

**DIRECT AND CROSS-
EXAMINATION**

Idaho State Bar Litigation Section – March 4, 2022

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Judge Nancy Baskin – 4th District
Judge Rich Christensen – 1st District
Wendy Olson
Gary Cooper

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Direct Examination – What is your goal?

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Direct Examination - Style

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Direct Examination – How much detail?

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Direct Examination – Who should you call?

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Direct Examination – Order of your witnesses

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Direct Examination – Preparing your witness

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Direct Examination - Checklists

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Direct Examination – Types of Questions

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Direct Examination – Order of Questions

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Direct Examination – Use of exhibits

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Direct Examination - Transitioning

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Direct Examination – Dealing with bad facts

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Direct Examination - Objections

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Direct Examination – Views from the bench

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Cross Exam – What is your goal?

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Cross Exam - Style

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Cross-Exam – Rules of thumb

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Cross-Exam – Criminal vs. civil

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Cross-Exam – Pre-trial preparation

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Cross-Exam Prep – Tweaks on the fly

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Cross-Exam – Order of questioning

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Cross-Exam – Impeaching with prior sworn testimony

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Cross-Exam – Impeaching with unsworn statements or exhibits

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Cross-Exam – Collateral impeachment

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Cross-Exam - Objections

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Cross-Exam - Views from the bench

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Re-Direct – What is your goal?

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Re-Direct – How much do you cover?

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Re-Direct – Views from the bench

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Parting Thoughts

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