

DOCUMENT 11

COMMON MISTAKES THAT CAUSE PEOPLE TO LOSE CASES

WHY THIS DOCUMENT EXISTS

Most people do not lose because they lack passion. They lose because they misunderstand the process. This document identifies common mistakes and explains how the Liberty Dialogues seeks to avoid them.

MISTAKE #1 – REACTING INSTEAD OF PREPARING

Many people begin defending themselves immediately without understanding the allegations, evidence, or burden of proof. Preparation should come before reaction.

MISTAKE #2 – ARGUING WITH THE JUDGE

A courtroom is not won by arguing with the judge. Preserve issues respectfully and remain focused on the record.

MISTAKE #3 – ARGUING WITH WITNESSES

Cross examination is for questions, not speeches. Let the answers expose weaknesses rather than your opinions.

MISTAKE #4 – FORGETTING THE BURDEN OF PROOF

The government bears the burden. Many defendants inadvertently assume that burden themselves by attempting to prove innocence.

MISTAKE #5 – FAILING TO PRESERVE ISSUES

If an issue matters, preserve it. If it is not preserved, it may be unavailable later regardless of merit.

MISTAKE #6 – BELIEVING TITLES EQUAL CREDIBILITY

Jurors, judges, lawyers, officers, and witnesses all occupy roles. Credibility should be based on evidence and performance, not titles alone.

MISTAKE #7 – ALLOWING ASSUMPTIONS TO REPLACE FACTS

Assumptions often appear persuasive because they are familiar. The Liberty Dialogues teaches examination rather than acceptance.

MISTAKE #8 – BECOMING EMOTIONAL

Emotion may be understandable, but it rarely improves performance. Calmness, discipline, and preparation are more effective.

LD APPLICATION

Authority. Jurisdiction. Status. Standing. Obligation. Enforcement. The Liberty Dialogues sequence encourages structure before conclusion and proof before assumption.

FINAL PRINCIPLE

The purpose of this package is not merely to provide forms. It is to help the student understand the process well enough to avoid common mistakes that repeatedly harm litigants.