

LEXISNEXIS PRACTICE GUIDE

Pennsylvania Civil Trial Practice

2025 Edition

HONORABLE DANIEL J. ANDERS
BOBBY OCHOA III, ESQUIRE



owing Opening

directed verdict may
s is not permitted in
at a trial court may
l or written motion of
742, 746 (Pa. 2002)
t's decision to grant
inary of *St. Charles*
rior Court improperly
Inc., 2012 Phila. Ct.
mary judgment after
ntz v. *Millis Transfer*
§ 185 (2001) (denying
se counsel during his
ssion of liability, as
statement").

Chapter 4

DIRECT EXAMINATION OF WITNESSES

Wesley R. Payne, IV

White and Williams, LLP

SYNOPSIS

PART I: STRATEGY

- § 4.01 Scope
- § 4.02 Objective and Strategy

PART II: SELECTING WITNESSES FOR DIRECT EXAMINATION

- § 4.03 CHECKLIST: Selecting Witnesses for Direct Examination
- § 4.04 Identifying Preliminary Considerations in Selecting Witnesses
- § 4.05 Beginning Witness Selection at Outset of Client Representation
- § 4.06 Working with Client to Prioritize Witnesses to Call
 - [1] Interviewing Witnesses
 - [2] Avoiding Contact with Represented Persons
 - [3] Avoiding Deception in Contacting Unrepresented Persons
 - [4] Refraining from Contact with Treating Physicians
 - [5] Paring Down the Witness List
- § 4.07 Filing Witness Lists and Preparing for Examinations Prior to Deadlines
- § 4.08 Using the Complaint or Answer and Elements of Claims as Guide for Selection of Witnesses
- § 4.09 Using Civil Discovery Tools to Identify and Evaluate Possible Fact Witnesses for Trial
- § 4.10 Considering Whether to Present Character Witnesses at Trial

PART III: PREPARING WITNESSES TO TESTIFY

- § 4.11 CHECKLIST: Preparing Witnesses to Testify