

## NEGLIGENCE ACTION CHECKLIST

### INSTRUCTIONS

- A. Insert in all negligence files. Keep loose as top item in file.
- B. Refer to Action Checklist Instructions for instructions on completing each step.
- C. Enter follow-up dates and date each step when completed.
- D. Responsible party abbreviations: A = Attorney; LA = Secretary/Legal Assistant

STEP NO.	DONE BY	INSTRUCTION
1.		<u>CLIENT INTERVIEW - PHONE</u>  Initial client contact by phone (if office interview, proceed to step 2).
1.1	LA	Complete Master Information List (MIL) (Interview Questionnaire) as far as possible.  If insurance and minor injuries (sprains, cuts, etc.) complete 1.2 through 1.4.  If major injuries, (fractures, unconsciousness, or more than emergency room hospitalization - treat as major), proceed to 1.5.
1.2	LA	Direct client to see the doctor.
1.3	LA	Set up office interview with Attorney and proceed to step 1.4.
1.4	LA	Mail Client Instruction Brochure (AAL-1) with Attorney Retainer Agreement (AA-1) and Client Records Authorization (AA-2) with SASE.
1.5	LA	If major injuries, set up attorney interview with client and prepare Retainer (2 copies), Records Authorizations (3 copies). If State Workers' Compensation or LSHW claim involved, include appropriate Department of Labor Claim Forms, Power of Attorney, Verification and Forma Pauperis forms (WC-1, WC-2, WC-8, WC-9). Proceed to step 2.
2.		<u>CLIENT INTERVIEW - OFFICE</u>  Attorney or Legal Assistant completes preliminary information on Master Information List.
2.1	A	Determine whether to accept case and give information to LA for preparation of Retainer Agreement (2 copies AA-1), Records Authorization (3 copies AA-2), Department of Labor Claim Forms, Power of Attorney, Verification and Forma Pauperis forms, as needed.  NOTE: If minor client, in preparing Records Authorization, put minor's name at end of each paragraph and above signature line. Insert "by" and put parent or Tutor's name under signature line.
2.2	A	Explain case procedure; give client Instruction Brochure (AAL-1); introduce Legal Assistant to complete Master Information List and forms.
2.3	LA	Complete MIL and have client sign and date Retainer Agreement, sign Records Authorizations, (Department of Labor Claim Forms, Verification and Forma

