

Gaila M. Viana



CIVIL DEPOSITIONS

Sworn testimony (direct and cross exam)



PURPOSE OF A DEPOSITION

To gather information

To perpetuate testimony

To facilitate settlement

To prepare dispositive motions



INFORMATION GATHERING

Discovery process

- Interrogatories

- Requests for documents

- Requests for admissions

- Non-party subpoenas & depositions

- Requests for mental & physical examinations



FACILITATING SETTLEMENT

Evaluate the witnesses

Open lines of communication

Punish the witness



THE PLAYERS

Deposing attorney

Deponent

Defending attorney

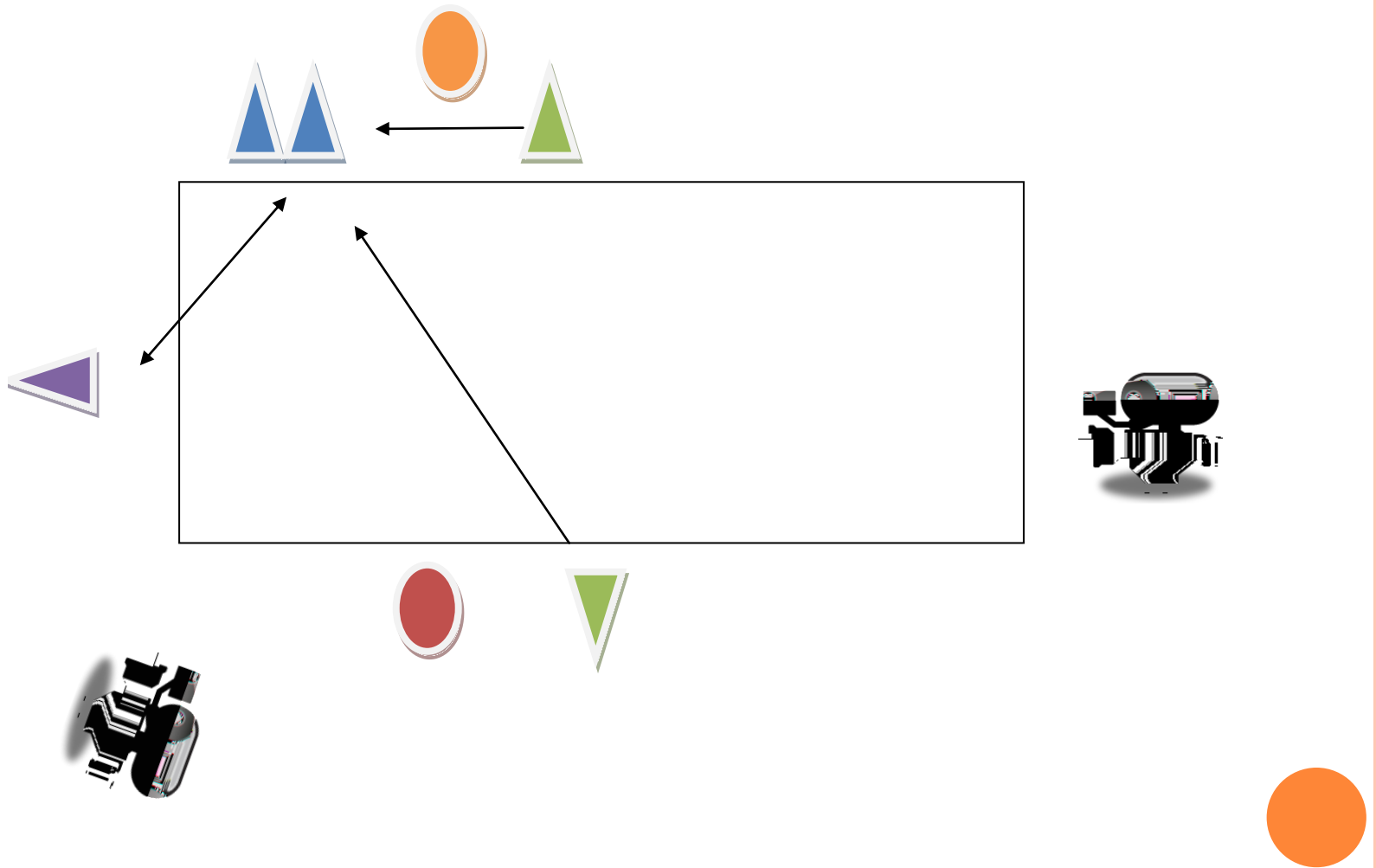
Court reporter

Interpreter

Others



A SET UP



THE PROCESS

In the beginning

Stipulations

Reading and signing

Errata sheets

Set up and commitments



THE DISCOURSE OF DEPOSITIONS

Open Questioning Phase

The Clarification Phase

Closing Off Phase



THE OPEN PHASE

Tell me what you were doing before the accident?

What were you looking at?

What did you see?

What was traffic like?

Describe the intersection for me.

When did you first see the plaintiff?

Tell me what happened after you saw the plaintiff?



THE CLOSING OFF PHASE

Anything else?

Anything else?

Anything else?

Anything else?

Anything else?

Anything else?

Anything else?



THE DEPOSITION INTERPRETER

Proceedings interpreter role and function

Officer of the court overlay

Court interpreter code of conduct

Protocol issues same as for court

Suggest video taping the interpretation



THE MONITOR INTERPRETER

Definition

Privilege

Monitoring

Preparation

Process





MARIE CENTER ON EXCELLENCE IN LEGAL INTERPRETING.

More in-depth studies in legal interpreting?

Legal Interpreter Training Program

18 month 4 course program for a certificate or degree credit.

Archived sessions: <http://www.unco.edu/marie/>

Left column navigation to Webinars

CEUs – Carolyn White at

carolyn.white@unco.edu

Thank you and good day.

