FORM 1 OF 6

Cognitive Bias Quick-Reference

The six biases, what each looks like in testimony, and the one-line remedy. Keep it in the prep binder.

Witness:	Case / Matter:	Date / Session #:

Bias	What it looks like in testimony	Remedy
Framing	The witness adopts a loaded label from the question (“the altercation”) or supplies a conclusion in place of what happened (“he attacked me”).	Camera Test: say what a camera would have recorded. Specific, literal, never softer or harsher than the facts.
Anchoring	The first number or characterization in the room becomes the reference point. The witness repeats “about fifty feet?” without a basis.	Set your own reference point early, answer an extreme anchor directly, or decline it: “I don’t know the distance.”
Availability	One vivid or damaging moment becomes the jury’s memory of the entire event.	Representative Picture: state the headline moment once, plainly, inside the full sequence.
Primacy & recency	A shaky first minute or a weak final answer is what the jury keeps; the middle fades.	Strong open, strong close: rehearse the first 60 seconds and the last answer. Never end on a hedge or apology.
Confirmation bias	An early rough impression gets “confirmed” by every later answer, so the lens is set in the first few minutes.	Protect the lens: Feel Your Feet, 2-3 breath, half smile. If it slips, run the reset: notice, breathe, educator frame, slower.
Overconfidence	A confident guess is later contradicted by the record, and every earlier answer loses credibility.	Calibration Ladder: “I know / My best recollection is… / I don’t recall / I don’t know.” Match words to knowledge.

Foundation skill (engage System 2): Slowing down helps when a process forces it. Use the pregnant pause, ask for the question to be repeated, and build in a “consider the opposite” step before settling on a number or conclusion.

Notes for this witness: which two biases are most likely to hurt this witness, and why?

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