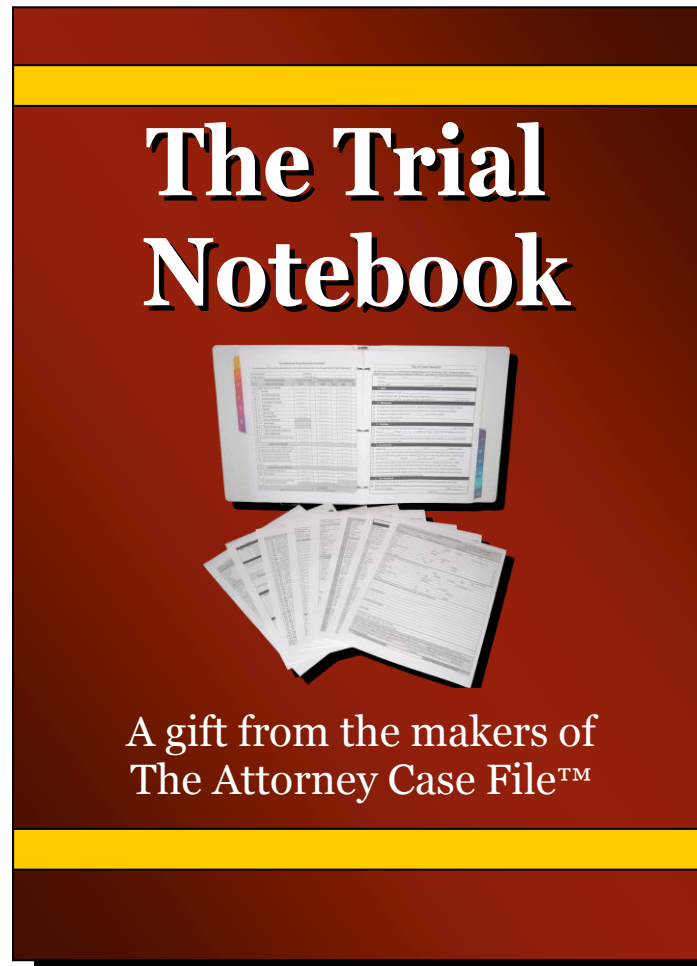


The Trial Notebook



A little something we put together to help our friends in the legal profession.

Thank you for downloading your copy of our **Trial Notebook** ebook.

As you would expect with a document produced for practitioners of law, we'll start with the legal notices. We have four for you.

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Now that all of that's out of the way, let's get to the good stuff!

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A short discussion of what a good Trial Notebook should be, why you should always use one, and a litmus test of qualities to help make yours the best.

II. Basic Structure

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Though there are many different areas of law, several types of court, and two sides to every argument, there are quite a number of features common to all trials. In this section we cover basic trial notebook structure as well as a list of some of the forms and checklists you'll find in the sections that follow.

III. Useful Content

Page 13

Where would our manners be if we didn't provide some of the detailed forms, checklists, and additional tips on assembling a trial notebook that not only works well in hardcopy format but also in softcopy? In this portion you'll find cover sheets for your notebook sections as well as a few of our forms from The Attorney Case File to help you in organizing material for your trial.

IV. Putting it All Together

Page 34

We started with an overview of good Trial Notebook qualities, gave examples of the contents a thorough one should have and then gave you forms to get you started. However, the difference is in the detail and we want to give you the detail that will make all the difference. Here we'll cover additional tips on how to make your Trial Notebook all it can be and to make your day in court a success.

V. About the Source

Page 42

This ebook is only a small portion of what's available. There is more to show you so we added this small section to tell you about the much bigger picture.

I. Introduction

Welcome to the Trial Notebook ebook; a short excerpt from part of “The Attorney Case File” system.

Based on the stats from our website, most visitors arrive after having searched for information on how to construct a Trial Notebook, so here we are, doing a little more to help you with your law office, case management, and trial preparation needs.

Though just the tip of the iceberg, we’ve packed a lot into this short work. We’re going to cover some of the basics of a Trial Notebook; we’ll throw in a few useful forms from our system, provide some rather useful tips, and then finish up with helpful insight into the final construction and “polish” for making yours the best Trial Notebook it can be.

