

Family Law Education Reform Project

William Mitchell Deposition Evaluation

OVERVIEW

This document is an evaluation for a deposition exercise.

EXPLANATION AND COMMENTS

This evaluation may be used to assess students' performances in a deposition exercise. It may be distributed to students in the form of feedback, used to grade each student's performance, or both.

ABOUT THE AUTHOR

Contributed by the Faculty of:
William Mitchell College of Law
St. Paul, Minnesota

The academic program at the William Mitchell College of Law is founded on legal theory and practical learning, professors who are both scholars and legal practitioners, and a student body that includes career professionals and recent college graduates.

The College of Law places an emphasis on practical lawyering skills by fusing together the curriculum and philosophy of teaching. From writing and trial advocacy program to their clinic program, the curriculum combines skills training with a focus on ethics and legal theory, preparing each student to be a powerful advocate and counselor to their clients.

**DEPOSING A FACT WITNESS
EVALUATION FORM**

William Mitchell College of Law (Advocacy)

INSTRUCTOR: _____ STUDENT: _____

Absent: _____ Late: _____ (# of Min. _____) Left Early: _____ (# of Min. _____)
 Student unprepared as opposing lawyer: _____ Student unprepared as witness: _____

DEPOSITION

Instructors: Please circle the appropriate score for each exercise vector using 10 points as the high score.

A. Scope of Questions	1	2	3	4	5	6	7	8	9	10
Who, what, when, where, why type questions										
Understandable and not confusing										
B. Probing for Information	1	2	3	4	5	6	7	8	9	10
Sought specific, detailed information										
Insisted on responsive answers										
Explored factual basis of responses										
C. Follow-up Questions	1	2	3	4	5	6	7	8	9	10
Listened to responses										
Asked appropriate follow-up questions										
Obtained closure on topic										
D. Pace and Control	1	2	3	4	5	6	7	8	9	10
Used time effectively										
Controlled witness where appropriate										
E. Preparation and Mechanics	1	2	3	4	5	6	7	8	9	10
Well prepared										
Understood deposition procedures										
Introduced exhibit properly										
F. Proper Demeanor	1	2	3	4	5	6	7	8	9	10
Avoided distracting verbal or nonverbal habits										
Maintained accurate record										
Related appropriately with opposing counsel										

Total _____/60

SUGGESTIONS FOR IMPROVEMENT

WRITTEN WORK

Instructors: Please circle the appropriate score for each written work vector using 5 points as the high score.

A. Sufficiently complete and thorough outline of topics and questions	1	2	3	4	5
B. Properly organized and structured	1	2	3	4	5
C. Appropriate for use and appropriately used during deposition	1	2	3	4	5

Total _____/15

SUGGESTIONS FOR IMPROVEMENT