STEP NO.	DONE BY	INSTRUCTION			
2.4	LA	<p>Pauperis Oath, if Workers' Compensation claim to be made).</p> <p>Make future arrangements with client to:</p> <p>_____ Complete any forms and sign LSHW Claim</p> <p>_____ Mail in bills and receipts</p> <p>_____ Obtain additional information needed to complete MIL</p> <p>_____ Pictures or diagrams to make</p> <p>_____ Locate and bring in witnesses</p> <p>Proceed to step 3.</p>			
3.		<p><u>OPEN FILE</u></p> <p>Open file and distribute index cards using multi-part system. Diary <u>prescription date reminder cards</u> - white, blue and red.</p>			
3.1	LA	<p>Open <u>Control File</u>:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <p><u>Left Side</u></p> <p>Negligence Action Checklist</p> <p>Action Checklist Instructions</p> <p>Master Information List</p> </td> <td style="width: 50%; vertical-align: top;"> <p><u>Right Side</u></p> <p>Notes to Do</p> <p>Trial Notebook</p> </td> </tr> </table>	<p><u>Left Side</u></p> <p>Negligence Action Checklist</p> <p>Action Checklist Instructions</p> <p>Master Information List</p>	<p><u>Right Side</u></p> <p>Notes to Do</p> <p>Trial Notebook</p>	
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3.2	LA	<p>Opening <u>Working Files</u>:</p> <p>Use 10 file folders in expandable folder; insert materials in file chronologically as received, keeping categories together:</p> <table border="0" style="width: 100%;"> <tr> <td style="width: 33%; vertical-align: top;"> <p>Left Side</p> <p>New Case Memo</p> <p>Fee Contract</p> <p>Master Information List (copy)</p> <p>Statements</p> <p>Pleadings - Defendant</p> <p>Defendant's Discovery (filing &amp; answers to P's discovery)</p> <p>Medical Expense Summary Sheet</p> <p>Medical Bills</p> <p>Defendant's</p> </td> <td style="width: 33%; vertical-align: top;"> <p>(1) Correspondence File</p> <p>(2) Investigation File</p> <p>(3) Pleadings File</p> <p>(4) Discovery File</p> <p>(5) Medical File</p> <p>(6) Earnings &amp; Other Damages File</p> </td> <td style="width: 33%; vertical-align: top;"> <p>Right Side</p> <p>Notes to Do</p> <p>Correspondence</p> <p>Notes to Do</p> <p>Reports - Experts</p> <p>Diagrams &amp; Photos</p> <p>Accident Reports</p> <p>Pleading Summary Sheet</p> <p>Pleadings - Plaintiff</p> <p>Pleading Summary Sheet</p> <p>Plaintiff's Discovery</p> <p>Medical Treatment Summary Sheet</p> <p>Medical Reports &amp; Records</p> <p>Plaintiff's Lost Earnings</p> </td> </tr> </table>	<p>Left Side</p> <p>New Case Memo</p> <p>Fee Contract</p> <p>Master Information List (copy)</p> <p>Statements</p> <p>Pleadings - Defendant</p> <p>Defendant's Discovery (filing &amp; answers to P's discovery)</p> <p>Medical Expense Summary Sheet</p> <p>Medical Bills</p> <p>Defendant's</p>	<p>(1) Correspondence File</p> <p>(2) Investigation File</p> <p>(3) Pleadings File</p> <p>(4) Discovery File</p> <p>(5) Medical File</p> <p>(6) Earnings &amp; Other Damages File</p>	<p>Right Side</p> <p>Notes to Do</p> <p>Correspondence</p> <p>Notes to Do</p> <p>Reports - Experts</p> <p>Diagrams &amp; Photos</p> <p>Accident Reports</p> <p>Pleading Summary Sheet</p> <p>Pleadings - Plaintiff</p> <p>Pleading Summary Sheet</p> <p>Plaintiff's Discovery</p> <p>Medical Treatment Summary Sheet</p> <p>Medical Reports &amp; Records</p> <p>Plaintiff's Lost Earnings</p>
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STEP NO.	DONE BY	INSTRUCTION
		<p>Experts/Reports  1) Economist  2) Other estimates</p> <p>(7) Expense File</p> <p>Court Costs  1) Court costs &amp; court reporters  2) Expert  Deposition/Witness fees</p> <p>(8) Settlement File</p> <p>Defendant's offers</p> <p>(9) Research File</p> <p>Damages</p> <p>(10) Miscellaneous File</p>
		<p>1) Economist Report  Other Specials</p> <p>File Expense Sheet  Printout (monthly)  Non-Medical File Expense receipts  1) Experts, Travel, Invest, etc.</p> <p>Settlement Worksheet  Settlement  Letters/Brochure</p> <p>Liability</p>
3.3	LA	<p>Open additional files as needed.</p> <p>Exhibit file for photographs and original exhibits. Separate files if originals become bulky and unwieldy.  Proceed to Step 4.</p>
4.		<p><u>DIARIES AND CALENDARS</u></p> <p>LA enters case information and appropriate dates on Action Checklist and Pleading Summary Sheet.</p>
4.1	LA	Enter target date for completion of investigation in 30 days.
4.2	LA	Enter prescription date in Attorney's and Legal Assistant's diaries in Red ink.
4.3	LA	<p>Check that all forms are completed and signed:</p> <p>_____ Client Retainer Agreement (AA-1)  _____ Client Records Verification Authorization (AA-2)  _____ Verification (WC-8), if needed  _____ Forma Pauperis Oath (WC-9), if needed  _____ State or LSHW claim form (mail within 10 days of accident)</p>
4.4	LA	If not completed, diary to follow up. When completed, proceed to Step 5.
5.		<p><u>NOTICE OF REPRESENTATION</u></p> <p>Attorney makes preliminary determination of proper parties, plaintiff and defendant. Return to Legal Assistant for notice of representation.</p>
5.1	LA	Send notice letter to defendant party/insurance company and appropriate Department of Labor claim forms. Describe injuries and disability if known.

