

EJJ AND CERTIFICATION TESTIFYING IN COURT

Best Practices and Survival Tips



AVOIDANCE IS FUTILE



Establish your qualifications

```
graph TD; A[Establish your qualifications] --> B[Education and training]; B --> C[Experience on the job- how many years have you been an agent?]; C --> D[Experience with these reports- How many EJJ/Cert reports have you done. (don't worry if this is your first, it will only be your first once)];
```

Education and training

Experience on the job- how many years have you been an agent?

Experience with these reports- How many EJJ/Cert reports have you done. (don't worry if this is your first, it will only be your first once)

GOALS FOR TESTIFYING

TRICKS TO LESSEN THE PAIN OF TESTIFYING

Writing a solid report based on facts with referenced documents

- Make a copy of your report that you can mark up for on the stand. Color code each section and mark the related documents utilized for that section with the same color.
- Number each document in each color section with the same color tab and numerical citation so that you can quickly find the document if needed on the stand.
- Re-read your entire report especially the Public Safety Factors and your reasoning several times before Court.

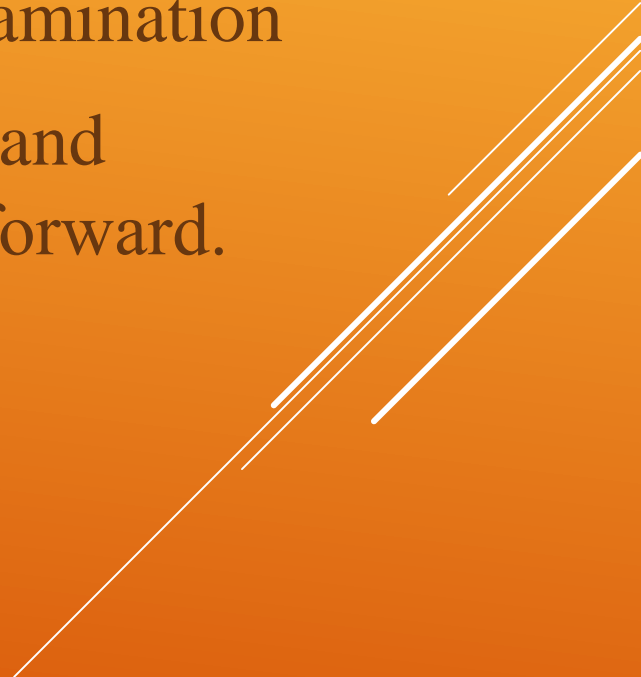
Demonstrate your knowledge

- Be organized- know your report and supporting documents
- If you have supervised this juvenile prior to the EJJ/Cert case you have first hand knowledge of them, make sure the Court is aware of the this via questioning by the attorneys.
- Make sure you understand the EJJ/Certification criteria (speak to the attorneys on the case for clarification)
- Be able to justify your opinion using data that is documented and verifiable.

Communicate in a clear manner

- **Shaky voice when nervous?** If your voice begins to shake when testifying, tighten your stomach (diaphragm), and lower the octave of your voice.
- **Be organized.** Shuffling through papers will only increase your nerves. Make an outline, use a color code system whatever works best for you.
- **Listen to the questions, all of them.** Do not fall for the pattern attorneys set up with “yes” questions over and over....and then they zing you.
- **Don't get angry or defensive.** This is an attorneys job, it's not personal.

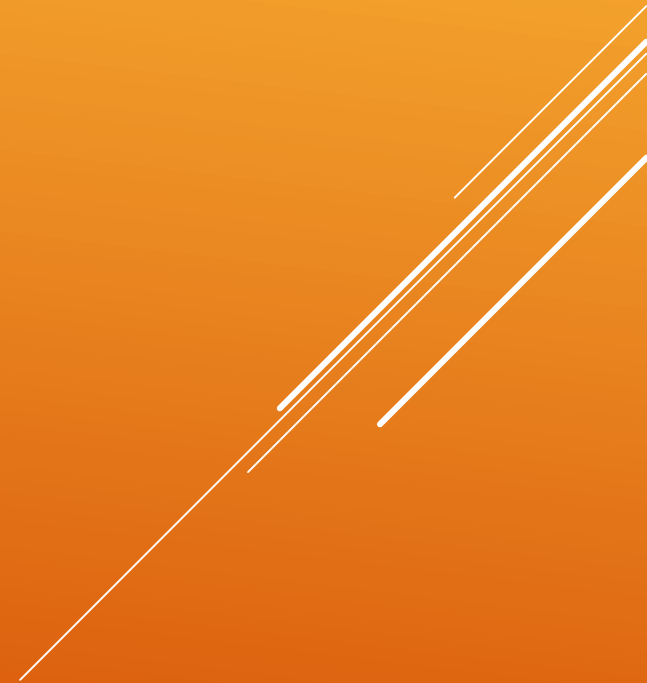
Speak to the attorney who is calling you as a witness

- Find out what they will most likely be asking you
 - Ask them about what they think will be areas of cross-examination
 - Remember everyone is nervous the first time they testify and everyone makes a mistake....learn from them and move forward.
- 
- A decorative graphic consisting of several parallel white lines of varying lengths, slanted diagonally from the bottom right towards the top right, located in the lower right quadrant of the slide.

Be prepared to justify your reasoning

- Why did you weigh each safety factor in favor or against Certification
- Why did you say that there are no options or still options available to the juvenile
- What programs did you speak to? Would they take the juvenile? Why or why not?
- If you said that there are options available- why?
- What do those programs offer?
- Has the juvenile had those options offered to them before in other programming?

First Time Testifying.....



After a few times on the stand.....

