



## Community Focus

# '97 Benefit & Resource Guide for Older Nebraskans available

Published by the Nebraska Health and Human Services System, the booklet contains information on a variety of programs and resources which can benefit older adults. The "guide" covers programs administered by all levels of government and tells people how the programs and services can be accessed.

For a free copy of the "1997 Benefit and Resource Guide for Older Nebraskans," contact the Nebraska Department of Health & Human Services—Division of Aging, P.O. Box 95044, Lincoln, NE 68509-5044, or phone (402) 471-2307. (GB)

### Population Projections Report available!

Nebraska Population Projections to 2010 are now available. This report contains county level projections by age category. The cost is \$15 per copy, including postage and handling. To order, contact the Bureau of Business Research, 114 CBA, University of Nebraska-Lincoln, Lincoln, NE 68588-0406. (GB)

## Be a good witness

Our American system of justice requires court trials to decide the rights and obligations of people. Most trials are decided on facts stated by witnesses who have been sworn on their oath to tell about things they have seen and heard. The role of a witness is extremely important in our system of justice.

Someday you may be called upon to be a witness, to tell in court certain facts which you know. If you are summoned, you cannot refuse. If you are not summoned but are asked by one of the parties, do not refuse. It is our duty as citizens to give our testimony if it is needed. It may not be convenient to leave your job or home to spend a day in court, but remember some day you may be in court and find the fate of your case based on the willingness of someone to come forward as a witness.

Many people feel that if they testify one of the lawyers might try to make them look foolish. This would only happen when a witness does not understand what he is expected to do and how he is expected to do it. You can avoid this by reading and following these simple rules:

### 15 Rules for a Good Witness

1. *Tell the truth.*
2. *Discuss your testimony in advance.* If you are called as a witness in a case, the lawyer calling you will undoubtedly discuss the case with you before the trial. There is nothing improper in this. It is the lawyer's job to find out in advance what you know about the case. He or she can explain courtroom procedure to you. If asked while testifying, do not hesitate to state that you have discussed the case with the attorney who called you as a witness.

3. *Take your time.* When you testify you may be nervous, as most witnesses are. Do not answer questions hurriedly without giving proper consideration or without understanding them fully.

4. *Be attentive.* You must be alert at all times while you are in the witness chair, so that you can hear, understand and give a proper answer to each question. If the judge or jury gets the impression you are indifferent they may not give much weight to your story.

5. *Think before you speak.* Hasty and thoughtless answers may cause trouble. This is particularly true when being cross-examined. The opposing lawyer may ask you leading questions—questions which suggest only one answer. Make sure you understand the question, then give an accurate answer.

6. *Speak clearly.* It is very annoying to a court, jury and lawyers to have a witness who does not speak loudly enough to be heard. A low tone of voice not only detracts from the value of your testimony, but also tends to make the court and jury think that you are not certain of what you are saying. Everyone in the courtroom is entitled to know what you have to say. There are no secrets in court; the court reporter must be able to hear all of your testimony to make an accurate record of the case.

7. *If you do not understand a question, ask that it be explained.* Many times a witness will not understand a question that has been asked, but will go ahead and try to answer it anyway. This is confusing to the court, the jury and the lawyers. It also extends the time a witness will be on the witness stand because the lawyers must go back and correct any misinformation given by a witness who did not understand a question. If you do not understand feel free to say so and ask that the question be explained to you.

8. *Answer all questions directly.* Often a witness will be so anxious to tell his story that he will try to tell it in answer to the first question. Listen to the question. If you can answer it with a "yes" or "no," do so. Informa-

## Don't be a consumer identity fraud victim

The crime of consumer identity fraud is rising. Thieves use various methods to steal credit card numbers, driver's license numbers, ATM cards, social security numbers, telephone calling cards and other key items of individuals' identities. This information is then used to impersonate the victims and spend as much money as possible before moving on to someone else's name and account information. Consumer identity fraud victims usually are left with damaged reputations, bad credit reports and much difficulty in regaining financial well being.

Follow these suggested tips to minimize your risks:

- Don't carry extra credit cards, your social security card, birth certificate or passport in your wallet or purse except when necessary.

- When using an ATM or public telephone, be aware of others who may also see your personal identification number or other data.

- Take ATM, credit card and other receipts with you and save them in a safe place or destroy them.

- Properly destroy all pre-approved credit card offers.

- Cancel all unused credit card accounts. Even though you don't use them, the account numbers are recorded in your credit report and is full of data that can be used by identity thieves.