STEP NO.	DONE BY	INSTRUCTION
5.2	LA	Send out Referral Thank You Letter (AAL14).
6.		<u>INVESTIGATION</u>
		Legal Assistant and Attorney determine investigation required using Checklist. As time required, enter target date for completion on Checklist.
6.1	LA	Send out request for following information, as required: _____ Insurance information, if unknown (AAL-6) _____ Ownership of defendant auto, if unknown (AAL-7) _____ Hospital emergency room records (AAL10 & 11) _____ Police Accident Report (AAL-3) _____ City Directory information on defendants _____ Defendant's driving record (AAL15) _____ Corporate Defendant's agent (AAL13) _____ Newspaper articles and photos _____ Physical objects involved in accident, if necessary preserve evidence. Diary to follow up on requests. Proceed to Step 6.2.
6.2	LA	Review Action Checklist with Attorney for further investigation required.  Legal Assistant obtains information or contacts investigator to complete steps checked off.
6.3	LA	Enter deadline dates for completion of Checklist. Date and file tickler card for further investigation deadline dates.
6.4	LA	When investigation completed, proceed to Step 7.
7.		<u>PRELIMINARY CASE EVALUATION</u>
		Upon completion of investigation, return file with trial notebook forms (TNB1) to attorney for preparation. Trial notebook forms are kept in File Control Folder.
7.1	A	Review file and prepare preliminary statement of facts (TNB1).
7.2	A	Prepare a preliminary analysis of theory of case, parties and damage issues.
7.3	A	Research preliminary issues for applicable rules and required factual foundations.
7.4	A	Consider necessity for further investigation to develop facts or persuasive proof.
8.		<u>ADDITIONAL INVESTIGATION</u>
		Legal Assistant initiates additional accident investigation and completes proof of damages required for settlement negotiations.
8.1	LA	Contact investigator to do additional investigation determined in Step 7 (WCL-6). Diary 5 days to follow up for report.
8.2	LA	Upon receipt of investigator's report, complete witness evaluation sheet (WC-4B) by

STEP NO.	DONE BY	INSTRUCTION
		phone with investigator and send out witness thank you letter (WCL15).
8.3	LA	<p>Check on status of client's medical treatment.</p> <p>1) If not discharged and compensation being paid, diary 30 days to follow up and enter new target date on Action To Do Chart and Checklist. NOTE: Where major injuries with extended anticipated treatment time, consult with attorney on proceeding to Steps 10 &amp; 11 for preparation and filing of suit while waiting for completion of treatment and discharge.</p> <p>2) If not discharged and compensation terminated, proceed to Steps 10 &amp; 11 to prepare and file suit while waiting for completion of treatment and discharge.</p> <p>3) If discharged, proceed to Step 8.4.</p>
8.4	LA	<p>Upon client's discharge by doctor, review file and make sure all bills, reports, work records, loss of wage information, and estimates are requested and received. Diary file to follow up on requests.</p> <p>Upon completion proceed to Step 9.</p>
9.		<u>SETTLEMENT</u>
		Legal Assistant and Attorney prepare file and conduct settlement negotiations.
9.1	LA	Prepare the Injury Evaluation Worksheet (AA-4) and Medical Summary (AA-4A) using assembled medical and damage data. Copy appropriate pages from disability evaluation handbooks and return file to Attorney for evaluation.
9.2	LA	Enter a settlement negotiations target date on Action To Do Chart and Checklist.
9.3	A	<p>Make final determination of proper parties and settlement value and obtain client authorization to settle.</p> <p>Fill in settlement figure on Injury Evaluation Worksheet (AA-4) and Medical Summary (AA-4A) to return to LA to prepare Settlement Letter (AAL20) or Settlement Brochure (AAL20A) as instructed on Checklist.</p>
9.4	LA	<p>Use investigation reports, the Injury Worksheet and Medical Summary to prepare settlement letter or brochure. Attach copies of exhibits in following categories:</p> <ol style="list-style-type: none"> <li>1. Accident Report</li> <li>2. Photographs and statements</li> <li>3. Medical records: Doctors and Hospitals</li> <li>4. Medial Expenses</li> <li>5. Economist's report and supporting data</li> <li>6. Other special damages</li> <li>7. Law</li> </ol>
9.5	LA	<p>Return completed letter or brochure to Attorney for review and approval before mailing. After mailing diary 15 days for response and attorney negotiations.</p> <ol style="list-style-type: none"> <li>1) If case settled, proceed to Step 19.</li> <li>2) If no settlement, proceed to Step 10.</li> </ol>
10.		<u>PREPARATION OF SUIT</u>

