

# The Psychology of In-house Expert Witness Preparation And Testimony

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# The Importance of In-house Witness Testimony

1. Confirming juror perceptions about the product development process
  - a. Taking “ownership” of the product
  - b. Staking reputations on the product
  - c. Avoiding the witness who “runs for cover”
2. Personalizing the corporate defendant

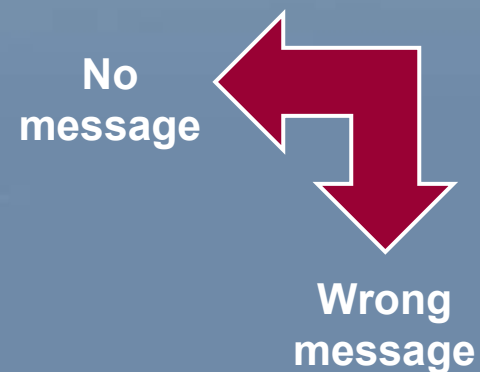
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# The Importance of Witness Demeanor

1. It's all about demeanor, stupid
  - a. Poor demeanor = no message
  - b. Or worse yet – the wrong message

**Poor demeanor**



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# Enhancing Demeanor: Dealing With In-house Witness “Issues”

1. Confronting the “most feared” questions
2. Job security, fear of failure and loss of reputation
3. Defensiveness about plaintiff’s claims
4. Stretching the in-house expert too far
5. Confirming full support from management

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# Enhancing Demeanor: A Strong Performance on Cross-examination

1. Preparing to educate, not mutilate
2. Staying cool, calm and collected
3. The value of “charm school”
  - a. A little “tough love” goes a long way
  - b. Patience is a virtue

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# Safety, Safety, Safety

1. The in-house witness cannot say “safety” and “quality” too many times
2. Using personal conviction about safety to enhance demeanor
3. Tie-in with “safe company” theme

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# Craig's Take-away Points

1. In-house (Expert) Witness Testimony is Crucial
2. Witness Demeanor is (Almost) Everything
3. All In-house Witnesses Have “Issues” – Deal With Them!
4. Safety/Quality Mantra – It's Good For Everybody

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