

## TIPS FOR WITNESSES

**Remember**, you do not have to discuss this case with anyone unless you want to. If you are unsure about who is speaking to you, contact the Deputy District Attorney who is handling your case at 775/751-7080.

**Review the case** in your mind a day or two before your court date. Visualizing the incident will help you recall details you may have forgotten.

**Listen carefully** to each question and wait until the question is finished before giving an answer.

**Relax; tell the truth** as best as you can remember it.

**Take your time.** Pauses before your answers indicate that you are taking the question seriously and thinking before speaking. Remember to breathe deeply to help relax.

**Speak loudly and clearly.** Your testimony is useless unless you are heard.

**Do not volunteer information.** You only need to answer the questions asked of you.

After you are asked a question and you hear an attorney say "Objection", **do not answer until you are told to answer.**

**If you do not understand a question**, it is alright to ask that the question be repeated or clarified.

**If you do not know an answer**, say so. Do not give attorneys answers you think they want.

**If you do not remember**, say you don't remember - not that you do not know.

**Do not guess** if you are not sure, unless you are instructed to give an estimate.

**If you make mistakes in answering**, correct yourself as soon as you realize your mistake.

**If you feel like crying**, you may; this is a natural reaction.

**Do not lose your temper**, even if you feel angered by the questions. Stay calm even if the attorney seems rude or makes you angry. Do not argue with the attorney.

**Do not discuss the case** in halls, restrooms, or anywhere you could be overheard. Your behavior out of the courtroom is as important as your behavior in the courtroom.

**Proper attire is required in court.** No shorts or tank tops. Shoes must be worn. You may want to bring a sweater or jacket in the event the courtroom is cold.

**If you have small children**, please make arrangements for child care before coming to court.

**Bring a book or magazine** to read in case there is a wait prior to being called to testify.

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"In all criminal prosecutions, the accused shall enjoy the right ... to be confronted with  
the witnesses against him."

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**Sixth Amendment to the United States Constitution**  
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You have been subpoenaed as a witness! A subpoena is not a request; it is an order directing you to be present at the time and place stated. Your attendance at court is required by law in order to insure that both the accused and the prosecution have a fair and impartial trial or hearing. As a witness, you have an important job to do - important not only to us and to you, but most important, to the American system of justice. We ask -- and our American system of criminal justice demands - only that you tell the truth as clearly as possible. Appearing as a witness is an obligation which you can discharge with a conviction that you are making a valuable contribution to the society in which you live.

You may have to wait before taking the witness stand. It is possible that your presence in court will be required on more than one occasion. We ask for your patience and understanding.

A phone number is provided for you to call to determine if your case will go forward as planned. Please confirm your court date by calling 775/751-7080 at least 12 hours before the appointed time. **FAILURE TO DO SO MAY RESULT IN AN UNNECESSARY APPEARANCE ON YOUR PART.**

Please check in at the District Attorney's Office no later than 15 minutes before the appointed time.

IF YOU HAVE BEEN SUBPOENAED FOR A PRELIMINARY HEARING: You may wish to know that a preliminary hearing is not a trial. There will be attorneys for both sides present and the hearing will be presided over by a Justice of the Peace, but there will be no jury. A preliminary hearing is held in a criminal case so that the Justice may determine whether there is legal and sufficient cause to hold a person for trial in District Court.

IF YOU HAVE BEEN SUBPOENAED FOR A TRIAL FOR A MISDEMEANOR: The trial for a misdemeanor will have no jury. The purpose of the trial is to determine whether the accused is guilty or innocent of the crime charged.

If you have any questions after reading this, please call the Deputy District Attorney handling your case, at 775/751-7080.

**PLEASE BRING YOUR SUBPOENA WITH YOU.** To obtain your statutory witness fee, please contact the District Attorney's Office.

WE APPRECIATE YOUR COOPERATION AND THANK YOU IN ADVANCE.

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**COURT ORDER**

**THE COURT HAS ORDERED THAT YOU SHALL NOT DISCUSS YOUR TESTIMONY WITH ANYONE EXCEPT ATTORNEYS AND THEIR INVESTIGATORS. ALSO, YOU SHALL NOT READ, WATCH, OR LISTEN TO ANY REPORT OR COMMENTARY ON THE TRIAL BY ANY PERSON CONNECTED WITH THE TRIAL OR BY ANY MEDIUM OF INFORMATION, INCLUDING WITHOUT LIMITATION, NEWSPAPER, TELEVISION, OR RADIO.**

**FAILURE TO ABIDE BY THIS COURT ORDER WILL RESULT IN THE IMPOSITIONS OF SANCTIONS.**  
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