STEP NO.	DONE BY	INSTRUCTION
10.1	LA	Return file to Attorney for case analysis. Enter suit target date on Action To Do Chart and Checklist.
10.2	A	Review file and MIL and determine factors in checklist. As decisions are made, fill in appropriate information on MIL and return to LA for drafting pleadings.
10.3	LA	Prepare petition using MIL and the Petition forms (AA-5 to 9). Upon completion, return to attorney for review and signing.
11.		<u>PLEADINGS</u>
		After attorney reviews and signs petition, Legal Assistant mails to Clerk of Court of appropriate court for filing (AAL17).
11.1	LA	Enter target date for motions and answer in Action To Do Chart and Checklist. Diary File 5 days to follow up on filing date and Court allotment.
11.2	LA	Upon confirming filing information, diary file 15 days from date filed to check service.
11.3	LA	If no service, check with sheriff for reason. Obtain better address or otherwise correct problem and get sheriff to reissue service (AAL18). Return to 11.2 and re-diary.
11.4	LA	When service is verified, enter date and manner of service on MIL or Pleading Summary Sheet. Diary 15 days from service date to follow up on answer.
11.5	LA	If no answer filed, check to see if attorney or insurer has requested extension of time. 1) If so, call for answer at expiration of extension and re-diary for 5 days. 2) If no extension, consult with Attorney before proceeding with default.
11.6	LA	When answer or exceptions filed, return file to Attorney for preparation of response and discovery.
11.7	A	Review pleadings (answer or exceptions) and determine appropriate response: ____ Answer to reconventional demand ____ Memorandum opposing exceptions ____ Amendment to petition ____ Summary judgment ____ Subpoenas for exception hearing
	LA	1) If answer filed and responsive pleadings required in Step 11.6, prepare and file.
	LA	2) If answer filed and no responsive pleadings required, proceed to Step 12.
	LA	3) If exceptions, issue any subpoenas and diary file for day before hearing date. On dismissal of exceptions, return to Step 11.4 and diary to follow up on answer.

12. DISCOVERY

After answer or responses in Step 11 filed, give Attorney file and review and determine discovery required.

STEP NO.	DONE BY	INSTRUCTION
12.1	A	<p>Check desired discovery on Checklist and complete discovery instruction forms.</p> <p>_____ Interrogatories (AA13)</p> <p>_____ Request for Admissions (AA14)</p> <p>_____ Depositions (AA15-16B)</p> <p>_____ Motion to Produce/Inspect (AA17)</p> <p>_____ Physical/Mental Exam</p> <p>If discovery: proceed to Step 12.2 . If no discovery: proceed to Step 13.</p>
12.2	LA	Prepare discovery pleadings or notices and follow appropriate step below.
12.3	LA	<p><u>Interrogatories &amp; Admissions:</u></p> <p>File with Court and mail 2 service copies to defendant's attorney. Diary file 15 days to follow up on answers.</p>
12.4	LA	<p><u>Depositions:</u></p> <p>1) Schedule depositions, after checking Attorney's diary, by calling defendant's attorney for date and agreement to produce defendant or witness under his control. File original notice with Court and mail service copy to attorney.</p> <p>2) If no agreement or impartial witness, file notice, mail copy to attorney and issue subpoena to witness (AAL16 &amp; 16A).</p> <p>3) Arrange for court reporter and diary file for day prior.</p> <p>4) Deliver file and Deposit Checklist (AA16B) to Attorney day before deposition.</p> <p>A 5) Attorney - conduct deposition.</p> <p>If further discovery required, return to Step 12.1. If none, proceed to Step 13.</p>
12.5	LA	<p>Defendant's Interrogatories to Client:</p> <p>1) Upon receiving interrogatories to client, send copy to client with request to prepare answer (AAL-2).</p> <p>Diary file 10 days to follow up on answer.</p> <p>2) Upon receiving client's answer to interrogatories, review for completeness and accuracy. Delete information that is not responsive to questions and add any information from file that is requested. Draft final answer and give to Attorney for review.</p> <p>3) Phone client to come in and sign final answer. File original in Court. Copy to defendant's attorney, copy to client.</p> <p>If further discovery, return to Step 12.1. If none, proceed to next step.</p>
12.6	LA	<p>Notice to Client's Deposition:</p> <p>1) Upon receipt of notice to take client's deposition, send client instruction booklet and notice to come to office one hour prior to deposition (AAL2). Diary file.</p> <p>2) Prepare client for deposition.</p> <p>A 3) Attend deposition.</p>
12.7	LA	If further discovery, return to Step 12.1.

