

Page Headers

Typically, the federal format requires a *centered running header* at the top of each page *during the course* of witness testimony.

Headers help readers keep track of who is on the stand and what examination is in progress and allows them to easily flip through the pages to find the start of an examination.

Each header will contain only *one* examination type on each page. If direct examination ends on a page and cross-examination begins on that same page, the header will reflect the start of the cross-examination on the *next* page. If the entire page contains cross-examination, the header will reflect that. However, in some instances, if you are in direct examination and then cross-examination begins *in the first one-third of the page*, it is perfectly acceptable to then change your header at the top of the page to read CROSS-EXAMINATION.

Note the correct placement of the header in the example below, above the first line of text.

	Smith - Cross	152
1	does not remember when he first saw her.	
2	THE COURT: Sustained. Let's move along, please.	
3	BY MS. MARGOLIS:	
4	Q Mr. Smith, tell us what happened when you first met	

It is important that the header begins on the page where the witness testimony begins, so if cross starts on page 27, your header of Smith - Cross must also begin on page 27.

A header should first appear on the top of the page where the corresponding event is, e.g.,

DIRECT EXAMINATION BY MR. JONES

Headers will proceed through the following general course:

Smith - Direct
Smith - Cross
Smith - Redirect
Smith - Recross
Smith - Further Redirect
Smith - Further Recross

At times, a witness is sworn in, but then there is some colloquy between the judge and an attorney that may last for a few lines or a few pages. Since the header is to appear on the page with the event header, in that case, the header would *not* be on the page where someone is sworn in. While administering the oath is tied to examination because a witness can't be examined until they've sworn or affirmed to tell the truth, these two activities -- swearing in a witness and examining the witness -- are separate activities, and the header follows *the examination*, not the oath.

The header will appear on **each page** until that course of examination is completed. Usually that's immediately followed with the next type of examination such as:

Smith - Redirect

However, if lengthy, pages-long colloquy intervenes between the END of an attorney's examination — "Nothing further, Your Honor" — and the start of opposing counsel's questioning, the header should be removed for those intervening pages (or replaced with a Colloquy header if required by the jurisdiction). Change your header again on the page where you add the next event header, e.g., REDIRECT EXAMINATION BY MR. WILSON.

When removing text from a header, remember that your page numbers are also in the header and if you aren't paying close attention, you could accidentally delete your page numbers as well. Be mindful of this and remove text carefully.

In jury trials, evidentiary testimony CANNOT be taken when the jury is not present to hear it. If the jurors are not present, examination headers need to be interrupted until the jury returns and further evidence is taken. One example of when that may occur is when a jury is dismissed for their lunch break, but the judge and attorneys discuss jury instructions for a half hour before stopping for their own lunch break.

An exception to this rule is when there is some voir dire examination which is conducted outside the hearing of the jury for the purpose of determining whether it is appropriate for the jury to hear. This is used infrequently, but when it does occur, it is so the jury doesn't hear information that may inappropriately influence their decision-making. In that instance, you would have a header such as Tomlinson - Voir Dire even though the jury is not present.

Sometimes several witnesses bear the same last name. You may simply add the current witness' first initial to distinguish them:

R. Smith - Redirect

If that isn't sufficient, such as in the case of two R. Smith family members, use a detail that will distinguish the speakers, such as:

R. E. Smith - Redirect

or

Robert Smith - Redirect

or

R. Smith, Jr. - Redirect

Remember, *never use all capitals for a header*. Only capitalize the first letter of the name and the first letter of the examination as shown in the examples above, unless specifically directed to do so in your state or jurisdiction. And keep it simple. **Do not** add flowing descriptions such as the following:

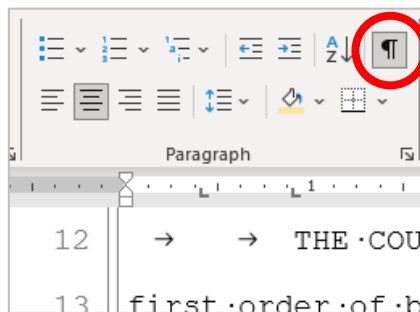
Smith - Redirect - Jury Excused  **NO!**

Using Hidden Menus in MS Word

To change the header in MS Word, you will need to create a new section with the new header. Each section can have different headers, footers, page numbering, et cetera without impacting the sections before it or after it.

