The Types of Questions in TV-based Legal Drama Series: A Corpus-Based Study^(*)

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Abstract

Forensic linguistics is a linguistic branch which focuses on the integration of law in language. One of its branches tackles the question analysis that takes place in the direct and cross-examination stages of a trial. This study aimed to explore the different types of questions posed by lawyers during the direct and cross-examination stages of the trials retrieved from TV-based legal drama series, namely *Bull* (2016 - 2022) and *The Good Wife* (2009 - 2016). The study employed a mixed methods approach to calculate the different question types, their levels of frequencies, and their restrictive scale and to interpret its findings based on its quantitative aspect. Findings of the study agreed with the findings published in the literature where the most frequently used question types during the direct examination were the wh-word questions and the yes/no questions. Meanwhile, the most used question types during the cross-examination stage were the yes/no, wh-word questions, and reformulation questions.

Keywords: forensic linguistics, direct examination stage, cross-examination stage; question types, corpus linguistics

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الملخص:

تركز اللغويات الجنائية على دمج القانون في اللغة، حيث يتناول أحد فروعها تحليل الأسئلة التي تطرح أثناء مرحلة الاستجواب ومرحلة إعادة الاستجواب الدقيق. وقد هدفت هذه الدراسة إلى تحليل أنواع الأسئلة المختلفة التي يطرحها المحامون خلال مرحلتي الاستجواب وإعادة الاستجواب الدقيق للمحاكمات في المسلسلات الدرامية ذات الطابع القانوني مثل Bull (٢٠١٦ - ٢٠١٦) وو ٢٠٢٢) وو ٢٠٢٢) وو ٢٠٢٢ والله المختلطة لقياس أنواع الأسئلة المختلفة المستخدمة ودرجة تعددها ومقياسها اللغوي بالإضافة إلى تقسير نتائجها بناء على جانبها الكمي. واتفقت نتائج الدراسة مع النتائج المنشورة حيث كانت أنواع الأسئلة الأكثر استخداما أثناء مرحلة الاستجواب هي أسئلة الأكثر استخداماً خلال مرحلة إعادة على نعم/لا في حين كانت أنواع الأسئلة الأكثر استخداماً خلال مرحلة إعادة الاستجواب الدقيق هي أسئلة إجابتها تعتمد على نعم/لا، وأسئلة معاد صياغتها.

الكلمات المفتاحية: اللغويات الجنائية، مرحلة الاستجواب، مرحلة إعادة الاستجواب الدقيق، أنواع الأسئلة، كوربس اللغويات.

1. Introduction

The term forensic linguistics, as defined by Haworth (2015), has no set definition. The general consensus revolves around it being a field of study that focuses on any linguistic interactions taking place in the legal system.

For a normal TV-viewer, one of the highest watched genres is the legal drama genre. This genre takes the audience to view the lives of attorneys from the moment they accept a case to meeting with their teams to prove the innocence of their client or find evidence to condemn the other party in the court of law.

The reason for the legal drama's popularity on the TV-screen is the verbal sparring taking place in the court during the direct and cross-examination stages of the trial. How lawyers, through a series of questions

and answers, can either prove the innocence or guilt of the individual on the stand is achieved through specific phrasing of the questions in a manner that affects the individual's reply for the lawyer to reach their expected verdict. Such linguistic manipulation in the phrasing of the questions makes the analysis of the questions posed during the direct and cross-examination stages of the trial a linguistic gold mine for analysis.

Despite the popularity of the legal drama-based TV-series, little to no research has been done to analyse the question types and their phrasing in the direct and cross-examination stages of the trial in drama series. Rather, more emphasis has been placed on analysing the real-life cases' question formulation and restrictive levels throughout the direct and cross-examinations of the trial.

Through the application of forensic linguistics, some analysis tools retrieved from corpus linguistics, and the trial transcripts of the direct and cross-examination scenes retrieved from selected TV-based legal drama series, the study aims to provide a detailed analysis of the various question types used in the TV-based legal drama trials in order to measure the frequency of the different question types posed and their restrictive levels throughout the direct and cross-examination stages of the trial scenes.

1.1. Statement of the Problem

In courtroom discourse, power is asymmetrical. Kiguru (2014) explained this by stating that the only permissible interaction in the courtroom is through a question-and-answer format. Further, not all individuals in the courtroom have the same speech power. For example, the judge has the most speech power. They can ask questions, interrupt, hold the court, and come with a verdict to name a few. The second individual with the most speech power is the lawyers. They can ask questions, interrupt the witness, change the line of questioning, and ask follow up questions. Following the judge and lawyers, come the witness/plaintiff on the stand, their speech power is limited to only answering the questions addressed to them by the lawyers. They do not get to interrupt, ask for clarification, provide elaboration, chose to not answer a lawyer's question or speak unless they are asked a question.

1.2. Aim of the Study

This study aims to investigate the different question types posed by the

lawyers during the direct and cross-examination stages of the trials in selected TV-based legal drama series. The analytical framework adopts forensic and corpus linguistic tools to explore to what extent TV-based trials offer an accurate representation of the questions posed during real-life cases in terms of question types, frequency, and restrictive scale.

1.3. Research Question

The study attempts to answer the following questions:

- 1. What are the frequency levels of the questions posed in the TV-based legal drama series during their respective direct and cross-examination scenes compared to the real-life cases established in the literature?
- 2. How do the direct and cross-examination stages of the TV-based legal drama trials compare in terms of the question frequencies and question types?

2. Literature Review

The discourse taking place in the courtroom is an interactive and engaging discourse, as explained by Pridalova (1999). The high engagement levels in this discourse is due to the different stages taking place across the discourse where the witness/plaintiff is first addressed by their supportive council, during the direct examination stage of the trial. Following the direct examination stage where the opposing team aims to discredit the witness/plaintiff's established narrative provided, earlier, during the direct examination stage.

