

IMPEACHMENT PROBLEM 1: MARIE WILLIAMS

Assume that Ms. Williams has testified at trial on direct examination that she was never bitter or angry at Mr. Jackson, and she just wanted the best for him when their relationship terminated.

- (a) For Flinders, conduct a cross-examination and impeachment of Ms. Williams.
- (b) For Mismo, conduct a redirect examination to the extent necessary to rehabilitate.

Note; Because. the. inconsistent. statement. as. written. in. Williams". deposition. is. not. straightforward?you.have.to.read.enough.to.put.the.inconsistent.statement.in.context;

To set up impeachment: (taken.directly.from.her.deposition)

You just testified Arthur Jackson said he was very unhappy at home.

He promised that he was going to leave his wife.

You realized that he never intended to leave his wife.

CONFIRM the lie told at trial:

You testified today that when you realized this that you were never angry with Mr. Jackson.

Impeachment:

Isn't it true that you have previously testified under oath that you were really really angry with Mr. Jackson?

If she answers "no", CREDIT her deposition.

CONFRONT her with her prior inconsistent statement at p. 11, lines 16 – 22.