

Preparing for Your Deposition

Your Guide on What to Expect



10 Key Points

1. It will likely **be an emotional experience**. Try to **be as neutral & calm as possible**.
2. **Be honest & to the point**. Only answer the questions asked of you. Don't provide extra details.
3. **Do not lie**. If they're asking you a personal question, they already know the answer & are testing to see if you'll lie.
4. **Take your time** with your answers. Don't let them rush you.
5. **It's OK to disagree** with their questions or accusations. Watch out for phrases such as "wouldn't you agree" or "isn't this right?" If you don't know an answer, you can say "I don't know."
6. **Don't try to change their minds**. They will not listen.
7. Keep in mind what your **company and/or coworkers did wrong to cause your accident**.
8. **Don't worry about your coworkers** getting in trouble or losing their jobs due to what you say. This will not happen. Just be honest with your answers.
9. The **most important part** will be about your **accident & current medical condition**.
10. **The goal of the deposition is to present your injury and your role in the accident**. Our goal is to paint you in a good light, The opposition will try to paint a different picture.



Deposition Logistics

- Takes approx. 2-5 hours with breaks
- Takes place at a lawyer's office
- Your attorney, the defense lawyers & company reps will be present
- Simple Q&A interview, not a conversation
- May be video-recorded. If so, just ignore the camera & focus on the questions you're asked & your answers.
- Your spouse cannot sit in the depo, but she can wait in the waiting room. She should be dressed in plain church-casual clothes.*

Depo Checklist

- Review the depo prep materials beforehand.
- Bring your depo tablet to our office (if applicable).
- Wear slacks/pants & button up shirt.*
- Be clean-shaven & have a clean hair cut.*
- No suit, tie, jewelry, flashy clothes.*
- Don't bring your children.
- Arrive hour early to meet with your attorney.
- Do not talk about the depo with other people either before or after.

* Although you're not in court, you want to present yourself (and your significant other) as if you are. The other attorney will be judging how you will stack up in front of a jury.

Preparing for Your Deposition

Your Guide on What to Expect



Key Phrases to Listen For

These phrases are clues that the defense is trying to get a specific answer from you to use against you. They're trying to put words in your mouth. Answer slowly and cautiously when you hear these phrases:

- “Unsafe,” “dangerous,” “someone can get hurt.”
- “Wouldn't you agree?,” “Isn't that right?,” “Isn't it true,” “Is it fair to say..”
- “Were you aware of...,” “did you notify someone that...” “so, you knew about...”
- “So, you've done it like this way before?” “Didn't you do this job dozens of times before?”
- “Do you think the company is at fault?,” “Who is responsible for your accident?”

Questions You'll be Asked



Basic background questions

- Who you are,
- Where you're from,
- Are you married, have kids
- City & state you live in, etc.



Accident questions

- When, how, did it happen
- Why did it happen,
- Who was at fault
- What were you doing



Character questions

- Have you ever been to jail,
- Have you ever done drugs,
- Have you ever committed fraud



Job/task questions

- Had you done this job before,
- Is this a normal, routine task,
- How many times had you done this same task, etc
- How had you done this job before, etc.



Safety questions

- Were you aware that it was dangerous,
- Did you know beforehand that it wasn't safe,
- Did you think someone would get hurt, etc.



Injury/medical questions

- How much pain are you in,
- what injuries did you get,
- had you injured this part of your body before,
- what doctors are you seeing, what tests have you had, etc.