The courtroom discourse has a hierarchical nature. Kiguru (2014) elaborated that the speech power in the courtroom is predetermined where the judge has the ultimate power, followed by the lawyers, the witness/plaintiffs, and finally jury members, if present. Further, the only speech act permissible in the courtroom discourse is the interrogation speech act. Through the adoption of the interrogative speech act, Haijuan (2019) elaborated, the attorney formulates the question to their advantage in a manner that allows them to present the narrative in the best possible light to ensure a favourable verdict

2.1. Direct Examination Stage

During the direct examination stage of the trial, the attorney focuses on establishing the witness' credibility through a series of questions and answers (Wallach & McCormack, 2016). Cotterill (2003) elaborated that in order to build the witness' credibility, the attorney relies on an extended series of questions that the witness is expected to answer in a clear manner that leaves no room for speculation or doubt which could be utilized against them during the cross-examination stage.

2.2. Cross-examination Stage

The cross-examination stage, as highlighted by Monesfi (2012), follows the direct examination stage. The main purpose of this stage is to point out loopholes in the established narrative in to order to create reasonable doubt to discredit the witness. This is achieved through a series of close-ended and leading questions which enable the attorney control over the witness/plaintiff's answers.

2.3. Question Types

Questions could be divided into two main categories. They are information-seeking and information-checking questions. Cotterill (2003) explained information-seeking questions are posed with the intention of eliciting new information from the witness/plaintiff which makes them ideal to be utilized during the direct examination stage of the trial. Whereas information-checking questions are posed during the cross-examination stage to point out discrepancies in the established narrative during the direct examination stage in order to create reasonable doubt to discredit the witness.

The following sub-sections offer an overview of the different types of questions asked during the direct and cross-examination stages.

2.3.1. WH-questions

Wh-questions, as defined by Ahmed (2011), usually begin with a whword such as *what*, *why*, *who*, *which*, *when* and *how* that expects an answer to a specific element in the question. It is followed by a finite verb and the inversion of the auxiliary verb and the subject such as "what did you see?"

2.3.2. Polar Questions

Polar questions are the most common types of questions used during the

direct-examination stage (Seuren, 2019). These types of questions are divided into two categories. They are yes-no interrogatives that are used for **information-seeking** purposes such as "Did you also hear some kind of movement outside your window?" Whereas yes-no declaratives are used as **information-checking** that what has already been disclosed by the witness is true such as "You didn't see him at the scene, is that correct?"

2.3.3. Content Questions

Unlike polar questions, content questions, as explained by Seuren (2019), are not as common. They are less frequently due to its format that allows more room for the witness to answer the question in a manner that cannot be controlled by the attorney. This could result in the witness revealing information that might be used against them at a later stage in the trial. These questions tend to be designed in the form of a request such as "Tell the jury what you saw."

2.3.4. Alternative or Disjunctive Questions

Questions that offer several options for the listener to choose from are defined as alternative or disjunctive questions (Quirk et al., 1985). They are less common than polar and content questions due to their restrictive nature. Given that the listener is not only expected to choose an answer from the offered options, but to make sure that their chosen answer is the correct one such as "Did she have blonde or red hair?"

2.3.5. Tag Questions

A tag question, as defined by Ahmed (2011), includes a declarative clause followed by an interrogative elliptical clause or a tag without a verb such as "she stated that, didn't she?"

2.3.6. Declarative Ouestions

Declarative questions, as defined by Kiguru (2014), are also known as prosodic questions or moodless items. They are sentences that follow the traditional subject-verb syntax that end with a question mark. However, what makes them categorized as questions is the rising intonation at the end of the statement that makes it appear as a question waiting for an answer. This type of question can either be positive or negative such as "You mean you saw him?" or "You mean that you did not see him?" Another technique is the declarative sentence without the rising in intonation at the end of it.

2.3.7. Yes-No Questions

A yes-no question is a **close-ended question** that expects either confirmation or negation to the information mentioned in the question. It can be produced in several forms such as the interrogative form: "*Has the bus left?*" Woodbury (1984) divided the yes-no questions into two categories. They are the **grammatical yes-no questions** and the **negative grammatical yes-no questions**.

According to Woodbury (1984), the grammatical yes-no questions contain an inverted subject-verb structure such as "is he busy?" The negative grammatical yes-no questions are used, according to her, as a tool to contradict what the witness or the accused has said previously. They share the same syntactic structure as the grammatical yes-no questions, however, there is an additional negation added to the question such as "Did you not say that he was busy?" Andrade and Lintao (2018) stated that the original purpose for a yes-no question is to seek information. However, during the courtroom discourse, its function can change into one that seeks confirmation based on the lawyer's presupposition, the coercive level of the question become binding and forces the witness or the accused to simply agree with what the lawyer has to say.

2.4. Questions' Restrictive Levels

A more recent restrictive classification of the questions asked in the courtroom was offered by Ahmed (2011). He categorized the questions into six levels from the least restrictive to the most restrictive to the witness' responses. **Elaboration questions** are the least restrictive and can be presented in several formats such as the imperative "tell me what happened the day of the accident?" another format could be the Wh-question format; for example: "what were you doing on the day of the accident?" A third format is the declarative question can also act as an elaboration request in the form of "you were fighting with your wife, weren't you?" The re-question is also another variation of the elaboration questions, such as "can you tell me what were you doing on the day of the accident?" A final sub-classification is the moodless "and?" that is used to prompt the witness or the accused to continue with his narration.

The second least restrictive level for questioning, according to Ahmed (2011) is the **hypothetical question with an attached scenario** such as "if I

died on a deserted island, what measures are you likely to take to guarantee that my body reaches my family for an appropriate burial?" The third level is the **yes-no question or Wh-question**, such as "do you know what happened?" or "can you tell the jury what happened when you saw the victim on the ground?" this type of questions expects an elaboration beyond confirming or denying what the prosecutor/defence lawyer proposes in their question.

