

Chapter 19- Preparing Your Case for Trial



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INTRODUCTION

- Treat every case like it's going to trial
- Prepare well ahead of time
 - 120-day checklist
 - 90-day checklist
 - 60-day checklist
 - 30-day checklist

TRIAL CHECKLIST – CLIENT NAME

DATE:	DAYS FROM TRIAL:
Discovery Deadline:	Pre-Trial Hearing Date:
Trial Date:	Attach Current Scheduling Order
ONE HUNDRED-TWENTY (120) DAYS:	
1. Discovery – Make a list of any written discovery you need to send. Consider RFA's on any outstanding issues. Send Remaining Discovery Requests	
2. Depositions – Decide what if any depositions you still need to set on the case and send letters requesting dates. Calendar follow up letters and the last date to get the depositions set by	
3. Supplement Discovery - Review file and ensure we have supplemented <u>all</u> of our <u>discovery</u> , especially witnesses and exhibits <i>Original Checklist/AAJ</i>	
4. Chart & order your Proof: List the negative evidence against you. Include your evidence. Put <u>then</u> in order and have your best exhibits numbered first, that is how they will be given to the jury.	

PREPARING FOR TRIAL-- Generally

- TRCP Deadlines
- Scheduling Order Deadlines
- Local Rules
- TCPRC 30.012(b):



(b) Witness testimony at trial in a district or statutory county court may be conducted by electronic means only if the witness is deposed before the commencement of the trial. Neither the court nor any party may waive the requirement to depose the witness under this subsection if any party objects.

PREPARING FOR TRIAL – 120 day checklist

- Get out final written discovery
- Exhibit/Witness list
 - Admissible format
 - TRCP 193.7
- Remaining depositions scheduled
- Written discovery responses updated



"We find the defendant guilty of being in the details."

PREPARING FOR TRIAL – 120 day checklist

- Chart & Order of Proof
- Jury Charge
- Themes
- ASO deadlines

TEXAS PATTERN JURY CHARGES
GENERAL NEGLIGENCE,
INTENTIONAL PERSONAL TORTS
& WORKERS' COMPENSATION



PREPARING FOR TRIAL – 90 day checklist

- Subpoena list
- MSJs (surviving, filing, responses)
- Motions to Compel
- Focus Groups
- Deposition Summaries



PREPARING FOR TRIAL – 60 day checklist

- Opening/Closing Statements
- Motions in Limine, Pretrial scheduled
- Trial Briefs
- Pleading Amendments
- Voir Dire Preparation



PREPARING FOR TRIAL – 30 day checklist

- Trial Notebook/ Box
- Trial Docket
- Travel arrangements
- Expert & Witness reminders



PREPARING FOR TRIAL – week before

- Witness prep
- Trial supplies
- Meeting Rooms
- Lunches
- Juror Research
- Directs/Crosses



QUESTIONS?:

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