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5 Tips for Testifying at Your Trial

During the trial or at a deposition, you may be called upon to testify about your accident claim. You are generally the key witness in your lawsuit. So it is important that you avoid the many pitfalls for those inexperienced in testifying and answering questions posed by opposing counsel:



- 1. Take Your Time. Remember that it is not a race to answer questions. Take your time, think carefully about the question, and even request a break if you need it.
- 2. Think About Posture. Your posture and body language says a lot about you. Think about how you sit and the gestures you give off. In addition, you should dress appropriately.
- 3. Practice. Your attorney should prep you on the questions you will face. There should be very few questions coming from far left field. Ideally, nothing will come as a surprise to you.

How to Minimize an Independent Medical Exam

One of the biggest misnomers in a personal injury claim is the use of an "independent" medical examination. These examinations are typically requested by insurance companies and are usually far from "independent." Instead, these examinations may be conducted by corporate supporters whose goal is to prevent you from collecting.



The defense would like to paint the use of these examiners as neutral. However, the truth is usually the opposite. Steps your attorney can take to minimize the impact of these examiners include:

- 1. **Having Your Own Experts.** You can have your examiners question the findings of the "independent" examiner.
- 2. **Documenting Your Injury.** You should have medical documentation of your injuries.
- 3. **Reducing Demand.** Oftentimes, insurance companies will require the independent medical examination if your claim is over a certain amount. In some cases, you may want to lower your demand to avoid the examination.

How to Challenge an Unfavorable Police Report

The police report may be a key piece of evidence in your car accident claim. Unfortunately, erroneous and sloppily-written police reports can be especially dangerous to your claim. Common ways that you may challenge an unfavorable police report include:



- 1. Challenge the Police Officer. You can challenge the report based on the police officer not eye-witnessing the accident or not being experienced in evaluating accidents.
- 2. Hire an Investigator. The testimony of your expert witnesses may outweigh what the police officer reports.
- 3. Talk to the Police Officer. If your attorney meets with the officer, the lawyer may gain valuable information that is inconsistent with what is written in the report.
- 4. Cross-Examine the Police Officer. Your attorney can challenge the officer in court by questioning his reliability and recollection of the accident. Oftentimes, the officer will not appear making his report unreliable.

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