The fourth level of restrictiveness is the **Wh-question that targets specific information**. This type of questions, as stated by Ahmed (2011), can be phrased as an imperative such as "give me your name." Another format can be a WH-question such as "what is your name?" A final format can be more cooperative through the use of a modal verb such as "could you tell me your name please".

The fifth level, according to Ahmed (2011) is the **disjunctive or alternative question** such as "was the traffic light red or what" another example for it is "was the traffic light red, yellow, or green?" The final and most restrictive question is the **yes-no question** that expects no further elaboration on the witness' end such as "do you live on fifth avenue?" or "you live in fifth avenue, don't you?" or "in fifth avenue?"

2.5. Question Frequency Levels in the Direct and Cross-Examination Stages of Trial

Luchjenbroers' (1997) study investigated the different questioning strategies adopted by the lawyers during a six-day Australian Supreme Court murder case. The study analyzed sixty lawyer-witness interactions. The majority of the witnesses were exposed to both direct and cross-examination procedures by their respective lawyers. The data was divided into two sets based on the different types of questions that were asked during the direct or the cross-examination stage of the trial in order to calculate their frequencies.

The results of the study reflected a high use in **wh-word questions** during the direct examination stage at 16.7% compared to 8.1% during the cross-examination stage. Further, the study also highlighted a high percentage of **declarative** and **tag questions** during the cross-examination stage at 49.8% and 7%, respectively, compared to 27.2% and 2.3%, respectively, during the direct examination stage. Luchjenbroers (1997)

stated that the results of their study went hand-in-hand with the questioning nature taking place during the direct and cross-examination stages of trial where the lawyers in the direct examination stage aim to build a narrative thus allowing the witnesses room to narrate the events. Such a goal is achieved through the use of **wh-word questions** which allows the witnesses to talk without being interrupted. Meanwhile lawyers during the cross-examination stage aim to question and discredit the witness' narrative. This is achieved through the use of **declarative** and **tag questions** that restrict and dictate the type of answers the witness is expected to give.

Hegerová's (2010) study explored the various question types used in the Shipman trial during the direct and cross-examination stages. In the direct examination stage of the trial, Hegerová (2010) broke down the percentage of question types used in the direct examination stage. The breakdown indicated that the commonly used question type was the **yes/no question** at 59%, followed by **non-sentence questions** at 14%, **declarative questions** at 10%, **indirect questions** and **requests** at 8%, **wh-word questions** at 5%, and **tag questions** at 4%.

Hegerová's (2010) explained the preferences behind the utilization of **yes/no questions** during the direct-examination stage of the Shipman trial by stating that the lawyer has already done their research and is only expecting from the witness/suspect confirmation such as:

"Q. And did you learn from him that he was in possession of a new Will, or what purported to be a new Will, dated the 9th of June of 1998 and a covering letter dated the 22^{nd} of June 1998, and a letter signed by somebody Smith dated the 28th of June of 1998?"

"A. Yes."

Meanwhile, in the cross-examination stage of the Shipman trial, Hegerová's (2010) study highlighted the most used question types to be the **declarative questions** at 45% and **yes/no questions** at 22% as a way to coerce the witness/suspect's answers. The study also calculated the use of **indirect questions** and **requests** at 13%, **tag questions** at 10%, **wh-word questions** at 6% and finally **non-sentence questions** at 4%, making them the least used type of questions during the cross-examination stage.

Hegerová's (2010) explained that **declarative questions** contain all the information a lawyer could need when asking the witness/ suspect questions.

This leaves the witness/suspect with room to only confirm the said information. It is one of the most restrictive question types which a lawyer could use to minimize the witness/ suspects information contribution during trial such as:

"Q. Mrs. Woodruff, I am sure no-one in this Court will have any difficulty whatsoever understanding if there are difficulties remembering precisely what occurred in either of those conversations. Can I deal please with simply one other aspect of the conversation between yourself and Dr. Shipman on the morning after your mother's death. Insofar as there was a cause of your mother's death, you have told the Court that Dr. Shipman was explaining that people of a certain age can die, age?" actually short period. old over а of "A. Yes."

Hegerová's (2010) highlighted that the second most common question type used during cross examination stage of the Shipman trial is the **yes/no questions** at 22% such as:

"Q. Did you actually see him hit the ground?"

Such questions include information embedded within the question but allow the witness to openly challenge it hence minimizing the restrictiveness of the question.

"Q. Did they tell you at that particular meeting or at some other time?" This type of yes/no questions provides information within the question; however, it also provides the witness/suspect the chance to provide further information which lessens the restrictiveness of the question by giving room for the witness/suspect to elaborate on their answer.

The Shipman trial is analysed in another study by Monsefi's (2012) where she examined the question strategies adopted by the lawyers. Through her examination, she explored seven question categories in terms of their elicitation force and their likelihood to prompt the witness or the suspect to answer.

Monsefi (2012) analysed 131 direct and cross-examination questionand-answer between the lawyers and their witnesses to find out every question category's frequency. The analysis concluded that **yes/no questions** held the highest percent at 65% of the questions and the **tag questions** as the least at a 0.31% frequency. The same high percentage for the **yes/no questions** was duplicated in the cross-examination stage at 42% and the least was the **tag question** at 0.06%. The results also showed the questions with the highest elicitation force were the **wh-word questions**. They allowed the witness to provide answers uninterrupted. Meanwhile the question with the least elicitation force was the **declarative question**. This is due to it being highly restrictive and specific in determining what is expected of the witness or the suspect to answer.

A more recent study by Klemfuss et al's. (2014) investigated the different types of questions asked to the children during trial. The study analysed 42 court transcripts of cases dealing with children's sexual abuse in Los Angeles between the years 1997 and 2001. Klemfuss et al's. (2014) broke down the different types of questions asked by lawyers into four categories. The first category was **wh-word questions** such as: "Q. What happened the first time you went inside the room?" The second category was **option-posing questions** or **polar questions** that offered the child a finite number of choices for them to choose an answer from. This type of question was further subdivided into two categories. They were **forced choice questions** that expected the child to choose from at least two options provided such as: "Q. Was she close by or far away from the door?" The second subcategory was a simple **yes/no question** that only expected the child to choose either response for their answer without further elaboration such as: "Q. Was it in the morning?"