If you are fairly new to the industry, let’s settle this question: “What exactly is a Trial Notebook?” A Trial Notebook is the “brain” of your court appearance. It’s not the folder that holds all your evidence, it’s not a collection of court rules or procedures, and it’s not your day planner housing your law office to-do lists. It’s its own focused, dedicated organizer for the in-court presentation of the witnesses, exhibits, and other information related to one trial and one trial only and if you do it right, it will be pretty much worth its weight in gold.

If you’re a seasoned pro but still say “Well, I can’t see using a Trial Notebook for every case. We’ve done pretty well in a lot of our smaller trials without going to all that trouble ...” then let’s look at:

“Top Ten Reasons to Create a Trial Notebook”

10. *The process itself is educational since you have to review your case while putting it together.*
9. *It helps you notice billable hours you might have misplaced had you not reviewed.*
8. *Nothing will sway a jury against you as quickly as looking disorganized and inept.*
7. *If you need to add attorneys for any reason, a good Trial Notebook brings them up to speed.*
6. *A good Trial Notebook can streamline your time in court which may win favor or good will.*
5. *If you’re support staff and create great Trial Notebooks, you might rule the firm one day!*
4. *It shows the Judge, Jury, and Opposition that you’re ready and you mean business!*
3. *Organization and readiness instill confidence in the presenting attorney(s).*
2. *It also instills confidence in the client (you know... the one writing the checks).*
1. *You want to WIN!!*

We all want to win.

It has long been said that good attorneys will not ask a question in court to which they do not already know the answer.

The answers to these potential questions should have been provided as you worked your case; in the investigation, legal research, the preliminary proceedings, discovery, and every second leading up to an appearance in court. The most important question of all, though, is “***In court, can you find the answers you gathered so you know you’re asking the right questions?***” Just as important, are seemingly minor details also organized to the point you don’t miss a single step?

Presenting your case in court is the culmination of all the hard work put forth in its preparation. You’ve worked hard for your client, investigating the details of the case, performing statutory and case law research, creating piles of briefs and memos, lining up expert witnesses, communicating with the clerk of the court, scheduling and calendaring all related activities, accounting for all billable hours, securing your evidence, creating exhibits, pouring over discovery items, and making sure every I was dotted, every T was crossed. In all, you want your case presentation to be a work of art, and that’s why we’re here. We want to give you the framework to help you shine once you get to court.

In just a bit we’ll go through the actual steps you should take in setting up your notebook, but for this short intro, we’ll discuss the “Litmus Test” or rather the qualities your notebook should have that will help set you up for success when your case goes to **T.R.I.A.L.**:

Thoroughness – *Have you included everything you’ll need and then checked it all again?*

Reliability – *Accuracy aside, does your notebook format work? Is it softcopy or hardcopy?*

Inquisitiveness – *Do your sections and forms prompt you to provide the right info?*

Apppearance – *Does your Trial Notebook package command respect or is it a mess?*

Logic – *Is there a good intuitive flow to the layout of your material? Can you navigate it easily?*

Thoroughness

There is nothing so fatal to a court case as a missed detail. While you don’t want to be repetitive, the more important an event is the more a little redundancy is your friend. You want to include everything you need, repeat a couple of things here and there, and have some good cross-reference so you don’t overlook anything. Some thoughts to keep in mind:

- Work from forms, templates, and checklists. Don’t leave anything to chance or memory. You’ll find a few of our forms and checklists in the “Useful Content” section.
- Review everything with your client and your presenting attorney(s) as you go along. Waiting until the last minute does nothing but ensure missed detail and a nervous client.

- If you had an outside (or in-house) investigator working with you, have them review with you the material they provided so you know all the ins and outs of the information gathered.
- Create an “Index and Reference” section where you make an index like you would find in a text book. For example, have one list showing your Document Control numbers in numerical order along with the items they represent, list your witnesses in alphabetical order, your e-discovery files by name, and list all other electronic file names in alpha-numeric order with a description of their contents. In court, you never know what you’ll have to look up.