- Maintain a list of all credit cards, the account numbers, and telephone numbers of the customer service department in a safe place.

- Protect your Social Security Number (SSN). The SSN is one key to your credit

and banking accounts and a prime target of criminals. Do not give out your SSN or any credit card number over the phone to anyone you do not know or to a business you are not familiar with. Do not fall victim to a criminal ploy of calling and posing as a bank or company representative to confirm your SSN or other data.

Should you become a victim of identity fraud, act immediately to stop the thief's future use of your identity. Report the crime to the police. Immediately call all your credit card issuers. This can save you from liability of fraudulent charges. Call the fraud unit of the three credit reporting companies—Equifax, Experian (formerly TRW), and Trans Union. Notify your bank, cancel bank accounts and obtain new account numbers. (GB)

## Composting food could generate landfill savings

Food waste is wet and heavy. It costs more to landfill than dry garbage. Composting food waste makes sense, although it's currently not done a lot and does have some problems. For example, meat and liquid wastes, such as whey or soda, aren't composted because of odors.

Discarded food comprises seven percent of the total U.S. waste stream, or about 390 pounds per household per year. In 1995, an estimated 500,000 tons of food scraps had been composted out of an estimated 14.1 million tons generated, according to the Federal Environmental Protection Agency. That means only 3.5 percent was composted.

There is good reason to reduce the volume of food being landfilled. Tossed food can create odors, attract animals, create migrating gases and make salvage of other recyclables more problematic.

Odor management is one of the greatest challenges for all compost operations. Many state and local governments regulate odor generation from compost under vaguely described nuisance standards. Because these guidelines are open to interpretation, the National Composting Council is developing practices to minimize odor and its effects.

View is another issue gaining attention, especially as compost piles grow. Some states are considering the visual effects in the site permitting process. Wider buffer zones and visual plantings can help keep the site out of sight.

Vermicomposting, composting with earthworms, is becoming increasingly popular, although it requires attention and supervision. Worms can help eliminate odors. Some families keep the worms under the kitchen sink—there's no smell—only good compost material and worms to give as gifts.

As the volume of composted material increases, enterprising units are marketing the materials derived. Some composting sites accept food waste at no charge because they make money through selling the end product, compost. The National Composting Council also is working to develop a quality standard so, eventually, materials will carry a seal of approval.

The biggest savings for institutions or food processors would be to compost on site. Eliminating all hauling costs can mean sizable savings.

Source: Wanda Leonard, Community Development Specialist, IANR (WS)

tion you volunteer may have no bearing on the case and may only to delay the proceedings.

9. *Stick to the facts.* The only thing that you will be permitted to testify to is what you personally know. Information given to you by someone else is almost never admissible in the case. What you **know** is important; what you **think** is not. If you do not know or cannot remember the answer, don't be afraid to say so.

10. *Never lose your temper.* If a witness becomes so prejudiced in favor of one side that he loses his temper when facts are not favorable to his friend, he places himself at the mercy of the cross-examiner and makes himself worthless to the side he tries to favor. Judges and juries are not interested in prejudiced testimony; they are interested only in facts.

11. *Be fair.* Though you may be testifying for a friend and would like to see him win, do not color your testimony or try to

overdo it. You will do him the best service by making your testimony as objective as possible. If you are involved in a lawsuit some day, you will want to be treated fairly by the witnesses.

12. *Don't argue with the attorneys or the judge.*

13. *Be helpful, not funny.* A trial is an important and serious matter to the parties involved. Their money and property may be saved or lost by your testimony. Do not try to be a wit or exchange sallies with the lawyers.

14. *Do not worry about the rules of evidence.* Rules of evidence control courtroom proceedings. They are designed to eliminate testimony and other evidence which lack basic elements of trustworthiness. The judge's ruling on an objection to testimony should not be considered as indicating the judge's feelings about the witness who is testifying or the merits of the case.

15. *Dress sensibly.* Your attire

should be comfortable and appropriate for a courtroom. If you are in doubt about what to wear, ask your attorney.

### Depositions

You may be notified that an attorney wishes to take your "deposition" in connection with a legal matter. A deposition is testimony that is given outside of the courtroom. Attorneys for both sides will meet with you; a court reporter will also be present. You will be sworn in, just as you are in a courtroom, and everything you say will be under oath. Attorneys use depositions to determine what potential witnesses know about a particular matter.

In many instances, your deposition will be taken and you will later be called as a witness in that case. Both sides will have a copy of the testimony you give in your deposition. If you change your story when later called as a witness, you will lose your