The suggestive category was the third category in Klemfuss et al's. (2014) question breakdown. This type of question was a close-ended question that elicited from the child a specific response. It was subdivided into three subcategories. The first subcategory was the negative term question that expected the child to confirm a negative assertion such as: "Q. He did not have anyone with him?" The second subcategory was the tag questions; a complete sentence that ended with an interrogative tag at the end such as: "Q. No one else was present, correct?" The third subcategory was the declarative question; a complete sentence said with an interrogative tone such as: "Q. But you remember your bed moving? The fourth category of questions asked by attorneys to children during trials was the implicit yes/no question. This type of question was a close-ended question that syntactically appeared to be expecting a yes/no answer however, it required

further elaboration such as: "Q. Can you tell me more?"

Klemfuss et al's (2014) study results indicated that the lawyers during the direct examination stage of the trial tended to ask **suggestive questions** the most at 42% followed by **option-posing question** at 34%, **wh-word questions** at 21%, and finally **implicit yes-no questions** at 3%. Whereas lawyers during the cross-examination stage utilized **option-posing questions** the most at 44% followed by **wh-word questions** at 38%, **suggestive questions** at 14%, and finally **implicit questions** at 5%. Children's responses to the different types of questions reflected that they were likely to answer and provide further elaborations to **wh-word questions** and less likely to provide elaborations to **option-posing** and **suggestive questions** during both the direct and cross-examinations stages of the trial.

Stolzenberg and Lyon (2014) examined 235 trial transcripts of criminal cases alleging child abuse in order to determine the different types of questions asked by lawyers during the direct and cross-examination stages of the trial. They broke down the different types of questions into six categories. The first was wh-word questions such as: "Q. What did you tell the police?" The second category was **close ended yes/no question** that only expected a yes or no answer without further elaboration such as: "Q. Did you tell him that you enjoyed his company?" The third type was questions beginning with: "Q. Do you remember/know what he said that night?" The fourth category was a **declarative question** which is a full grammatical sentence that ends with a question mark such as: "Q. It was the first time you have met him?" The fifth category was a close-ended forced choice question that coerced the witness to choose an answer from a predetermined set of options such as: "Q. Did you tell anyone what happened, or did you keep it as a secret?" The last category was suggestive questions which Stolzenberg and Lyon (2014) defined as a tag question such as: "Q. He told you not to tell anyone, didn't he?"

Results of the Stolzenberg and Lyon (2014) study indicated that the most utilized question type during the direct-examination stage was the **yes/no question** type at 52% of the total number of questions during this stage followed by **wh-word questions** at 32%. The **declarative questions** represented only 8% of the total number of questions during the direct-examination stage whereas the **Do you remember/know, forced choice** and

suggestive questions were the least utilized question types during the direct-examination stage at only 5% or less each of the total number of questions used.

The most commonly used question types in the cross-examination stage in Stolzenberg and Lyon's (2014) study were the **yes/no questions** at 44% followed by the **declarative questions** at 19%, **suggestive questions** at 18%, and finally **wh-word questions** at 16%. The least utilized question types during the cross-examination stage were the **Do you remember/know** and **forced choice question types** that presented 2% or less of the total number of questions asked during this stage.

The results of Stolzenberg and Lyon (2014) study went hand in hand with the previous literature's conclusions in terms of the lawyers during the cross-examination stage relying on leading questions more compared to the lawyers in the direct-examination stage. However, Stolzenberg and Lyon (2014) study's conclusion differed slightly from the remaining literature in terms of the high percentage of the **yes/no questions** utilized during both the direct and cross-examination stages of the trials. The lawyers' reliance on **yes/no questions** is an indication of their responsibility to generate the details of the child's narration of their abuse. However, the reliance on this type of questioning led to a decreased accuracy level of the child's responses during trial as it restricted the child from offering their narration of the events.

3. Methodology

3.1. Research Design

The study employed a mixed methods approach in its design in order to answer the research questions of the study in a more in-depth manner. The quantitative aspect of the mixed methods design was applied to the first stage of the data analysis in terms of compiling four mini-corpora that contain the transcripts of two TV-based legal drama series during their direct and cross-examination stages to calculate the frequency of the various question types used during them. In other words, the quantitative component is corpus-based, as it focuses on the frequencies of using the target structures. Whereas the qualitative aspect of the mixed methods design was implemented by interpreting the quantitative aspect and its

results were cross-referenced with results from previous literature to offer a more detailed insight to what the numbers revealed.

3.2. Data Selection and Compilation

For the purpose of this study, two sets of data were compiled. The first set included the transcripts of the trial scenes from two popular legal TV-drama-based series Bull~(2016-2022) whereas the second data set included transcripts from *The Good Wife* (2009 – 2016). The following sections offer a rationale explaining the criteria behind choosing the two data sets.

3.2.1. Criteria for Choosing the Data

For the purposes of choosing the data for this study, three criteria have been established. The first criterion considered when selecting the transcripts is choosing transcripts that range from 2010 – 2022 to make sure the trials do not exceed the twelve-year span to remain as relevant and as up to date to the present times and, hence, representative of how questions are currently used in American trials. The second criterion is the availability of the transcripts online to guarantee easy access. This is because purchasing trial transcripts, online, is a long and expensive process. The third and final criterion is to make sure that all TV-based trials abide by the American adversarial system to guarantee consistency across the trials where prosecutors and defence lawyers abide by the same regulations and to ensure more accurate and consistent results.

The TV-based legal series data sets will be divided into two corpora; one will include all the questions posed during the direct examination scenes and the other will include all the questions posed during the crossexamination scenes stage. The questions from both scenes were taken from shows' transcripts retrieved the that were from https://transcripts.foreverdreaming.org. and https://www.springfieldspringfield.co.uk/. The transcripts used in this study were downloaded and filtered to only include the direct and crossexamination scenes.