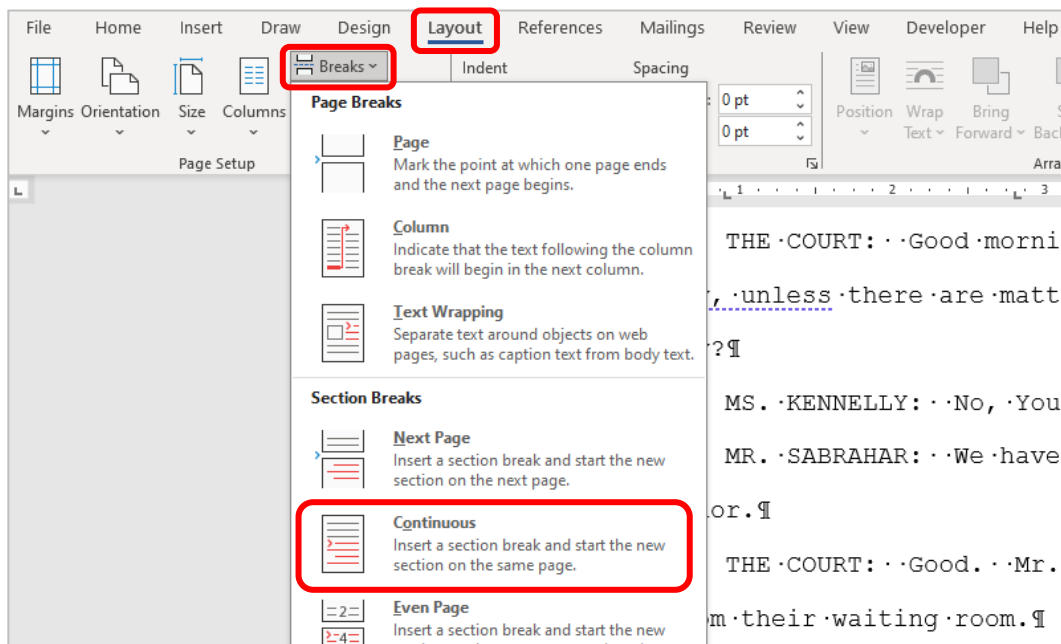
If you're working in a jurisdiction that has chosen to use footers instead of headers to display relevant information, they work in exactly the same way as headers but appear at the bottom of the page instead. You can follow these same instructions for footers.

Before you begin, turn on the hidden codes so you can see clearly what you're doing. On the Toolbar, choose Home, then on the paragraph menu, press the ¶ symbol shown below.



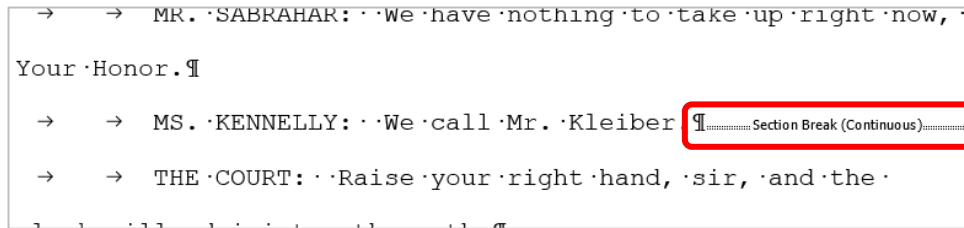
To create a new section, go to the page *before* the page where you want to change the header. Position your cursor at the start of a new paragraph, ideally somewhere between line 15 and 22 so that small changes made to the transcript later, e.g., as you proof, won't impact the page where your section break appears.

On the Toolbar, go to Layout, choose "Breaks," and select "Continuous."

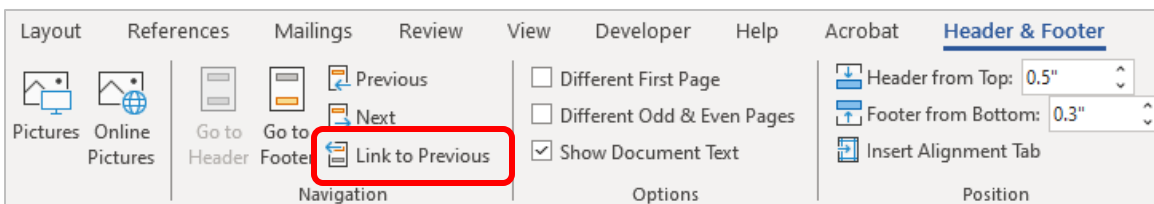
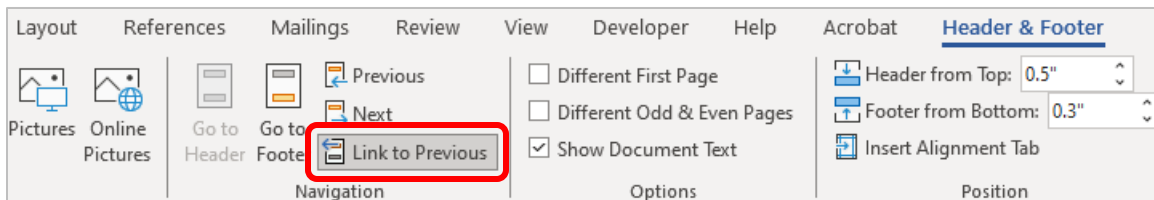


Do not select "next page"; this is for use when you don't want anything on the page after the section break, such as after the title page of a book.

Once you've added the continuous section break, you will be able to see it clearly.



Now you can type into the header. Double-click the header you want to change, then immediately click the "Link to Previous" button to DESELECT it.



