

7/21/07, The University of Michigan Lincoln-Douglas Institute
Lecture: “Cross Examination” Jen Larson and Jason Baldwin

- I. Goals of CX
 - a. Put yourself in a better position
 - b. Simplify arguments
 - c. Set burdens
 - d. Introduce the tone of the argument you are going to pose
 - e. First impressions are important to the judge
 - f. Clarify unclear aspects of the case
 - g. Stump your opponent
 - h. Mitigate evidence and statistics
- II. As the “Asker”
 - a. Ask confidently
 - b. Know your case
 - c. Use all your CX time
 - i. If you can’t think of questions, use: “Why does this matter? Why is it true?”
 - d. Control your CX
- III. As the “Askee”
 - a. Defend your position
 - b. Be clear, don’t purposely be confusing
 - c. Respond confidently
 - d. Don’t fall for hypothetical analogies
 - i. Think about if the example is relevant
 - e. If the asker demands ‘yes’ or ‘no’, you don’t have to answer Y or N
 - f. Be courteous
 - g. Don’t try to waste the opponents’ time
 - h. Don’t ask counterquestions
 - i. If you get cut off, ask that you be allowed to finish your answer
- IV. Strategy
 - a. Find the underlying principle of the premise
 - i. Then find a negative effect of the underlying principle
 - ii. Don’t ask the clinching question in CX, point it out in rebuttal
 - b. Find an underlying assumption
 - c. Do not squander what you did in CX so bring it up in rebuttal