

REVIEW #2(B)

THE EVIDENCE CASES

- 1. The case:** A delinquency proceeding in juvenile court resulting from serious assault on a student on a school playground.
The witness on the stand: The mother of the victim.
Your job as an ineffective lawyer: Ask the witness a HEARSAY question.
- 2. The case:** A dispute over the amount of money owed under a written contract.
The witness on the stand: One of the parties to the contract.
Your job as an effective lawyer: You want to have the written contract introduced into evidence as an EXHIBIT. Ask the witness questions to identify the contract and move the exhibit into evidence.
- 3. The case:** A lawsuit brought by a woman who fell on spilled pickle juice at 9:30 p.m. in a grocery store.
The witness on the stand: The prosecution (the woman who fell).
Your job as an ineffective lawyer: Ask the witness an IRRELEVANT question
- 4. The case:** A medical malpractice suit. A doctor prescribed medicine for a pregnant woman and the baby was born retarded.
The witness on the stand: The father of the child.
Your job as an ineffective lawyer. Ask the witness an objectionable OPINION question.
- 5. The case:** A contested marital dissolution (divorce) in which the wife is accused of being a chronic alcoholic.
The witness on the stand: The wife.
Your job as an ineffective lawyer: BADGER the witness with questions.
- 6. The case.** A dispute over the custody of two children.
The witness on the stand: The mother of the children. (She is being questioned by her lawyer.)
Your job as an ineffective lawyer. Ask your client on the stand a LEADING question.
- 7. The case:** A department store sues a customer for failing to pay the bill.
The witness on the stand: The customer.
Your job as an ineffective lawyer: Ask the witness an objectionable question about his CHARACTER.

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8. **The case:** Criminal trial for purse snatching.
The witness on the stand: An eyewitness testifying for the defense; she just testified that the defendant looks like the person who committed the crime.
Your job as an effective lawyer: IMPEACH (destroy the credibility of) your witness.
9. **The case:** A criminal trial for burglary, the defendant claims he was in Florida on the day of the crime.
The witness on the stand: The defendant.
Your job as an ineffective lawyer: Ask the witness an objectionable CHARACTER question.
10. **The case:** A suit for emotional distress suffered by a man who found a dead mouse in his soda.
The witness on the stand: The man who found the mouse.
Your job as an ineffective lawyer: Ask the witness BADGERING questions.
11. **The case:** A dispute between a customer and a TV seller resulting from the failure of the seller to repair the set.
The witness on the stand: The consumer.
Your job as an ineffective lawyer: Ask the witness a HEARSAY question.