

DOCUMENT 14

WHAT IF THINGS GO WRONG?

PURPOSE

Most people prepare only for success. This document prepares you for adversity. The purpose is to maintain structure and composure when the case does not proceed as expected.

JUDGE APPEARS HOSTILE

Do not become hostile in return. Response: 'Yes, Your Honor.' Preserve issues later if necessary. Credibility matters.

PROSECUTOR APPEARS AGGRESSIVE

Do not match aggression with aggression. Continue focusing on facts, burden of proof, and record preservation.

YOUR MOTION IS DENIED

Many motions are denied. A denial is not the end of the case. Preserve the issue. Continue the process. Prepare for appeal if necessary.

QUESTIONING IS LIMITED

If the Court limits voir dire, cross examination, or argument: 'Yes, Your Honor.' Continue within the limits imposed. Preserve issues respectfully.

EVIDENCE IS EXCLUDED

Do not panic. Many cases proceed with evidentiary rulings that parties dislike. Preserve the issue and adapt.

SURPRISE TESTIMONY

Take notes. Do not interrupt unnecessarily. Adjust cross examination accordingly.

YOU BELIEVE THE JURY IS CONFUSED

Use closing argument to simplify. Jurors often remember simple themes better than complicated explanations.

YOU LOSE THE CASE

Remain calm. Review the record. Preserve issues. Follow the post-trial and appellate sequence included in this package.

EMOTIONAL CONTROL

The greatest danger is often emotional reaction. Anger rarely improves a case. Preparation and discipline usually do.

LD APPLICATION

The Liberty Dialogues teaches disciplined examination rather than emotional reaction. That principle becomes most important when the process becomes uncomfortable.

FINAL PRINCIPLE

The objective is not perfection. The objective is persistence, structure, and preservation of the record.