

**Excerpt from the Juvenile Defender Delinquency Notebook:
A Case Preparation System for New Juvenile Defenders**

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FORM F7. WITNESS STATEMENT CHECKLIST

Witness' name: _____
Investigator's name: _____
Address: _____ _____
Telephone number: _____
Address where statement was taken (if different than above): _____ _____
Time: _____ Date of Statement: _____

- Always have an investigator with you when you are interviewing witnesses.
- Show the witness your identification and let her know that you represent the respondent in this case.
- Build rapport with the witness. Explain to the witness that you are there to hear her side of the case.
- Ask the witness to tell you her story. First, let her tell you her story without interruption. Second, ask the witness questions to bring out important details in the case. Then ask her for permission to write a statement. You may want to say something like the following:
What you've told me is really important. I want to make sure that I get it down right. I am afraid that if I just rely on my memory that I may get some important details mixed up. Can I please write down what you've just told me? You can then make sure that I do not make any mistakes.
- When starting the written statement, complete Form F8. Witness Statement Cover Sheet on page 154 (or write something similar in the beginning of the statement you are preparing).
- Next, write the rest of the statement on your notepad:
 - ✓ Write the entire statement from the first person as if you were the witness. Avoid the use of pronouns and quotation marks.
 - ✓ Skip every other line. Write only on one side of each page.
 - ✓ Number every page.
 - ✓ Have the witness initial all corrections and the bottom of every page.
 - ✓ If the witness is making an admission against penal interest, follow the rules of your local jurisdiction to ensure that this document will be admissible at trial.
 - ✓ After you have written the statement, read it aloud to the witness and let her read along as you write.

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FORM F8. WITNESS STATEMENT COVER SHEET

This is the statement of _____,
date of birth _____, taken by _____,
who is working for _____ in the case of
_____.

This statement was taken on _____ at
_____.

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FORM F9. WITNESS STATEMENT END SHEET

I have carefully read and reviewed all _____ pages of this statement. I have made all of the corrections and additions to this statement I have wanted to make. This statement is, to the best of my knowledge, a complete and accurate description of what I observed.

Signed,

Witness Name

Date

Person Taking Statement

Date

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ⁱ See RANDY HERTZ, MARTIN GUGGENHEIM, & ANTHONY AMSTERDAM, *supra* note 13, at 212.

ⁱⁱ See *id.* at 213.

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