

Cross-Examinations Research Guide

Overview

This research guide includes information and resources on cross-examination. Cross-examination is the “questioning of a witness at a trial or hearing by the party opposed to the party in whose favor the witness has testified.” (*Black’s Law Dictionary, 11th ed.*) This guide contains both civil and criminal resources. The resources listed below are not exhaustive and may not include the most up-to-date information. It is for information purposes only and should not be construed as legal advice or act as the substitute for legal counsel.

Related Guides: Jury Trials, Evidence, Discovery

Statutes and Codes

Texas Statutes Online www.statutes.capitol.texas.gov

Texas Rules of Evidence

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 104(d) Cross-Examining a Defendant in a Criminal Case
- Rule 611 Mode and Order of Examining Witnesses and Presenting Evidence

Texas Rules of Civil Procedure

<https://www.txcourts.gov/rules-forms/rules-standards/>

- Rule 169(d)(3); Rule 192.2(b)(2); Rule 190.3(b)(2); Rule 199.5(b); Rule 199.5(c); Rule 200.3(b); Rule 265(g)

Code of Criminal Procedure

- Ch. 38 Evidence in Criminal Actions
<https://statutes.capitol.texas.gov/docs/cr/htm/cr.38.htm>

- Ch. 39 Depositions and Discovery
<https://statutes.capitol.texas.gov/Docs/CR/htm/cr.39.htm>

Secondary Resources in Print

Pattern Cross-Examinations REF KF 8920 .S56

O’Connor’s Texas Rules – Civil Trials REF KFT 1729 .A19 O3

- Ch. 8-C § 4.2 Cross-examination
- TRE 405 Methods of Proving Character
- TRE 611 Mode and Order of Examining Witnesses and Presenting Evidence

Texas Civil Trial Guide KFT 1738 .D6

- Vol. 4, Unit 70 Cross-Examination

Texas Courtroom Evidence REF KFT 1740 .H37

- Ch. 17B Cross-Examination

O’Connor’s Texas Rules of Evidence Handbook REF KFT 1740 .T493

- Rule 404 Character Evidence
- Rule 611 Mode and Order of Examining Witnesses and Presenting Evidence

Texas Litigation Guide REF KFT 1730 .T4

- Vol. 6, Ch. 94 Depositions §94.02[8][g] Examining and Cross-Examining Witness
- Vol. 8, Ch. 120A Presentation of Proof
 - §120A.22 Cross-Examination
 - §120A.53 Cross-Examination

Texas Criminal Lawyer’s Handbook REF KFT 1775 .D36

- Vol. 2, §15.20 Confrontation and Cross-Examination

Texas Criminal Practice Guide REF KFT 1775 .T49

- Vol. 3, §73B.02 Cross-Examination
- Vol. 3, §73C.03 Hearsay

Texas DTPA Forms and Practice KFT 1430 .B7

- § 9.18 Cross-Examination

Getting the Whole Truth: Interviewing Techniques for the Lawyer KF 311 .Z34

CLE Materials

Advanced Trial Strategies KFT 1737.A75 S83

- 2024 Ch. 12 Cross Examination (*PDF only*)
- 2022 Ch. 6 Cutting Edge Evidence (*PDF only*)

Advanced Trial Skills for Family Lawyers (*PDF only*)

- 2020 Ch. 8 Cross-Examining Experts in Child Custody: Applying Cross-Examination and Review Models to Evaluators and Evaluations
- 2020 Ch. 14 Preparing Direct & Cross Examination of the Financial Expert

Advanced Criminal Law Course (*PDF only*)

- 2023 Ch. 24 Cross Examination

Advanced Personal Injury Law Course KFT 1397 .P2S7

- 2021 Ch. 6 Trial Persuasion Techniques in Truck Wreck Cases – Section V. Background Work in Preparation for your Cross-Examinations (*PDF only*)

Criminal Law 101 KFT 1761 .S75 C75

- 2020 (no chapter) A Guide to Evidence for Prosecutors and Criminal Defense Lawyers (*PDF only*)

Cross-Examination: A Look at Impeachment Using Prior Inconsistent Statements (Texas State Bar)
<https://www.texasbar.com/AM/Template.cfm?Section=articles&Template=/CM/HTMLDisplay.cfm&ContentID=39080>

A Plan for Cross-Examination (Texas District and County Attorneys Association)
<https://www.tdcaa.com/journal/%EF%BB%BFa-plan-for-cross-examination/>

How Courts Work (American Bar Association)
https://www.americanbar.org/groups/public_education/resources/law_related_education_network/how_courts_work/crossexam/

False Accuracy in Criminal Trials: The Limits and Costs of Cross-Examination (Texas Law Review)
<https://texaslawreview.org/false-accuracy-in-criminal-trials-the-limits-and-costs-of-cross-examination/>

Legal Assistance

Legal Lines – Ask Attorneys simple legal questions (free service)

- Tarrant County LegalLine Sign-up
<https://www.tarrantbar.org/>
- Dallas County LegalLine Sign-up
<https://www.dallasbar.org/index.cfm?pg=legalline>

Tarrant County Bar Association Lawyer Referral Service: 817-336-4101 (\$20 for the first 30 minutes)

Online Resources

I Need to Question an Imposing Witness in a Virtual Hearing (Texas Law Help)
<https://texaslawhelp.org/guide/i-need-to-question-an-opposing-witness-in-a-virtual-hearing>