

TRIAL CHECKLIST



IN THE COURTROOM All of the below is required in EVERY trial. Also, be sure to have all of this scanned into a cloud program like dropbox so that it can be easily referenced, reprinted, etc.

1. Exhibits Binders: Copies—at least two for you: one for re-arranging and using during trial, one clean for the end of the case preparing closing—plus however many are required for court and counsel, in most cases you need to make a copy for each defendant, the court, and the witness stand.
 - a. Copy of exhibit list (at start of each exhibits binder)
 - b. ALL exhibits in the case, numbered (called Bates Stamp) by exhibit (so that they can be referred to by page number ex: “Exhibit 5-1, 5-2, 5-3” or “Exhibit 6, 7, 8-1, 8-2” and so on)tabbed.

Start with the HOTTEST exhibits first, meaning, the exhibits you will use the most. If there is a particular exhibit you will be using a lot (ex. a photo) that is a part of a larger exhibit, pull it and put it as a solo exhibit at the front, then include the whole exhibit later as a separate exhibit.

Note: Depositions are not exhibits. Neither are pleadings or interrogatories. Those go in a separate binder.

Remember to include exhibits to depositions. If it is a LARGE file or something that doesn't make sense to re-include in the exhibit binder, have a SEPARATE EXHIBIT where those exhibits can be found called “Exhibits to Depositions”o Include ALL medical records if there is ANY medical condition at issueo Include all photographs

2. Depositions

- a. Original depositions: All original depositions in a box, labeled.
- b. Printed full copies of all other depositions a box (name of deponent written in sharpie on spine of deposition: first, last) The point is, you have a copy of every deposition taken in the case in a box with you in court—you can rotate out if there are a lot, but you have them if you need them.
- c. Binder of all condensed depositions separated by tab and with table of contents for accessibility. *Attach reports to any condensed deposition where one exists. (Example, Condensed Deposition of neurologist followed by neurologist's report)

3. Pleadings and Discovery Binder:

- a. Binder of pleadings, motion for summary judgement, deposition notices, expert designations, requests for Notice to Appear and Trial Subpoenas
- b. Discovery Binder: Interrogatories for both sides, Requests for admissions, Requests for production, etc. all in chronological order tabbed.

4. Motions in Limine Binder:

- a. All plaintiff motions in limine, followed immediately by defense opposition, and then all defense motions in limine, followed immediately by plaintiff opposition motions, all tabbed and table of contents for accessibility.

(The idea is that this binder is accessible for you to argue and then ditch after the motions are ruled on, but they are neatly organized in case they need to be revisited or re-argued)

5. Trial Binder

- a. Witness list
- b. Exhibit list
- c. List of all plaintiff and defense motions in limine (annotate with rulings at start of case)
- d. Expert designation list for both sides
 - i. Plaintiff and defendant expert reports
- e. Copy of 'hot documents' –the top 5-10 documents in your case that you will be referring to throughout trial.
 - i. Example in an auto/brian injury case: accident report, er record, ems record, mri report, photo of crash, photo of client's family-

f. Medical Summary-

1. Timeline (this can be done in powerpoint, just include the slides, or bullet points)
2. Medical records summary hyperlinked to the records in chronological order prepared by medical legal spider or similar.

g. Any statutory offers to settle and most recent demand letter

h. Jury Instructions and special jury instructions

1. Any special court rules or rules likely to be referenced

i. Verdict forms (jury charge) and Special verdict forms

6. Trial Supplies: Put all in ONE box:

- a. Pens and Sharpies (thick black)
- b. Yellow pads
- c. Sticky notes
- d. Highlighters
- e. Clips for paper
- f. Exhibit tabs depending on your jurisdiction
- g. Water, Tylenol, Gum
- h. Small printer (if you don't have close access to printing), paper, extra ink

7. A flip chart and easel, or dry erase, whatever you like

8. Tech: Elmo, projector or display if the court doesn't have one
(Check ahead of time)

- a. HDMI cable if you are hooking into an existing display
- b. Speakers if you plan on playing audio

Note: If you have a rolling bookshelf to organize all of the above you get a gold star