3.3. **Bull**

Bull is a legal TV-show that aired from 2016-2022 with 45 episodes. The show is inspired by the early career of Dr. Phil McGraw, the founder of one of the most prolific trial consulting firms of all time. Dr. Jason Bull

combines psychology, human intuition, and high-tech data to learn what provokes jurors, attorneys, witnesses, and the accused to guarantee his victory in court. Dr. Bull employs a team of experts at Trial Analysis Corporation (TAC) to shape successful narratives down to the very last detail to utilize during trial in order to tip the scales of justice in his clients' favour.

3.4. The Good Wife

The Good Wife is a legal-based TV series that has aired its first season in September 2009. The series revolve around Alicia Florrick, the wife of Cook County State's Attorney who has been involved in a public and political scandal that results in him jailed and her returning to her old career as a defence attorney. Throughout the episodes, viewers see how Alicia navigates her personal and professional lives at home and in court. The Good Wife ran on CBS for seven seasons and has a total of 156 episodes. The scope of this research will focus only on the episodes in The Good Wife TV series that have been broadcasted starting from 2010 till 2016 in order to fit the scope of the established research criteria.

4. Data Analysis

To answer the research question investigating the different frequencies of the questions employed in TV-based legal drama series during the direct and cross-examination stages of the trial, the different types of questions mentioned throughout the literature will be divided into six main categories. This division is based on the various question categorizations suggested by different researchers across the literature. However, the two main types of questions asked during trials is Cotterill's (2003) division of questions: **information-seeking questions** and **information-checking questions**. By observing the literature, the commonly used questions during trial could be divided into six categories. They are **questions beginning with a Wh-word**, **Yes/No questions**, **tag questions**, **alternative questions**, **reformulation questions**, and **imperative content questions**.

Using the compiled corpora, the study will utilize AntConc to generate the six main question categories to determine their frequencies in the transcripts. The numbers will be compiled and calculated to derive their average frequency scores followed by an in-depth qualitative analysis to further explain the results derived from them.

5. Results

5.1. Bull: Direct Examination Stage: Layman Witness

In the Tv-series Bull (2016 – 2022), the total number of questions used were 894 during the direct examination of the layman witness. The most used questions were the embedded wh-word questions and the yes/no questions. The wh-word questions were the most used question type where they were used 329 times representing 37%. The second most used question type was the yes/no question, which was used 283 presenting 32%.

Conversely, the least used question types, in the direct examination stage, were the tag questions and the imperative content questions. The tag questions were used 4 times presenting less than 1%. On the other hand, the imperative content questions were used 9 times presenting only 1%. Table 5.1 offers a detailed breakdown of the frequencies of the different types of question lawyers used when questioning the layman witness during the direct examination stage of the *Bull* Tv-series. Appendix A provides the detailed frequency score of every question under the six main categories for the *Bull* Tv-series during the direct examination stage of the trial with the layman witness.

Table 5.1.Bull (2016 – 2022): Direct Examination: Layman Witness

BULL	Direct Examination (Layman Witness)			
(2016 – 2022)	Sample Question	Frequency	Percentage	
Questions beginning with a Wh-word	"What did you see on the date in question?"	329	37%	
Yes/No Questions	" <u>Do you</u> know what perjury is?"	283	32%	
Reformulation Questions	"So, you got to the hospital, walked into your daughter's room, and she just wasn't there?"	216	24%	
Alternative Questions	"Come by the house $\underline{\mathbf{or}}$ the shop?"	53	6%	
Imperative Content Questions	" <u>Tell</u> us about these drawings."	9	1%	
Tag Questions	"Miss North you don't deny that those are your drawings, do you ?"	4	0%	
Total	894			

Wh-word questions such as "What did you see or hear when Mrs. Newton finally arrived with the children?" and "Why are you seeking full custody of your son?" are used as information-seeking questions that allow room for the layman witness to answer the question without restrictions.

Lawyers' use for the wh-word questions during the direct-examination stage prompts the witnesses and encourages them to offer detailed narratives of the events in question, as explained by Cotterill (2003). Additionally, witnesses are likely to have rehearsed their answers in a way that would prevent the lawyers/prosecutors from challenging them during the cross-examination stage of the trial.

The yes/no question type, similar to the Wh-word questions, is used during the direct examination stage of the trial as a tool for information-seeking. Thus, making it the second most used question type in the corpus. Yes/No questions such as: "Do you know a Donald Graham?" and "Did you ask Mr. Sherman about the money?" are close-ended questions by nature. However, during the direct examination stage, they act as an information-seeking tool that allows the lawyer/ prosecutor to give the floor to the witness to build their narrative without interruptions. Based on the established courtroom discourse, the utilization of both the Wh-word questions and the yes/no questions during the direct examination stage of the Bull TV-series, countenance the established literature discussed by Ahmed (2011) and Andrade and Lintao (2018).

Alternatively, the least used question types were the imperative content questions and the tag questions. The least used question type is the tag question due to its coercive nature which makes it ideal during the cross-examination stage of the trial rather than the direct examination stage. As discussed, during the direct examination stage, the witness sets the foundations of their narrative by answering the lawyer's Wh-word questions and yes/no questions. If the lawyer, at this stage, resorts to the tag questions, it might be an indication, to the judge and jury members, that the witness is being forced to agree with the lawyer's version of the narrative thus negatively affecting the overall credence of the built narration. Findings justifying the reason for the tag question being the least used question type agree with the previous discourse of Balcha (2015).

The imperative content questions were the second least used question type. The reason for their minimal use is due to its lack of restrictiveness and its nature as an open-ended question that prompts the witness to provide long narratives of the events that took place. This might lead the witness into digressing from the main point while narrating the events. Long narrations can create loopholes in the established narrative that might benefit the lawyer/prosecutor during the cross-examination stage to discredit the witness on the stance. The findings derived from this corpus concur with the findings of Seuren (2019).

