time to convince the other side of the equity of your case. Therefore, only answer the questions asked and answer them with as few words as possible.
13. Do not answer a question unless you have heard it and clearly understand it.
14. Don't guess. If there is something that you don't know, admit that you don't know it.
15. If we object to a question, stop talking. After we object we will instruct you to either answer the question or not to answer it.

REMEMBER, the most important aspect of your lawsuit is you and the appearance you make. If you give the appearance of earnestness, fairness and honesty and, if you keep these suggestions in mind, you will be taking a great stride toward successful and satisfactory completion of your case.