



# **Inside Oversight: Levin Center at Wayne Law Tutorials**

## **SERIES 3 HOLDING A HEARING**

### **Tutorial: Designing Effective Hearing Questions**

In this video, Levin Center experts offer tips and advice on how to design effective questions for a Member of Congress participating in an oversight hearing.

#### **Instructors**

Elise Bean, Former Staff Director and Chief Counsel

Zack Schram, Former Senior Counsel

U.S. Senate Permanent Subcommittee on Investigations

#### **Transcript**

**Zack:** Hi. I'm Zack Schram, and this is Elise Bean, and we're here to share with you some tips we've learned over the years on how to design effective hearing questions for a Member of Congress at an oversight hearing. Both of us conducted oversight investigations for Senator Carl Levin on the Permanent Subcommittee on Investigations in the U.S. Senate.

**Elise:** When an investigation uncovers important information, the committee or subcommittee in charge of the inquiry will often schedule a hearing. Members of Congress at the hearing want to ask relevant questions that produce useful answers. In this segment, we'd like to offer you some tips on how to design effective questions for an oversight hearing.

**Understand the subject of the hearing.**

Zack: Tip Number One: Understand the subject of the hearing. Sounds obvious, but it's important. Talk to the committee staff about the key issues, witnesses, documents, and possible hearing questions. Review any hearing memo, report, or other materials they've prepared. Do what you need to do to understand the most important issues, witnesses, and documents so that you can prepare your boss.

**Pick a topic.**

Elise: Tip Number Two: Pick one or two topics for the focus of your boss' hearing questions. Since most Members won't have time to dig deeply into the investigation, it's best to focus on one or two topics that your boss can grasp quickly. One helpful approach is to hold a 15-minute brainstorming session with your colleagues to identify the best topics, taking into account the nature of the hearing, your boss' interests, and your committee staff guidance. Also consider whether there is a dynamite document or good hearing exhibit that you could use to frame a question. Check with more senior staff in your office to ensure the topics you've selected are likely to be of interest to your boss.

**Use short questions to clarify the facts.**

Zack: Tip Number Three: Use short questions to clarify the facts. Your boss may be limited to 5 minutes to question a witness, so long questions won't work. Since the primary goal of an oversight hearing is to get the facts, a good approach is to use your boss' questions to clarify what happened. You can ask about a specific event or sequence of events, or ask about a document to find out what it means. Another approach is to get the witness' understanding of or reaction to an event. Think about what facts a viewer of the hearing might want to know most.

**Prepare three draft questions.**

Elise: Tip Number Four: Prepare at least three draft questions for your boss to consider. While your boss may get to ask only one, three alternatives will provide choices, especially in case one of the questions is asked by a colleague first. A good approach is to put each question on a separate piece of paper, in large double-spaced type, with a title at the top, to make it easy for your boss to identify the subject matter, edit the content, and change the order of the questions. On each page, it's helpful to start with a short background statement which your boss can read at the hearing to remind viewers (and the boss) of the context for the question. Then present the question. Always identify the witness to whom the question should be directed.

Zack: After presenting a question on the page, a good practice is to follow it with the likely answer so your boss knows what the witness is expected to say. If you don't know the answer, it's important to indicate that as well. Also useful is to provide one or two followup questions, again providing the likely answers. If any of the questions cites a document, you should attach a copy of it and highlight the most important parts. Providing all that information will help your boss, during a high-pressure hearing, to navigate the issues and ask intelligent followup questions. And remember, if your boss doesn't have an opportunity to ask those questions, they can always be provided for the record.

### **Use a hearing prop.**

Elise: Tip Number Five: Try to use a hearing prop like a document, chart, photograph, or physical object. You can use materials provided by the committee or come up with something new. If you want to use something new, be sure to run it by the committee staff first to see if they have any objections or suggestions. You may also need to get an official hearing exhibit number to introduce it into the record and may have to make copies for committee members, staff, and witnesses. You may also have to ensure that your boss uses the correct exhibit number at the hearing. Using a hearing prop takes preparation, but can make your boss' questions more vivid and powerful.

### **Go over the questions with your boss.**

Zack: Tip Number Six: Schedule time to go over the draft questions with your boss and make any requested revisions. Depending upon how complicated the questions are, you may need 15, 30, or even 60 minutes with your boss. The more time your boss spends getting ready, the better they will do at the hearing. If they spend little or no time, it may show. A good staffer will do what it takes to ensure the boss gets at least some preparation time before an important hearing.

### **Bring copies to the hearing.**

Elise: Tip Number Seven: Bring at least two copies of the questions to the hearing. Your boss may lose or forget theirs, or you may need to make changes to the questions during the hearing if new information comes up.

### **If someone else asks your boss' question, revise it.**

Zack: Tip Number Eight: If another committee member asks the question that you've prepared for your boss, make handwritten revisions to the copy so that your boss isn't embarrassed by asking the same question. A good technique is to use your boss' followup questions after noting that a colleague brought up the initial point. In a pinch, you can ask committee staff for new questions, since they

usually have some they're hoping a Member will use. Be sure to update your boss as soon as possible to enable them to review the new questions.

**Consider following up on a good line of questions.**

Elise: Tip Number Nine: It is often a good idea to highlight or expand upon a good line of questions asked earlier in the hearing. Many viewers don't realize the importance of the points made unless they hear followup questions along the same lines. Again, bring materials with you to the hearing so you can write followup questions during the hearing for your boss.

**Brief your boss on the questions asked and the hearing tone.**

Zack: Our final tip: If your boss wasn't present at the hearing before it's their turn to ask questions, as soon as they arrive, brief them about the questions asked and the hearing tone. Let them know if the questions have been mild or aggressive, and if witnesses have been helpful or belligerent. That will help your boss decide how to proceed and what tone to take in order to be effective.

Elise: To help you get started, the Levin Center has prepared some sample hearing questions which you are welcome to view or download. For the sample hearing questions, see the following website: [law.wayne.edu/samplehearingquestions](http://law.wayne.edu/samplehearingquestions)

## **Designing Effective Hearing Questions**

- 1. Research the hearing.**
- 2. Pick a topic.**
- 3. Use short questions to clarify the facts.**
- 4. Prepare three draft questions.**
- 5. Use a hearing prop.**
- 6. Go over the questions with the boss.**
- 7. Bring copies to the hearing.**
- 8. If someone else asks your boss' question, revise it.**
- 9. Consider following up on a good line of questions.**
- 10. Brief your boss on the questions asked and the hearing tone.**

Zack: Effective hearing questions can advance the overall objective of the hearing. It can also strengthen the reputation of your boss and even your reputation within the office. We hope these tips will help you design more effective hearing questions.

Elise: Thanks for watching.