5.2. Bull: Cross-examination Stage: Layman Witness

Meanwhile, in the cross-examination stage of the trial, a total of 516

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questions were asked. The most frequently used question types were the reformulation questions, the wh-word questions, and the yes/no questions. The reformulation questions were utilized 149 times, presenting 29%. Meanwhile the wh-word questions and the yes/no question types were used 146 times each representing 28%. Similar to the direct examination stage, both the tag question and the imperative content question, in the cross-examination stage of the trial, were the least used question types.

Based on the *Bull* corpus for the cross-examination of the layman witness, the tag question was used 5 times presenting 1%. Meanwhile, the imperative content questions were used only twice presenting less than 1% in the corpus. Table 5.2 offers a detailed breakdown of the frequencies of the different types of questions the lawyers utilized while questioning the layman witness during the cross-examination stage of the *Bull* tv-series. Appendix A provides the detailed frequency score of every question under the six main categories for the *Bull* tv-series during the cross-examination stage of the trial with the layman witness.

Table 5.2.Bull (2016 – 2022): Cross-examination: Layman Witness

BULL (2016 – 2022)	Cross-examination (Layman Witness)			
(1 1 1)	Sample Question	Frequency	Percentage	
Reformulation Questions	"So, you didn't tell the police you were with someone that night?"	149	29%	
Questions beginning with a Wh-word	"What did you study prior to finance?"	146	28%	
Yes/No Questions	" <u>Do you</u> have any idea why my client put a red pepper flake on Lizzie's tongue?"	146	28%	
Alternative Questions	"Did she call you, <u>or</u> did you call her?"	68	13%	
Tag Questions	"Ms. Campbell, the fact is, you have no idea whether Jai killed his wife or not, do you ?"	5	1%	
Imperative	"Tell me another secret."			
Content		2	0%	
Questions				
Total	516			

A reformulation question used during the cross-examination stage of the trial is utilized as an interrogative close-ended tool. Reformulation questions such as: "So you didn't go to Mr. Graham's apartment to look for physical evidence?" and "So you admit you lied about the details when you sought medical help for these so called injuries?" work as an information-checking tool that is utilized by a lawyer to restrict the witness into answering with either a negative or an affirmative reply without allowing room for further elaboration to their answer. Further they allow the lawyer room to rephrase and change the witness/suspect's interpretation of the established narrative while restricting their answers as a way to discredit them in court.

Additionally, the yes/no and wh-word questions were the second most used question types with each representing 28%. Questions like: "What

about the boy in this photo?" and "Did you know that Ryan was the thief?" are utilized during the cross-examination stage of the trial with the aim of discrediting the witness/suspect's established narrative during the direct examination stage. By utilizing the wh-questions and highlighting a specific element in the question for the witness/suspect to answer, the lawyer aims to find loopholes in their answer to discredit their narrative. In the first example, the lawyer is expecting the witness to provide them a specific answer regarding the boy in question. If their answer contradicts what was stated earlier during the direct examination, the lawyer can accuse the witness/suspect of lying and discredit their testimony. On the other hand, the use of the yes/no questions such as: "Do you have any proof that Dr. Reznick stayed in the lab alone any longer than she told you she would?" and "Did you have anything to do with the death of your husband?" during the crossexamination allows the lawyer to control the narrative by restricting the witness/suspect's answers to either a negation or affirmative response, without allowing them enough room to further justify or further elaborate on their answer.

Conversely, the least used question types are tag questions and the imperative content questions. Tag questions such as: "Ms. Campbell, the fact is, you have no idea whether Jai killed his wife or not, do you?" and "So you don't actually know the whereabouts of my client, do you?" were used five times throughout the Bull cross-examination corpus of the layman witness. Whereas the imperative content questions were the least question types during the cross-examination stage, where they were used only twice across the corpus. Imperative content questions such as: "Tell me another secret." are one of the least restrictive question types.

By asking such questions during the direct examination stage of the trial, the lawyer is giving room to the witness/suspect to present their narrative of the events in a way that puts them in good light. This contradicts with the main purpose of the cross-examination stage where the lawyer should challenge and cast reasonable doubt on the witness' integrity. The findings of the minimal use of the imperative content question concur with the findings retrieved from Ahmed (2011). However, findings retrieved from the *Bull* cross-examination stage corpus for the layman witness for the tag question being one of the least used question types at this stage differ from the findings retrieved from the literature, namely Balcha (2015) and

Woodbury (1984). Based on their findings, the tag question is one of the most coercive and restrictive question types that is commonly used during the cross-examination stage of the trial to coerce the witness into agreeing with the lawyer's narrative by limiting their replies to either a negative or affirmative reply. Yet rather than utilizing the tag question in the *Bull* tyseries, during the cross-examination stage, the lawyers tended to rely heavily on the yes/no question type to achieve the intended levels of coercion and restrictedness while questioning the witness.

5.3. The Good Wife (TGW): Direct Examination Stage: Layman Witness

The total number of questions asked in the Tv-series *The Good Wife* (TGW) (2009 - 2016), were 617 questions. The Wh-word questions and the Yes/No questions were the most frequently used question types. The Wh-word questions were used 280 times representing 45%. The yes/no question, on the other hand, was used 203 times presenting 33%.

Alternatively, the least used question types, were the tag questions and the imperative content questions. Both the imperative content questions and tag questions were used only once presenting less than 1% respectively. Table 5.3 offers a detailed breakdown of the frequencies of the different types of question lawyers used when questioning the layman witness during the direct examination stage of the *TGW* Tv-series. Appendix B provides the detailed frequency score of every question under the six main categories for the *TGW* Tv-series during the direct examination stage of the trial with the layman witness.

