



# Coffee Break Training - Fire Investigation Series

## Fire/Arson and Explosion Investigation Curriculum: Preparing for Trial

No. FI-2012-3 February 9, 2012

**Learning Objective:** The student shall be able to explain the key factors necessary to effectively testify in civil and criminal proceedings.

**P**reparing for trial is a key, and often overlooked, aspect of the fire investigator's job. For you to successfully present your investigation and conclusions to the jury requires more than just being prepared. How well you compile and organize your case file affects every aspect of how the case is prosecuted. The demonstrative aids you make—or don't make—can make a big difference in how well the jury understands your testimony. Proper, professional presentation of your credentials lays the foundation of credibility for your words. Your ability to communicate your systematic approach to the fire scene is the key determining factor in whether you survive a *Daubert* challenge. The quality of your pretrial conference with the prosecutor will determine how well-prepared you are for both direct and cross examination. And, your command of the facts, the legal process, and your own demeanor determine how well your trial testimony will go. This module provides guidance in how to complete each of these important pretrial tasks that you can use to effectively discharge your investigative duties.



Trial preparation is an important part of a fire investigator's job.

### Case File

Organizing and reviewing the case file well in advance of a deposition and/or trial is essential for five reasons:

1. Refreshes your memory about the case, which is crucial given the time it takes for most cases to go to trial.
2. Provides you the opportunity to locate any missing paperwork and place it in the file.
3. Allows you to review the case and identify any unresolved issues that must be resolved before trial.
4. Allows you to go over the case with the prosecutor (or other attorney), determining any additional work that must be done and deciding how the evidence will be presented at trial.
5. Provides the prosecutor (or other attorney) with a well-organized roadmap to the case, including potential witnesses and crucial evidence.

### Your Credentials

Before trial, you need to prepare your credentials for the court. In most cases, a résumé is sufficient. If you have published or taught extensively, a curriculum vitae (CV) may be more appropriate because it enables you to list your publications and courses. The résumé or CV tells the court, the attorneys, and the jury who you are. It is the first impression of your expertise and professionalism and, as such, must be properly formatted and presented.

When compiling your résumé or CV:

- Be thorough, accurate, and honest. Do not exaggerate your qualifications, education, or training.
- Be concise and clear.
- Limit your résumé to three pages or less, unless there are extenuating circumstances.
- Spell check and grammar check the document to make sure that there are no typos, misspellings, or punctuation errors.
- Print your résumé or CV cleanly on good quality white paper.
- Solicit feedback from a colleague or a prosecutor.
- Update your résumé or CV as your training, experience, and employment changes.

Additional information on preparing for trial can be located at [www.interfire.org](http://www.interfire.org)

**For archived downloads, go to:**