

AEREN LPO

Deposition Summary

Things To Remember

This document contains vital tips, hints, and suggestions while preparing or evaluating a deposition summary. These are not exhaustive.

Deposition Summary – Things To Remember

Tips to write a high-quality summary

Preparing a good quality summary is an intuitive skill, not susceptible to being taught. However, the below tips will help you in writing a good summary.

1. One has to summarize the statements of deponent but in a narrative form. There is **no need** to keep **restating** his/her name, or **repeating** the word “said” or similar. Use pronouns when there is no risk of confusion, and turn the deponent’s answers into something akin to a story, **compressing and joining together separate statements where possible**.

For example, do not write:

Mr. John said the car was probably a BMW. He was certain it was Black. He said it came through the red light. Mr. John estimated the car’s speed at 90 m.p.h.

Better would be:

The car was black, probably a BMW. It came through the red light at what he estimated to be 90 m.p.h.

2. **Do not refer to the attorney’s questions.** Make them part of the summary of the deponent’s testimony. Combine the question and the answer into a statement.
3. **Stay factual** – remain objective. Do not editorialize, or provide impressions, estimations or suggestions. At times, facts might be unclear from the transcript, or technical jargon is used. In such cases it may be sufficient to use the actual words of the transcript in your summary. It may not be important to you but someone else.
4. **Include all important detail** – dates, names, sequence of events etc. **If in doubt** about something, **put it in**.
5. **Expand acronyms** the first time they occur.
6. **Unnecessary details can be edited out.**
7. **Each heading should relate to a logically discrete topic.** All the text relating to that topic should be kept together in one paragraph. Avoid using separate paragraphs. If you feel the need to start a new paragraph, ask yourself whether you should really be starting a new topic heading.

8. **Topic headings should not exceed a single line.** It should clearly encapsulate the contents of the section that follows. If an exhibit is being addressed, include the exhibit number at the start of the topic heading. Repeat the exhibit number if several topics headings arise from one exhibit.
9. **The ideal length of a summary is 8 to 15 percent of the transcript.** This majorly is influence by the original transcript, the style of the attorney, the witness and the number of objections and interruptions. Do not summarize anything other than what the witness says. Long interruptions can be briefly explained by a short entry such as (discussion about the integrity of the document) etc.
10. **Each topic heading should cover 2-5 pages of the transcript.** This can vary. If a topic logically extends to more than 10 transcript pages, find some way to break it up even if the division is somewhat arbitrary.
11. **Use of quotations** can give an interesting insight into the tone of the deposition. They are also useful so as to make it clear that the words are those of the deponent rather than your own. You might write: "John made it clear he did not think the plans were drawn up in a professional manner." You might convey the tone better by quoting the deponent: 'John thought the plans were "crap".'
12. **Run the spell-checker**, when you are done. Re-read everything you have written, looking for errors the spell-checker doesn't pick up. Finally, re-read it again for grammatical, punctuations and sentence formation, to see that information has been expressed clearly and accurately. There will still be errors; that's why there is a second proof-reader on all summaries.
13. Good luck! But remember that "luck" happens when preparation meets opportunity. This is your opportunity. Make the most of it.

Practice

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