STEP	DONE	
NO.	BY	INSTRUCTION

If no further discovery:

- 1) Diary file 60 days to follow up on trial date.
- 2) Upon receipt of pre-trial or trial notice from Court, enter deadlines in Action To Do Chart, Pleading Summary, and Atty.'s & LA's diaries.

13. TRIAL NOTEBOOK

13.1 LA After filing motion to fix for trial, begin preparation of Trial Notebook.

- \_\_\_\_\_ Draft preliminary statement of facts (TNB2)
- \_\_\_\_\_ Outline legal issues and theories of case (TNB3)
- \_\_\_\_\_ Outline pleadings - allegations /answers (TNB4)
- \_\_\_\_\_ Prepare preliminary list of all possible witnesses (TNB5a)
- \_\_\_\_\_ Prepare preliminary list of all possible exhibits (TNB5b)
- \_\_\_\_\_ Medical and Special Damages Checklist (TNB5c)
- \_\_\_\_\_ Identify supporting proof needed
  - \_\_\_\_\_ Medical expenses - past/future
  - \_\_\_\_\_ Lost income verification
  - \_\_\_\_\_ Property repair/value estimates
  - \_\_\_\_\_ Other special damages
- \_\_\_\_\_ Return file to Attorney for completion of Trial Notebook

13.2 A Review and complete Statement of Facts (TNB2)

13.3 A Complete Outline of Legal Issues & Theories of Case (TNB3)

13.4 LA Review and Re-Analyze Pleadings (TNB4)

- \_\_\_\_\_ Outline pleadings - allegations/answers
- \_\_\_\_\_ Amendment to pleadings required

13.5 A Complete Outline of Proof (TNB5)

- \_\_\_\_\_ Additional research required
- \_\_\_\_\_ Additional investigation required
- \_\_\_\_\_ Additional discovery required

13.6 LA Witnesses (TNB6)

- \_\_\_\_\_ Prepare final list of witnesses
- \_\_\_\_\_ Identify problems and additional witnesses needed (TNB6a)
  - \_\_\_\_\_ Lay: \_\_\_\_\_
  - \_\_\_\_\_ Expert: \_\_\_\_\_

13.7 LA Exhibits (TNB7)

- \_\_\_\_\_ Prepare final list of exhibits
- \_\_\_\_\_ Identify problems and additional exhibits needed (TNB7a)
 

_____ Insurance coverage	_____ Maps & diagrams
_____ Auto/property titles	_____ Books & records
_____ News articles/photos	_____ Medical reports



