

Ask Your Online Witness About Their Off-Camera Resources

If you're conducting a deposition or cross-examination there are certain questions you need to ask, writes Dr. Ken Brodobaum in *Persuasive Litigator*, like:

- Where is the witness?
- Are they right there in the room with you, or are they many miles away in a room with their computer?

“With the pandemic still raging across the U.S., many are social distancing their testimony via Zoom or other web-conferencing platforms. Instead of being in a crowded conference room or courtroom, they are alone in a separate space in front of their laptop.”

There is a shared concern among lawyers that there is “not only the potential for off-camera coaching, but also the possibility for a witness to be surreptitiously looking at documents or notes without the questioner knowing it.”

Read the article.