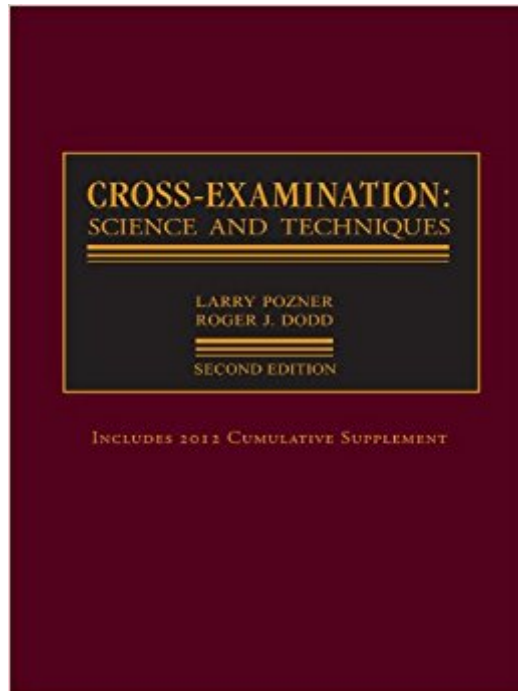




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# Cross-Examination: Science And Techniques



## Synopsis

In *Cross-Examination: Science and Techniques*, Second Edition, Larry Pozner and Roger Dodd continue their outstanding tradition of helping attorneys conduct commanding cross-examinations. The second edition offers deeper analysis of cross-examination methods, with more integration and interrelationship of techniques and principles. In analyzing thousands of new trial experiences, they present efficient techniques to confront the challenges of evolving admissibility standards and electronic discovery, and ultimately, help attorneys develop cross-examination skills that are critical to trial success. Inside you'll find valuable advice on how to:

- Use opponents' objections as the springboard for deeper and broader cross-examinations.
- Sequence cross-examination to teach the theory of the case in the best way, and to literally expand the rules of admissibility.
- Use "loops" (the practice of incorporating and repeating key phrases and terms in successive questions to the witness) to rename witnesses and exhibits.
- Use "double loops" to discredit opposing expert witnesses.
- Use voir dire to create great jurors
- Use a fact-driven investigation to develop a winning theory
- Use a witness's own words to follow your theme and theory
- Control the runaway witness
- Communicate winning theories in opening, cross, and closing
- Use loops to box in the witness
- Use tactical sequencing to create the most powerful cross
- Convert a witness's silence into admission of fact
- Induce the witness to voice your pre-selected words
- Prepare for devastating impeachment
- Close off any escape routes for the witness
- Punish the evasive or "I don't know" witness
- Control the crying witness
- Use timing, posture, inflection, diction, wording, eye contact, and other effects to emphasize a witness's concession

Effective cross-examination is a science with established guidelines, identifiable techniques, and definable methods. Attorneys can learn how to control the outcome with careful preparation, calculated strategy, effective skills, and a disciplined demeanor. Pozner and Dodd's treatise remains the definitive guide to preparing killer cross-examinations, only from LexisNexis.

## Book Information

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## Customer Reviews

If you buy this book, try to get the 6 Disc Audio CD set with it. The CD set is basically the two authors giving a seminar on the topic of the book and it really makes the book more understandable and much easier to read. The book is dense and could be intimidating at first glance. But don't lose the forest for the trees. Their method is very simple to understand and you will be amazed at how much you can improve your cross by just making some very basic adjustments to your current style. Some of their suggestions are so obvious but incredibly effective. I am a criminal defense attorney in Chicago and I cannot wait to really employ these methods in full. Many of you already use parts of this system and don't know it. This was certainly true for me. I know never to ask an open ended question on cross but never really knew a way to get the same information without giving the witness the chance to give a long, self-serving answer. Unfortunately, I have done it and have been badly burned. Never again. The most important thing I learned was why it's so bad and ineffective to ask the standard conclusory question on cross. We have all been there. You have a witness answering yes to all your questions and then you kill it with..."so, you agree that [insert conclusion here]?" And the witness says "No. I don't agree counselor. What I said was [enter harmful explanation here]." I will NEVER do that again. Why? After reading this book I know how to get what I want out of the witness without giving the opportunity for a narrative answer that hurts my case. If you earn your fees on your feet in a courtroom trying cases, this might be the best investment you will ever make. I am that serious.

I was going about cross examination completely wrong until I read this book. Cross should not be a

search and destroy process. Its really a matter of getting the examinee to agree with you on a number of points to kill it in the end.Solomon Neuhardt

I've been trying cases for thirty years and I can't imagine how I did it before I read this book. Pozner and Dodd are brilliant. Their book on cross-examination is the best thing that I have ever seen on the topic. What they say makes sense. It is easy to implement. And it works! Can't do better than that.

I bought this for my boyfriend and he absolutely loves it. He says it gives great practical advice with examples and scenarios. We're both lawyers and I can't wait to read it for myself.

This book was strongly recommended during recent trial attorney training by a Federal Court judge/law professor I highly respect. He warned that it was expensive, but worth it. He also suggested that we invest 15 minutes a day because it's that good and that important.

Excellent book to learn the right way to cross examine at depositions and trial. I have had the book version for years and find the electronic copy very handy.

An absolutely great book. The most in depth analysis of cross examination I have ever read. Very interesting. Stop wasting money on CLEs from local attorneys who don't know what they are talking about. This is the bible for cross examination

The best thing about this book is its attempt to systematize the difficult and too-often mysticised craft of cross-examination. The worst thing about it is that the authors did not apply the level of thinking that they advocate for cross-examination to the design and content of the book, which is poorly organized, diffuse, and a general nuisance to deal with because of its pervasive shapelessness. It's well worth dealing with the demands of the book because it is the best thought-out discussion of cross-examination in print. ...if you can figure out what the authors are trying to say about how to organize a cross and get through their Rube Goldberg "system" of chapters and rules and topic cards and sequence-of-events charts and page preparations -- I eventually gave up on their explanations and started outlining the book in my own way, upon which the sloppy, ill-considered form stopped mattering and the book's powerful insights into the whole process became comprehensible. Ultimately, examining witnesses at trial is about understanding,

eliciting, and explaining facts to people who have to decide where truth lies (so to speak). The authors here give more information about how to do this in more ways than anyone else. If you want to "get" what's in this book, you will have to work hard and deal with stupid obstacles to learning and recurrent barriers to clear communication. Get over it. That's a large part about what getting ready to deal with witnesses at trial is all about anyway. Might as well get the practice in a safe environment. The book seems to be written from the perspective of a primarily criminal-law oriented practice in a jurisdiction in which the lawyers have access to basically all the information that will be presented at trial. To me, a civil practice New York lawyer, that seems about as real as the Star Wars movies, but there's still a lot of value here. If you are new to this area of the law, this book is the best way to get a sense of what you can do with cross (at least until I write my book on the subject :-)) If you are experienced, it will give you ways to fine-tune your knowledge and skills. Either way, it will give you good training in patience and delayed gratification -- essential skills for a trial lawyer. If I got to break my rating down, I would give the book a (generous) two stars for accessibility and a (conservative) five stars for concepts and information.

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