



## Tips for Testifying

Center for Forensic Excellence  
STEVENS UNIVERSITY

# Tips for Testifying

The Center for Forensic Excellence is pleased to provide the following suggestions to assist forensic professionals with testifying in a court of law. The suggestions are in response to feedback and requests for guidance on improving testifying skills the Center received from prosecutors, law enforcement officials, and forensic professionals. The following is advice for how forensic professionals can improve their testifying skills and become more effective witnesses.

## Testimony Preparation

Prepare thoroughly but do not try to memorize your testimony.

Schedule time to go through your testimony with the attorney that is calling you as a witness.

If you are testifying as an expert, be prepared to suggest questions that will showcase your knowledge of the subject matter.

If you are testifying as an expert, assist the attorney in identifying predictable ways that your testimony might be attacked.

Make sure the attorney who is calling you as a witness understands the limits of your testimony, what you do not know or cannot say.

If you feel that a particular diagram, photo or exhibit helps to effectively illustrate your testimony, show it to the attorney when you prepare.

Do not attempt any demonstrations or simulations in the courtroom without practicing first with the attorney.

## Start off on the Right Foot

Always tell the truth, the whole truth, and nothing but the truth.

Speak clearly and distinctly.

Speak loudly enough to be heard.

Speak into a microphone if one is available.

Look at the attorney who is asking you the question, then speak to the jury and/or judge when you answer.

Answer “yes” or “no” when appropriate, not “uh-huh” or “nah.”

Answer by speaking and do not just nod your head.

Remain alert at all times.

Be courteous and cooperative, not argumentative.

Be yourself and testify in a natural and sincere manner, but do not get too “laid back.”

## Look the Part

Dress professionally and comfortably. You do not have to wear a suit or uniform if your job does not require it, but you should wear neat attire appropriate for a work environment.

Do not chew gum.

Do not bring anything to drink. If you need a glass of water one will be provided.



Consider covering obvious tattoos and/or removing piercings from your nose and tongue. You are certainly not required to do so, but it is more important for the trier of fact (judge or jury) to focus on your testimony rather than your appearance.

Get plenty of sleep the night before.

Do not drink alcohol or take drugs that could affect you before testifying.

Use the restroom before entering the courtroom.

Project your honesty, persistence, and reliability.

## General Advice

Be prepared to be sworn in before you testify.

Do not answer right away but wait for a second or two if an attorney wants to object.

If there is an objection do not answer until the judge tells you to answer.

If an attorney objects and the objection is overruled you must answer the question.

If you do not know the answer to a question then say you do not know.

If you're asked for an opinion on something that you do not know enough about do not give an opinion.

If you're not sure of something do not speculate.

Comply with the judge's instructions.

If you do not understand the judge's instructions politely ask for clarification.

Never argue with the judge.

Be prepared for lots of interruptions while you are on the stand

Do not bring your notes with you, but make sure you review them. Give them to the attorney that is calling you if you think you may need them.

Follow the judge's orders if you are told not to speak to anyone about your testimony or not to listen to the testimony of other witnesses.

## Common Mistakes to Avoid

If you previously knew the answer but forgot to say “I cannot recall” or “I cannot remember.”

If you never knew the answer to a question say “I do not know.”

If you cannot remember details such as exact dates and times testify as to what you can recall. Do not speculate or guess.

Respond only to the question asked and do not volunteer any additional information or explain your answer unless requested to do so.

Avoid using technical terms, acronyms, abbreviations, jargon, and “shop talk.”

If you mistakenly give an incorrect answer, correct yourself as soon as possible.

If anyone asks if you discussed your testimony with your attorney, be truthful; if you did, say so.

If you are asked whether your attorney told you what to say, be truthful.

If an attorney misquotes or mischaracterizes something you said politely state what you said.

Avoid arguing or losing your temper during questioning and simply answer the question.

Do not answer a question with another question unless you are asking for clarification or to have the question repeated.

If you are asked an inappropriate question it is your attorney’s responsibility to object and not yours.

If you are feeling nervous or flustered, breathe deeply and try to relax.

## Cross-Examination Tips

Listen carefully to the question and do not answer until you’re sure the question is over and you understand.

If you do not understand the question do not answer, and ask for clarification.

If you do not remember a question that is being asked ask to have it repeated.

Do not answer “yes” or “no” if those are not adequate, truthful responses. If need be, ask for permission to explain.

If you are asked an uncomfortable question tell the truth, the whole truth, and nothing but the truth, and assume the attorney knows the answer to the question already so do not try and hide your answer or not be completely truthful.



## Center for Forensic Excellence

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Stevenson University established a Center for Forensic Excellence to support the field of forensics and assist in improving equal justice through training, research, publications, and resource sharing. It provides continuing professional education for career development, conduct and publish scholarly and applied research, and hold events for forensics professionals. For more information, contact Stevenson at [suo-inquiry@stevenson.edu](mailto:suo-inquiry@stevenson.edu) or 1-877-531-7118.