Table 5.3.The Good Wife (2009 – 2016): Direct Examination: Layman Witness

	Direct Examination				
TGW (2009 – 2016)	(Layman Witness)				
	Sample Question	Frequency	Percentage		
Questions beginning with a Wh-word	"What is Mr. Bishop's business?"	280	45%		
Yes/No Questions	"Do you have that recording?"	203	33%		
Reformulation Questions	"So, you are actively deceiving this court?"	119	19%		
Alternative Questions	"Was it by lineup <u>or</u> photo array?	13	2%		
Tag Questions	"You didn't go out, <u>did you</u> ?"	0	0%		
Imperative Content Questions	"Tell me, um, what are these?"	1	0%		
Total	649				

Wh-word questions such as "What is a triad?" and "Why did you confess?" are used as information-seeking questions that allow room for the layman witness to answer the question without restrictions. Lawyers' utilization for the Wh-word questions during the direct-examination stage encourage the witnesses into offering detailed narratives of the events that took place, as explained by Cotterill (2003).

Similar to the Wh-word questions, the yes/no question type, is also used during the direct examination stage of the trial as an information-seeking tool. Yes/No questions such as: "Do you have that recording?" and "Did you know Rainey before this party?" are close-ended questions by nature. However, during the direct examination stage, they act as an information-seeking tool that allows the lawyer/ prosecutor to give the floor to the witness to build their narrative without interruptions. Based on the

conventional courtroom discourse, the use of both the Wh-word questions and the yes/no questions during the direct examination stage of the *TGW* tv-series, agrees with the established literature discussed by Ahmed (2011) and Andrade and Lintao (2018).

The least used question type is the tag question, which was never used throughout the corpus. This can be justified given the coercive nature of the tag question that makes it ideal during the cross-examination stage of the trial rather than the direct examination stage. Given that during the direct examination stage, the witness sets the foundations of their narrative by answering the lawyer's embedded Wh-word questions and yes/no questions. If the lawyer, at this stage, resorts to the tag questions, it might be an indication, to the judge and jury members, that the witness is being forced to agree with the lawyer's version of the narrative thus negatively affecting the overall credence of the built narration. Findings justifying the reason for the tag question being the least used question type agree with the previous discourse of Balcha (2015).

The imperative content questions, on the other hand, were the second least used question type. They were used only once throughout the corpus in: "Tell me, um, what are these?" The reason for their minimal use is due to its lack of restrictiveness and its nature as an open-ended question that prompts the witness to provide long narratives of the events that took place. This might lead the witness into digressing from the main point while narrating the events. Long narrations can create loopholes in the established narrative that might benefit the lawyer/prosecutor during the cross-examination stage to discredit the witness on the stance. The findings based on the results of this corpus align with the findings of Seuren (2019).

5.4. The Good Wife (TGW): Cross-examination Stage: Layman Witness

Conversely, in the cross-examination stage of the trial, a total of 442 questions were asked. The most frequently used the wh-word questions, the yes/no questions, and the reformulation questions. The yes/no questions were used 139 times, presenting 32%. The wh-word questions were the second used question type where it was used 134 times, representing 30%. Meanwhile, the reformulation questions were asked 132 times, indicating 30%. Similar to the direct examination stage, both the tag question and the

imperative content question, in the cross-examination stage of the trial, were the least used question types.

The tag question type was used 4 times, presenting 1%. Meanwhile, the imperative content questions were used 2 times presenting less than 1% in the corpus. Table 5.4 offers a detailed breakdown of the frequencies of the different types of questions the lawyers utilized while questioning the layman witness during the cross-examination stage of *The Good Wife* Tv-series. Appendix B provides the detailed frequency score of every question under the six main categories for *The Good Wife* tv-series during the cross-examination stage of the trial with the layman witness.

Table 5.4.The Good Wife (2009 – 2016): Cross-examination: Layman Witness

TGW (2009 – 2016)	Cross-examination (Layman Witness)			
,	Sample Question	Frequency	Percentage	
Yes/No Questions	"Do you know where he printed the gun?"	139	32%	
Questions beginning with a Wh-word	"What is the penalty for insubordination in a combat zone?"	134	30%	
Reformulation Questions	"So, you were on the lot where Mr. Tiller works, where he has his inspirations?"	132	30%	
Alternative Questions	"Would you say the kids in your fraternity are light-skinned like you <u>or</u> dark-skinned like Tre?"	31	7%	
Tag Questions	"Mr. Clay, you don't know anything about this, do you ?"	6	1%	
Imperative	"Tell me about hypoxia."			
Content Questions		2	0.5%	
Total	455			

The findings based on the yes/no question being the most used question type across TGW corpus for the cross-examination of the layman witness

concur with the findings of Quirk et al. (1985) and Ahmed (2011). Questions like: "Do you believe in right and wrong, professor?" and "Do you recognize him?" are used during the cross-examination stage of the trial to restrict the witness/suspect's response to attempt to discredit their established narrative during the direct examination stage.

Further, wh-word questions used in the corpus like "What is the penalty for insubordination in a combat zone?" and "Why are you suing, Jimmy?" limit the witness/suspect's answer to addressing a specific element in the question for the witness/suspect to answer. By doing so, the lawyer aims to find loopholes in their answer to discredit their narrative. In the first example, the lawyer is expecting the witness to provide them with a specific answer regarding the penalty for insubordination whereas in the second example, the lawyer is asking for the reason behind wanting to sue. If their answers contradict what was stated earlier during the direct examination, the lawyer can accuse the witness/suspect of lying and discredit their testimony.

Additionally, the question frequency of the use of the reformulation question type confirms the findings of Ramadhani et al.'s (2019) study. A reformulation question used during the cross-examination stage of the trial acts as an interrogative close-ended tool. Reformulation questions such as: "So you it was all just a fantasy, right?" and "So you're pro-choice?" work as an information-checking tool that is utilized by a lawyer to restrict the witness into answering with either a negative or an affirmative reply without allowing room for further elaboration to their answer. In addition, they allow the lawyer room to rephrase and change the witness/suspect's interpretation of the established narrative while restricting their answers as a way to discredit them in court.

