

CAR ACCIDENT DEPOSITION TIPS

Refresh Your Memory

One of the most basic and important steps car accident victims should take to prepare for a deposition is to refresh their memory as to how and under what circumstances the accident took place. This can involve looking at pictures, reading the police report, talking to eyewitnesses or passengers, or simply going over the accident in their mind.



Anticipate the Questions Asked

While no two car accidents are the same, there are issues that tend to pop up again and again in car accident litigation. For this reason, most lawyers and law firms have developed a set of standard questions they ask car accident victims. If you've retained an experienced lawyer, he or she can go over the standard car accident deposition questions so you'll know what to expect and can be prepared ahead of time to answer these questions.



Go Over Any Prior Statements

In many cases, car accident victims who are being deposed have already responded to written questions called interrogatories or made verbal statements to law enforcement or insurance companies investigating the accident. The attorney conducting the deposition will likely be able to access these statements. Because inconsistent statements can cast doubt on the truthfulness of a person's testimony, it is important for car accident victims to thoroughly review their prior statements in order to prevent confusion or mistakes caused by fast-paced or aggressive questioning.



Listen Carefully to the Questions

It is impossible to accurately answer a question that you do not fully understand. For this reason, it is important to make sure you thoroughly understand a question before you begin answering it. If you do not understand a question, ask the person posing the question to rephrase it or clarify what information he or she is seeking. While the questioner may seem annoyed or impatient with requests to clarify what is being asked, it is better to ensure you are answering a question you understand rather than provide information to a question that has not been asked.



Take Your Time before Answering

As a car accident victim who is being deposed, you can often feel like you're being attacked and have no control in the situation. By taking your time between a question being posed and providing an answer, you can control the pace of the deposition and allow your attorney an opportunity to object to questions that are improper. Furthermore, taking your time allows you to gather your thoughts, which can help you avoid saying things that may inappropriately concede facts or indicate liability for the accident.



Do Not Volunteer Information

It is important for car accident victims who are being deposed to refrain from providing more information than is required to answer a question. For example, if a questioner asks where you were going when the accident occurred, simply provide an address rather than explaining the purpose of your visit to that particular location. Relatedly, many people who are being deposed have the desire to answer all of the questions asked, even if they are not sure of the answer. If you do not know the answer to a question, simply state that you do not know.



Remember to Stay Calm

The majority of attorneys who conduct depositions on behalf of insurance companies are polite and professional. That being said, they are required to represent the interests of their client and may take a sarcastic tone or make it clear through their facial expressions that they do not believe a particular piece of testimony. In addition, some questions may be phrased in such a way so as to indicate that any disagreement with the premise contained in the question would be viewed as a lie.

