Deposition Preparation for Personal Injury Clients

A deposition is sworn testimony taken outside the trial. An attorney asks questions, and a court reporter makes a record. A recording may also be arranged. Your testimony can be used in evaluating the case and in later proceedings. Preparation means understanding the process and giving accurate testimony, not memorizing a preferred story.

Before the preparation meeting

Review the notice with your attorney. Confirm the date, location or remote instructions, any requested records and the arrangements for your attendance. Tell the office early about an interpreter, accommodation, medical limitation or technology problem.

Bring questions about the incident, treatment history, prior statements and documents. Tell counsel about details you do not remember and facts that concern you. Do not conceal an issue because you think it will damage the case.

Review records without rehearsing a script

Your lawyer may ask you to review discovery responses, photographs or other material. Distinguish what you independently remember from what a document tells you. Do not adopt a date or event as a personal memory merely because you saw it written down.

Do not discard notes, rewrite old records or delete messages during preparation. Ask how materials should be preserved and whether anything should be brought to the deposition.

Listen to the whole question

Let the question finish before answering. If you do not understand a term or the question is unclear, say so and ask for clarification. Do not answer a different question because you assume you know where the examiner is going.

Answer with what you know. If you do not remember, say that truthfully. If you can reasonably estimate, make clear that the answer is an estimate. Do not guess to fill a silence or agree with a premise you believe is wrong.

Give accurate, complete answers

Be responsive and avoid unnecessary speculation or argument. Concise testimony is helpful only when it remains accurate and complete. Do not withhold a fact necessary to prevent an answer from being misleading.

If you realize you made an error, say so and correct it. Explain the correction honestly rather than trying to make the original answer fit. Tell the examiner if you cannot hear a question or need a document to be shown more clearly.

Let your attorney address legal issues

Your lawyer may object or give instructions where appropriate. Pause so an objection can be completed, listen to the instruction and ask if you are unsure how to proceed. Do not assume that every objection means you should refuse to answer.

If a question appears to seek a private attorney communication or creates another legal concern, give your lawyer an opportunity to address it. Do not volunteer the substance of privileged discussions while trying to explain the concern.

Breaks and practical arrangements

Ask for a break if you need one and alert your attorney to pain, fatigue or another problem. Coordinate timing when a question is pending. Wear suitable clothing, arrive or connect early and keep water and necessary personal items available as arranged with counsel.

For a remote deposition, use a quiet private location, test your connection and follow the instructions about devices, documents and the camera. Do not use messages, hidden notes, AI tools or another person to supply answers while testifying. Ask before recording or using any assistance.

After the deposition

Follow your attorney's instructions about any transcript review, corrections or later requests. Do not assume that a review process permits rewriting testimony to make it more favorable. Raise mistakes and concerns with counsel promptly.

Avoid posting about testimony or contacting witnesses to compare accounts. Preserve materials and continue updating the office about treatment, work and other relevant developments. Ask what the next step is and whether anything remains outstanding from you.

General educational information. Follow your attorney's instructions for your case. Reading this guide does not create an attorney-client relationship.

Questions: 800-816-1529 | thepersonalinjury.com
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