

Note: The following checklist is excerpted with permission from William R. Wick et al., “Presenting Evidence and Examining Witnesses,” chapter 5 of Eric L. Andrews et al., [Wisconsin Trial Practice](#) (3d ed. 2013-14). For a thorough analysis of each step, including applicable cross-references, please see the discussions in that chapter.

Checklist: Deciding Whether to Cross-Examine

- Has the witness’s testimony hurt counsel’s case?
- If so, are there facts available from other witnesses to rebut the damaging testimony?
- Has the witness made statements inconsistent with the testimony?
- Will the witness stand up under cross-examination, or is the witness vulnerable?
- Can the same testimony be obtained from another, more manageable witness?