

Deposition Prep Checklist

A working reference for expert witnesses - myexpertpractice.com

EVERY DEPOSITION

☐ **Reread your own report cold**

Several days before the deposition, not the morning of - read it as if you were opposing counsel looking for a weak sentence, an unsupported jump in the methodology, or a number that doesn't reconcile with your file.

☐ **Reread the opposing expert's report**

If one exists, identify exactly where your opinions diverge and why, so you're not improvising that comparison for the first time on the record.

☐ **Pull your file and confirm consistency**

Check your invoice, correspondence, and any prior drafts against the opinion you're about to give under oath. Anything that looks like your position shifted for reasons other than the evidence is a target.

☐ **Review your CV for open questions**

Look for anything opposing counsel could raise - lapsed certifications, gaps, or prior testimony in other cases that touched similar issues.

☐ **Practice your weakest points, not just your strongest**

Run a mock Q&A with retaining counsel focused on where your opinion is most exposed. That's where cross-examination will actually go.

☐ **Know where your prior testimony could diverge**

If you've testified before, opposing counsel has likely read those transcripts. Know in advance whether an earlier position could be read as inconsistent with this one.

☐ **Confirm logistics the day before**

Location, format, and exhibits - confirmed the day before the deposition, not scrambled the morning of.

IF REMOTE OR VIDEO

☐ **Run a full technology check at least 24 hours ahead**

Use the exact device, connection, and platform you'll actually testify from - not a different laptop tested weeks earlier. Confirm audio, video, screen sharing, and exhibit viewing all work together.

☐ **Check your lighting and background**

Video depositions are frequently recorded and can be played to a jury later if you become unavailable to testify live. Treat the frame behind you like a courtroom appearance, not a casual video call.

Deposition Prep Checklist (continued)

☐ **Confirm how exhibits will be shared on screen**

Know this before the deposition starts. Fumbling with a shared-screen viewer mid-testimony reads as unpreparedness even when the substance of your answer is solid.

☐ **Be deliberate with pacing and eye contact**

A pause that reads as thoughtful in person can read as evasive over video. Look at the camera, not the screen, when you answer.

COMMON MISTAKES TO WATCH FOR

☐ **Don't assume you'll stay composed under pressure**

Litigation consultants running mock depositions consistently find that witnesses who insist they'd never get frustrated or argumentative do exactly that once real pressure hits. Assume you're not the exception.

☐ **Answer the question asked - don't volunteer more**

Over-explaining hands opposing counsel material they didn't request and often didn't know to ask for.

☐ **Concede fair points instead of arguing them**

Refusing to concede anything, even something reasonable, shifts you from expert to advocate - and that shift is exactly what undermines your credibility.

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