



Direct and Cross-Examination





Lesson Objective

During an Administrative Law Judge (ALJ) hearing, an attorney's main goal is to elicit specific information from the witness upon direct examination and cross-examination.

After completing this lesson, you will be able to identify the actions and goals of the both the entity's and Government's attorney during an ALJ hearing.



Map



Menu



Resources



Glossary



Help



Exit

2 of 8



Back



Next



Goals of Government Attorney

On direct examination, the Government's attorney will ask a series of questions to allow the surveyor to:

- Clearly, effectively, and efficiently present the facts of the case
- Introduce and discuss exhibits
- Explain how and why things did or did not happen

Remember, the focus of direct examination is on the surveyor. The desired end result depends on the content and manner of the surveyor's testimony as well as the credibility of the surveyor as a witness.



Map



Menu



Resources



Glossary



Help



Exit

3 of 8



Back



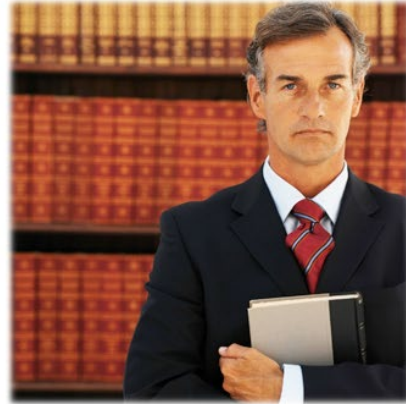
Next



Goals of Opposing Attorney

On cross-examination, the entity's attorney has two goals:

- Elicit favorable testimony by prompting the surveyor to agree to certain facts that support the entity's case
- Discredit the surveyor by questioning his/her integrity





Possible Effects

During the cross-examination, the surveyor's testimony could result in two possible effects:

- If the testimony is not harmful to the entity's case, or if questioning the surveyor further will prove fruitless or counterproductive, the attorney may either waive cross-examination or ask a few superficial questions.
- If the testimony is damaging, the entity's attorney will try to imply that the surveyor is dishonest and uninformed. The attorney will do this by prompting the surveyor to make comments that the attorney will argue are not completely true.



Map



Menu



Resources



Glossary



Help



Exit

5 of 8



Back



Next



Knowledge Check

Read the statement below. What is the goal of the entity's attorney?

"Although the patient complained that the physician did not listen to all of her symptoms, 15 minutes for an exam is plenty of time. Wouldn't you agree?"

- a. Imply that you are dishonest
- b. Introduce an exhibit
- c. Elicit favorable testimony to support the entity's case
- d. Discredit your previous statements

Submit



Map



Menu



Resources



Glossary



Help



Exit

6 of 8



Back



Next



Knowledge Check

Read the statement below. What is the goal of the entity's attorney?

"Although the patient complained that the physician did not listen to all of her symptoms, 15 minutes for an exam is plenty of time. Wouldn't you agree?"

- a. Imply that you are dishonest
- b. Introduce an exhibit
- c. Elicit favorable testimony to support the entity's case
- d. Discredit your previous statements

Submit

Correct. The entity's attorney is attempting to elicit favorable testimony to support the entity's case.



Map



Menu



Resources



Glossary



Help



Exit

6 of 8



Back



Next



Knowledge Check

Read the statement below. What is the goal of the entity's attorney?

"Although the patient complained that the physician did not listen to all of her symptoms, 15 minutes for an exam is plenty of time. Wouldn't you agree?"

- a. Imply that you are dishonest
- b. Introduce an exhibit
- c. Elicit favorable testimony to support the entity's case
- d. Discredit your previous statements

Submit

Incorrect. The entity's attorney is attempting to elicit favorable testimony to support the entity's case during the cross-examination portion of the hearing. The attorney is not trying to discredit previous statements, imply dishonesty, or introduce an exhibit.



Map



Menu



Resources



Glossary



Help



Exit

6 of 8



Back



Next




Key Points


The key points to remember from this lesson include:

- The Government and entity will each be represented by an attorney who will ask you questions during a hearing.
- Each of these attorneys will have goals:
 - The entity's attorney will try to discredit you and may even try to force you to agree to facts that only support the entity's case.
 - The Government's attorney will ask questions that allow you to clearly present the facts, introduce exhibits, and explain how particular events happened.
- By understanding each attorney's motives and goals, you will be able to answer questions calmly and effectively.

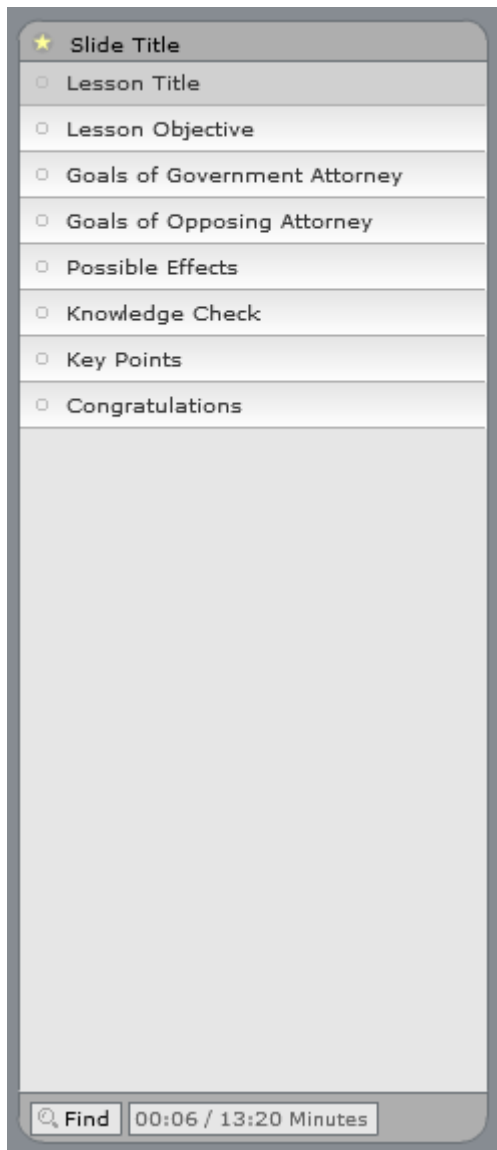


Congratulations!

You have just completed this lesson. To continue within this module, select the Menu button  located on the bottom of your screen. Then, select the next lesson in the series.

To complete this course at a later time, return to the course menu area using the Exit button  at the bottom of your screen. You can then log out of the course.

Map Menu Resources Glossary Help Exit 8 of 8 Back



Map page 1 of 1