

# **The Basics of Cross Examination**

## The Purpose of Cross-Examination:

**Obtain FACTS that will be used in closing argument** (as opposed to making a closing argument during cross-examination). [There is crucial difference between eliciting facts from a witness and making an argument to a jury based upon those facts.]

## I. Preparation

- 1) List all of the facts you need from each witness.
- 2) Use one page for each fact (i.e., the “chapter” method).
- 3) On each page, list all of the predicate questions required to get the fact.

## II. Courtroom Technique

- 1) Never ask a question when you do not know the answer.
- 2) Always ask leading questions.
- 3) Always ask one-fact questions.