The least used question types, on the other hand, are the tag questions and imperative content questions. Tag questions were used 4 times representing less than 1%. Whereas the imperative content questions were the least question types during the cross-examination stage, where they were used twice across the corpus. Imperative content questions such as: "Tell me about hypoxia." are one of the least restrictive question types. Usually, this question type is mainly used during the direct examination stage of the trial. By asking such questions, the lawyer is allowing room for the witness/suspect to present their narrative of the events in a way that puts

them in good light.

This contradicts with the main purpose of the cross-examination stage where the lawyer should challenge and cast reasonable doubt on the witness' integrity. The findings of the minimal use of the imperative content question concur with the findings retrieved from Ahmed (2011). However, findings retrieved from TGW cross-examination stage corpus for the layman witness for the tag question being one of the least used question types at this stage differ from the findings retrieved from the literature, namely Balcha (2015) and Woodbury (1984). Based on their findings, the tag question is one of the most coercive and restrictive question types that is commonly used during the cross-examination stage of the trial to coerce the witness into agreeing with the lawyer's narrative by limiting their replies to either a negative or affirmative reply. Yet rather than taking advantage of its restrictive force, the lawyers rely heavily on the yes/no question type to achieve the intended levels of coercion and restrictedness while questioning the witness.

6. Discussion and Conclusion

Findings derived from the compiled corpus concur with the findings established in the literature where the results shed light on the most frequently used question types during the direct examination of the layman witness to be the embedded wh-word questions and the yes/no questions. The wh-word questions and the yes/no questions are used with the layman witness to prompt them to provide more details and clarifications to offer the jury members and the judge a better understanding of the case.

Meanwhile, the purpose of utilizing the reformulation questions with the layman witness during the cross-examination stage to force the witness/suspect to agree with the lawyer's rephrased version of the narrative. From the compiled corpora results, it can be concluded that the more restrictive a question type is the more likely it is to be utilized during the cross-examination stage.

Question types such as the yes/no, wh-word questions, and reformulation questions are the most used question types during the cross-examination stage. The results of the frequently used question types across the compiled corpora for the TV-based legal drama cases highlight a similarity between the direct examination and cross-examination stages of the trial, where in both stages, the question types most used have different

roles depending on the stage they are used in and the lawyers' purpose for them.

Based on the retrieved results, TV-based legal drama does offer an accurate depiction of the real-life trials taking place in courtrooms. This accuracy would be beneficial for the layman viewer to know what to expect should they be called to perform jury duty, as a witness/plaintiff in a possible case. The accurate depiction is also beneficial for the layman viewer to know what they could experience during the cross-examination stage. Since the opposing council is usually responsible for this stage, predicting the line of questioning might be impractical for the layman witness.

6.1. **Limitations of the Study**

The ability to generalize the results of this study is subject to several limitations. The first limitation was not many studies, across the literature, were conducted to investigate the different question frequencies and types employed by the TV-based legal drama series. The lack of studies conducted on TV-based legal drama series, made it challenging to generalize the results or allow the researcher to find a pattern based on the findings. The second limitation was the sole focus on the TV-based legal drama series.

6.2. Suggestions for Further Research

Future research could place more emphasis on comparing between the different question types employed by prosecutors and defence attorneys in real-life and TV-based legal drama series to investigate whether the TV-based legal drama series offer an accurate representation of what takes place inside a courtroom.

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Appendices

Appendix A

Bull (2016 – 2022	()		
Question Type		Direct (Layman Witness)	Cross (Layman Witness)
	Which	7	5
	When	10	10
	What	59	35
	Who	6	7
	Why	34	7
	Where	4	4
0	How	43	30
Questions	And who	2	3
beginning with a Wh-word	And what	79	18
a wn-word	And where	3	1
	And how	43	14
	And why	10	3
	And when	25	7
	But what	1	2
	But why	1	0
	But when	2	0
	Did he	15	2
	Did she	9	3
	Did they	1	1
	Did you	61	31
X 7 / N 1	Does he-	0	1
Yes/No Questions	Do you-	33	27
	Will you	3	0
	Would you	16	7
	Could you	5	2
	Can you	29	4
	Have you	3	9

	Have they	1	0
	Has she	0	1
	Are you	14	17
	Were you-	13	7
	Was she	2	1
	Was he	4	3
	And do you	8	4
	And did you	27	6
	And do they	1	1
	And did they	3	1
	And did she	1	1
	And did he	5	2
	Is that	22	13
	Is this	3	1
	Is there	3	1
	Are there	1	0
	do you	1	4
Tag Questions	don't you	1	0
	were you	2	0
Alternative	24	53	68
Questions	or	33	06
Reformulation	So	216	149
Questions	30	210	147
Imperative			
Content	Tell	9	2
Questions			

Appendix B

			Direct	Cross
Question Type		(Layman	(Layman	
			Witness)	Witness)
		Which	7	5
		When	7	13
		What	59	30
		Who	9	4
		Why	37	17
		Where	3	3
		How	30	27
		And who	17	3
		And what	54	12
		And where	5	2
		And how	22	7
		And why	13	6
0		And when	12	2
Questions beginning	:4h a	But what	2	0
Wh-word	with a	But why	1	1
wii-woru		But when	1	1
		But how	1	1
		Did you	0	30
		Does she-	18	10
		Do they	17	8
		Do you-	11	12
		Will you	10	5
		Has he	0	30
		Are they	0	1
		Are you	10	5
		Were they	0	1
	Were you-	13	12	
	And do you	6	0	

	And did you	41	7
	And did she	2	0
	And did he	3	2
	Is that	19	13
	Is this	0	1
	Is there	2	0
	Are there	0	1
Tag Questions	do you	0	4
1 ag Questions	were you	1	0
Alternative Questions	or	13	31
Reformulation			
Questions	So	119	132
Imperative Content	Tell	1	1
Questions	Explain	0	1