STEP NO.	DONE BY	INSTRUCTION		
		<table border="0" style="width: 100%;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Photos - injuries  <input type="checkbox"/> Photos - scene  <input type="checkbox"/> Photos - auto/prop  <input type="checkbox"/> Motion pictures  <input type="checkbox"/> Statement - parties  <input type="checkbox"/> Statement - witness  <input type="checkbox"/> Accident reports  <input type="checkbox"/> Weather reports </td> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Hospital records  <input type="checkbox"/> Death certificate  <input type="checkbox"/> Coroner's report  <input type="checkbox"/> Lab reports  <input type="checkbox"/> Expert's reports  <input type="checkbox"/> Blow up document evidence  <input type="checkbox"/> X-rays/medical illustrations  <input type="checkbox"/> Models </td> </tr> </table>	<input type="checkbox"/> Photos - injuries <input type="checkbox"/> Photos - scene <input type="checkbox"/> Photos - auto/prop <input type="checkbox"/> Motion pictures <input type="checkbox"/> Statement - parties <input type="checkbox"/> Statement - witness <input type="checkbox"/> Accident reports <input type="checkbox"/> Weather reports	<input type="checkbox"/> Hospital records <input type="checkbox"/> Death certificate <input type="checkbox"/> Coroner's report <input type="checkbox"/> Lab reports <input type="checkbox"/> Expert's reports <input type="checkbox"/> Blow up document evidence <input type="checkbox"/> X-rays/medical illustrations <input type="checkbox"/> Models
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13.8	LA	<p>Outline Voir Dire &amp; Jury Selection (TNB8) Attach:</p> <p><input type="checkbox"/> Jury list with notes on juror investigation (city directory)</p> <p><input type="checkbox"/> Jury Verdict reporter information on type juror - (pos/neg)</p> <p><input type="checkbox"/> Return file to A for completion of Notebook</p>		
13.9	A	Draft preliminary outline of Opening Statement (TNB9)		
13.10	A	<p>Draft preliminary outline of Direct Exam (TNB10)</p> <p><input type="checkbox"/> Note any evidence needed or questions of admissibility</p>		
13.11	A	<p>Draft preliminary outline of Cross Exam (TNB11)</p> <p><input type="checkbox"/> Note all major points and anticipated objections</p> <p><input type="checkbox"/> Note any documents or exhibits needed</p> <p><input type="checkbox"/> Note any statements or depositions to be abstracted</p>		
13.12	A	Draft preliminary outline of Rebuttal (TNB12)		
13.13	A	<p>Draft preliminary outline of Final Argument (TNB13)</p> <p><input type="checkbox"/> Review Analysis of Issues and Outline of Proof in light of Final Argument Outline</p> <p><input type="checkbox"/> Make adjustments or changes, if required</p>		
13.14	A	Outline issues for desired Jury Instructions (TNB14)		
13.15	A	<p>Review all Trial Notebook outlines for things to do</p> <p><input type="checkbox"/> Evidence problems (TNB6a &amp; 7a)</p> <p><input type="checkbox"/> Motions in Limine</p> <p><input type="checkbox"/> Trial brief or memorandum</p> <p><input type="checkbox"/> Additional investigation and research</p> <p><input type="checkbox"/> Return file to LA to draft Jury Instructions and completion or things to do</p>		
14.		<p><u>PRETRIAL CONFERENCE</u></p> <p>If no pre-trial order required, proceed to Step 15.</p> <p>If pre-trial order is required, proceed to Step 14.1</p>		
14.1	LA	<p>Prepare documents and attachments required by trial notice</p> <p><input type="checkbox"/> Witness list</p>		

STEP NO.	DONE BY	INSTRUCTION
		<input type="checkbox"/> Exhibit list <input type="checkbox"/> Memorandum of law <input type="checkbox"/> Jury Instructions <input type="checkbox"/> Motions in Limine <input type="checkbox"/> Other documents  Diary file for exchange of witness and exhibit lists.
14.2	LA	Prepare draft of pre-trial order  <input type="checkbox"/> Check all facts with client for completeness and accuracy <input type="checkbox"/> Deliver to A with required lists & documents for review
14.3	LA	Send out witness lists and exhibit list. <input type="checkbox"/> Diary to obtain defendant's pre-trial order insert
14.4	LA	Review and approve defendant's inserts. <input type="checkbox"/> Return to LA for completion of order and filing
14.5	LA	Complete final pre-trial order with defendant's inserts  <input type="checkbox"/> Attorney approves and signs <input type="checkbox"/> File with Court ___ full days before conference <input type="checkbox"/> Diary file for pre-trial conference
14.6	A	Attend pre-trial conference  <input type="checkbox"/> Obtain trial and cutoff dates <input type="checkbox"/> Return file to LA for diary entries
14.7	LA	Diary file for trial and all cutoff dates  <input type="checkbox"/> Complete and file required amendments to pleadings <input type="checkbox"/> Complete necessary discovery <input type="checkbox"/> Complete any preparation of testimony required  Proceed to Step 15.
15.		<u>FINAL TRIAL PREPARATION</u>
15.1	LA	Upon receipt of trial date  <input type="checkbox"/> Issue witness subpoenas per witness list <input type="checkbox"/> Issue subpoena duces tecum's <input type="checkbox"/> Send out witness letters and witness instruction brochure
15.2	LA	Summarize and index depositions <input type="checkbox"/> Diary file for 30 days prior to trial
15.3	LA	30 days prior to trial