The header will be changed on *this page and all subsequent pages* until you change your header again. If you begin typing BEFORE you unclick that "Link to Previous" button, you will UNDO PRIOR HEADERS you have so carefully prepared!

To enter text in a header that is blank except for the page number, make sure you are in insert mode, NOT overtype mode! Place your cursor below the center tab of the header line using your mouse. This is VERY important. If you space or tab to that position, the page number will get messed up. Now you may type your text.

To change to a new header, just type in the new text in insert mode. Be very careful not to delete anything but actual text. Overtyping mode may be used, but there's a danger of overwriting the tab that sets the page number position.

You can emend/correct existing language in an existing header by double-clicking in the header area and over-typing or carefully removing text that already exists.

BEST PRACTICES: Type and proof the entire transcript, and then go back to insert the appropriate headers. Each new header requires a new document section. To insert a new "true" header at the top of a page, be very careful to perform each function in strict order. If not, you will only undo previous headers and become frustrated.

Troubleshooting Broken Headers

It's not just enough to know how to add headers. It's also important to know how to fix them when something goes wrong.

- One of the most common problems is that a header disappears. This is most often because you deleted a section break without realizing it. There are two ways you can prevent this from happening:
 1. Type and/or proof your work with the Show Codes feature [¶] turned on so you can see a section break easily.
 2. Proof your work with Track Changes on so that if you accidentally delete a section break, it will remain in the redline and you can reject the change easily by right-clicking on the deletion; this will return the section break and header to their original places.

If you weren't able to prevent it from happening, just start over, adding your section breaks and changing your headers.

- Another common problem is when you change a header, it changes all the previous headers too. This is because you *forgot to unlink the headers*. Make a habit of checking the previous header after you change a header to make sure it's intact. If it's not, you can immediately "undo" the header (control-z) and start over, remembering to unlink the section from the previous section this time.
- A third common problem is that the header appears on the wrong page. This usually happens because when proofing your work, the section break got moved down or up enough lines that it is no longer on the page before the one where you want the new header. You can turn on the Show Codes feature, delete the section break, and insert it where you want it by right-clicking on the mouse and selecting "Keep Source Formatting."

How to Create Headers in WordPerfect

While most of the examples in the guide show how to use MS Word, AAERT understands that some of you also use WordPerfect. Therefore, we will show you how to set up headers using that software. First, set up your transcript following the Federal Format with a box and your 25 numbered lines ready for type.

At the very beginning of your document, on the first page, open reveal codes and after "open style: Document Style"

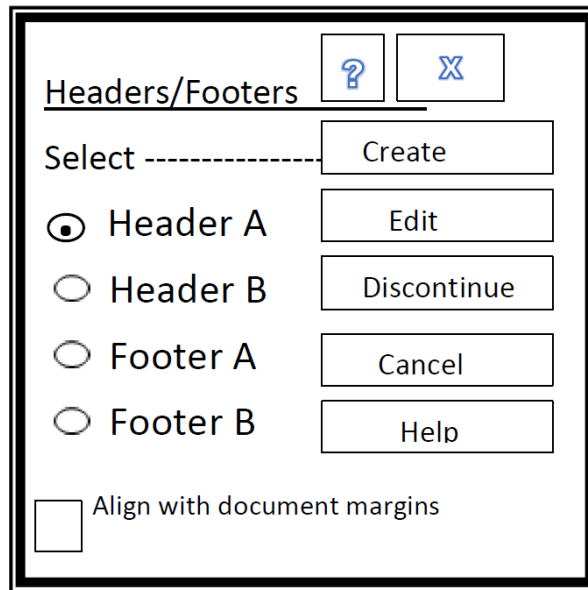
Open Style: Document Style

do the following: Go to the tool bar and select Insert.

 File Edit View Insert Format Table Tools Window Help



Select Header A, then Create.



Change line spacing to 1 (while you're in the header) and make up to 3 returns (this allows for 3 lines of header if necessary). **DO NOT TYPE ANYTHING IN HEADER A.** Hit **Escape**. (Hitting **Save** also works.)

The header has been saved.

To change the header:

- On the page that you want the header to change and anywhere within the document, repeat the above steps to create a header.
- Select **Header A** (or the last header used) and select **Discontinue**. The header will disappear.
- Select **Header B** (or the next header to be used) and then **Create**. Type in your header. Change line spacing to 1 (this is the line spacing for the header) and make up to 3 returns (BE SURE YOU MAKE THE SAME NUMBER OF RETURNS IN HEADER B AS YOU DID IN HEADER A). Hit **Escape** or **Save**.
- Continue alternating Header A and Header B throughout the transcript using the above procedure.

When you are at the last page for headers and the next page doesn't require one:

- Select **Header A** or **Header B** (the last one used) and select **Discontinue**.
- Change line spacing to 1 and make up to 3 returns (BE SURE YOU MAKE THE SAME NUMBER OF RETURNS THAT WERE USED IN THE HEADERS). Hit **Escape**. Leave the header empty. This will allow the headers to be discontinued and leaves the same amount of space at the top of the page.