



# EX0802  
Adverse Expert Cross-Exam  
Notes form

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*Leonard Bucklin*

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❖ The following is a PowerLitigation™ article of Leonard Bucklin. This article was adapted for LawyerTrialForms™ from his three- volume text of discovery, litigation, and trial advice, titled Building Trial Notebooks, available directly from James Publishing or through Amazon.com.

The following page is designed to be printed and placed in your trial notebook, ready for those times when you need to build a cross-examination quickly during a deposition or trial.

## **Checklist: Ten Standard Items to Consider in Cross-Exam of Experts**

Can you do any or some of these things by questions? Jot down, below in the spaces provided, your notes for questions in these categories. Your cross examination may build itself.

1. Show the witness is less than impartial.
2. Show the witness has limits on his qualifications.
3. Do a peripheral cross-examination about the nature of his/her science and its defects.
4. Attack his/her opportunity for observation.
5. Show the witness does not have some facts.
6. Test the memory of the witness; determine his/her memory is faulty.
7. Make it seem that the expert is conceding some points; confirm points of our expert.
8. Modify the expert's own conclusion.
9. Discredit the expert's conclusion.
10. Develop a portion of our own case. It can be outside the direct testimony area of the expert.

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