STEP NO.	DONE BY	INSTRUCTION
		<input type="checkbox"/> Set up pre-trial interviews with witnesses and client <input type="checkbox"/> Draft settlement letter, if not done before <input type="checkbox"/> Complete assembly of trial notebook material <input type="checkbox"/> Complete to do list and collect and assemble all information <input type="checkbox"/> Type up all pages which are final <input type="checkbox"/> Attach all documents and notes to appropriate pages <input type="checkbox"/> Assemble all research and memos for drafting trial brief <input type="checkbox"/> Fix date for hearing motions in limine, if any <input type="checkbox"/> Diary for hearings on motions, settlement conferences, etc. <input type="checkbox"/> Return to Attorney for completion
15.4	A	<p>Complete trial notebook and preparations for trial.</p> <input type="checkbox"/> Prepare trial brief <input type="checkbox"/> Prepare motions in limine <input type="checkbox"/> Review & finalize facts and legal issues <input type="checkbox"/> Complete final argument <input type="checkbox"/> Review whole trial notebook in light of final argument <input type="checkbox"/> Review evidence problems checklist (TNB6a & 7a) <input type="checkbox"/> Complete witness summary sheets <input type="checkbox"/> Prepare special verdict forms or interrogatories <input type="checkbox"/> Complete Trial Outline (TNB15) <input type="checkbox"/> Return to LA with additional Checklist instructions
15.5	LA	Complete things to do on Checklist. Diary file for witness interviews.
15.6	A	Conduct witness and client pre-trial interviews. Proceed to Step 16.
16.		<u>TRIAL</u>
16.1	LA	Take notes at Voir dire - Complete Juror Fact Sheets (TNB8a) for each juror during voir dire. Note any answers which may be helpful.
16.2	LA	Opening statements - make notes of facts defendant claims will prove or at issue.
16.3	LA	During trial generally - keep trial notebook in order and up-to-date with notes on motions, direct and cross examination, order of witnesses. Complete exhibit list as exhibits numbered and entered.
16.4	A	Conduct trial.
17.		<u>POST TRIAL MOTIONS</u>
17.1	A	<p>Review checklist for desired post-trial motions and Legal Assistant prepared draft of judgment or post trial motions:</p> <input type="checkbox"/> Directed Verdict <input type="checkbox"/> Reopen Case <input type="checkbox"/> Judgment N.O.V. <input type="checkbox"/> New Trial (AA21) <input type="checkbox"/> Relief from Judgment

STEP NO.	DONE BY	INSTRUCTION
		<p>_____ Additur/Remittur</p> <p>_____ Motion for Appeal (AA22)</p>
17.2	A	Approve or edit judgment or motions, draft supporting memos and return to Legal Assistant for filing.
17.3	LA	If judgment in client's favor, obtain signed judgment. Diary file for 30 day appeal period to follow up on payment of judgment or appeal or execution of judgment.
17.4	LA	If judgment paid, go to Step 19.
		If judgment against client, file motions or appeal and diary for hearing date. Proceed to Step 18.
17.5	A	Conduct Motion hearing. Contact client re appeal.
18.		<u>APPEAL</u>
18.1	LA	Obtain copy of record and transcript upon notice of filing in appellate court.
18.2	LA	Enter diary dates for brief filing deadline. Give to attorney for brief.
18.3	A	Determine record complete. Research and draft brief.
19.		<u>JUDGMENT - SETTLEMENT</u>
19.1	LA	If settlement or Judgment check received:
		<p>1) Prepare settlement statement</p> <p>2) Make appointment with client to come in and execute releases and disburse check.</p> <p>3) Attorney and client execute releases and motion to dismiss and disburse check to client. Return releases and motions to defendant's attorney.</p>
20.		<u>CLOSE FILE</u>
20.1	LA	Strip file:
		<p>_____ Save: Control File, Correspondence File, Pleadings File (discard all pleadings except Memos &amp; Briefs), Settlement File, and Expense File</p> <p>_____ Pull and return to client: All original documents received from client, i.e. all medical records, Plaintiff's earning records from Earnings File</p> <p>_____ Discard all other files: Pleadings File: all pleadings in court records; Discovery File: all pleadings in court records; Investigation File: all except our investigation.</p>
20.2	LA	Assign closed file number and file in closed files.