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Masters in Litigation: Irving Younger's Ten Commandments of Cross-Examination

05/20/25 Livestream | 8:45am–4:45pm

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LIVESTREAM 05/20/25

Masters in Litigation: Irving Younger's Ten Commandments of Cross-Examination

Cosponsored by the Litigation Section of the State Bar of Michigan



Speaker

Stephen D. Easton
The Professional Education Group,
Burnsville, MN

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Become an Expert at Cross-Examination

CLE: 6 | MCJE: 6 | Level: Intermediate

Effective cross-examination is a critical skill for litigators. Weaving almost 50 video clips from Irving Younger's classic *Credibility & Cross-Examination: Including the 10 Commandments of Cross-Examination* into a contemporary, trial-centered presentation, Stephen D. Easton examines the philosophy, psychology, and physiology of credibility.

Discover the modern tools for preparing a witness to be credible and gain skills that every lawyer must master to expose an adversary's lack of credibility.

You will be able to:

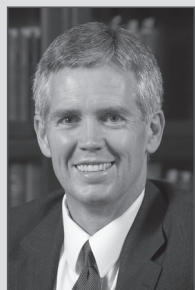
- Distinguish between what can and can't be asked in cross-examination
- Formulate short cross-exam questions using plain English
- Control witness testimony to avoid lengthy explanations
- Identify lawyer behaviors that undermine a juror's trust
- Implement techniques to successfully attack witness credibility

Section Members Save

Members of the Litigation Section of the State Bar of Michigan save \$20 on this seminar. If you're not already a section member, it's only \$25 to join. Be part of a dynamic community of more than 2,400 Michigan litigators.

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Stephen D. Easton

The Professional Education Group, *Burnsville, MN*

Stephen D. Easton is a trial lawyer and recipient of the Richard S. Jacobson Award for Excellence in Teaching Trial Advocacy from the Pound Civil Justice Institute. He is a former law school professor, dean, university president, law firm partner, and U.S. attorney for the District of North Dakota.

Schedule Please note: This seminar will not be recorded.

- 8:45am** Welcome and Section Activity Update
Hear from the current chair of the Litigation Section of the State Bar of Michigan.
Anthony J. Kochis, Wolfson Bolton Kochis PLLC, *Tray*
- 9:00am** Preliminary Thoughts on Cross-Examination
Terminology; three types of cross-examination; required elements for successful cross-examination.
- 9:40am** Evidence Law Regarding Impeaching and Accrediting
The law of impeachment; what you can ask about in cross-examination; competence factors; special modes of discrediting; reputation for veracity; the law of accrediting; rebuilding credibility.
- 10:10am** Break
- 10:20pm** Younger's Ten Commandments of Cross-Examination (Part 1)
Be brief—don't just tell them—show them; ask short questions using plain words—one fact per question; ask leading questions—write questions that must be answered yes; ask only questions to which you already know the answer and be ready to “prove up”; don't let the witness merely repeat direct testimony—set the trap before springing it.
- 10:10am** Break
- 11:30am** Younger's Ten Commandments of Cross-Examination (Part 2)
Don't let the witness explain—secure your right to control the witness; listen to the witness's answer—record important testimony in the witness's own words; don't quarrel with the witness—do not improve the witness's prior statement; avoid the “one question too many”—stay well clear of the door; save argument for summation—resist temptation to wrap your cross into a neat package.
- 12:30pm** Lunch on Your Own
- 1:30pm** Attorney Credibility
Understanding and overcoming jurors' mistrust of lawyers; being careful with your claims; admitting the weaknesses in your case; fighting battles you can win; the full cost of objecting; managing witnesses; assessing risks carefully; being careful with your promises; showing pride in your client.
- 3:00pm** Break
- 3:15pm** Final Arguments: Attacking Witness Credibility
Arguing fact and/or expert witness credibility.