Reliability

Just how can a notebook be “reliable?” Simple. It’s usable and does everything you would expect. In this case, the goals are to both house and safeguard all of your pertinent organizational data and intel, and to be ready to provide that information to you exactly when you need it each and every time. We’ll cover this in more detail later, but for now, let’s look at some general points:

- The heart of your system should be a hardcopy three-ring binder. Though most offices and courts are trying to “go green” and conserve paper, there is a time and a place for a paper-based organizer. Trial is that time and place. Binders don’t crash like computers can.
- Though we’re heading in to an all-electronic-file age, the vast majority of us were raised on paper-based books and handwritten notes in school and we’re still faster at navigating a tabbed notebook than a computer file.
- A hardcopy Trial Notebook is also good in case the computer crashes, or your firm’s computer operating system is changed during the course of a lengthy trial. The more important the case, the more redundancy is your friend.
- The binder you choose should be durable and hold papers well. It’ll be tossed around on desks and tables, scooped up with folios and boxes, and take countless trips in vehicles. You don’t want it to show wear easily or spill its contents in the middle of court.
- Similarly, any computer you bring in to court should use a reliable operating system and you should have a power cable, a charged battery, and all pertinent accessories.
- Your soft-copy media should also come in a couple of formats just to make sure you can reliably access each. Have one copy of the file loaded on your computer and have a CD or DVD copy in addition to the files on a “thumb drive” or “flash drive.” We’ll have some related tips for computer use under “Putting it All Together.”

Inquisitiveness

You get to ask questions in court. That’s how you get some of your information. A trial would be useless if you didn’t question anyone or anything. Why? So you don’t miss a single detail. Your Trial Notebook should do the same for you... provided you set it up right.

- Always work from templates, forms, and checklists. You'll find examples under "Useful Content." Checklists will help remind you of the information your notebook should house.
- As the saying goes "*The dullest pencil has a better memory than the sharpest mind.*" – (Author Unknown). Your forms will help you remember what to do with final notebook content review, on the day of court, and for making sure you have all the main items and support items you'll need to ensure your presentation in court is complete, thorough, organized, and successful. The better you are at customizing these checklists, the better off you'll be. Remember, "When in doubt, write it out!" Don't leave important things to memory. Set your Trial Notebook up so that it asks you the right questions before you ask questions in court.

Apppearance

People shouldn't judge a book by its cover but they do. It's just a fact of life. For example, your personal appearance should be as professional as possible, especially when you're in front of the client, court, or opposition. Your Trial Notebook should maintain a professional appearance as well in order to command respect from the jury, confidence from your client, and to intimidate the opposition.



You wouldn't take this into court would you?

Imagine a disheveled, slovenly looking attorney flipping frantically through a stack of legal pads and loose papers while the clock ticks and the confused expression on his or her face deepens. Now imagine a well-dressed, calm, confident, attorney casually referring to a new laptop and doing a quick cross-check with a tabbed three-ring binder housed in a nice leather cover. Which one of these images conveys a winner? Think about a few appearance pointers:

- You don't want to spend too much money on notebooks, but make sure the ones you get look good and match the folios and binders you bring with you to trial.
- Never use stacks of pads, papers, or "unbound" anything. All paperwork should be in some sort of binder, folio, or labeled box, and again, they should look like they all came as a set.
- For externally visible labels, use something that looks professional, and make sure they all match (though you might use different colors for different sections – more on that later).
- Rubber bands have a minimal place in court. Don't use them if you don't absolutely have to.
- Neatness counts, even when it's only your people seeing the contents. This is especially true if you're a paralegal preparing this for a partner of a firm. Your work product affects your career. Make it good and make it count. Make sure all spelling is correct, typestyle (font) is uniform, grammar is good, the layout follows office protocol (which you should help set), and that all copy is legible.

Logic

The most thorough and detailed Trial Notebook in the world is going to be useless unless the presenting attorney can understand the layout and logic of how everything in the notebook is organized. Consider the following:

- The first consideration is, “*Who is the lead or presenting attorney for the trial?*” Though your firm’s notebooks should be pretty much standardized you still have to consider the nature of the type of case being tried followed immediately by the idiosyncrasies of your presenting attorney. Do they prefer hardcopy or do they work best from computer? Do they like large print or small print? Do they respond well to color-coded / highlighted text or certain symbols like different types of bullet points? Has the court issued any edicts concerning trial materials?
- Though one attorney might prefer one certain format over another, you need to keep two things in mind. One, there should be some uniformity, and two; your redundant backups should mirror each other as much as possible. For example, if the attorney prefers working from an electronic copy of the Trial Notebook and the laptop crashes, the hardcopy three-ring binder should be laid out in the same fashion as the softcopy version.
- We can’t stress this enough: work from forms, checklists, and templates.
- This also bears repeating: Create an Index & Reference section to give you a secondary way of looking up information that you need to locate quickly.
- Though you have a lot of data you gathered for your case, keep in mind that the Trial Notebook is not meant to house everything, but rather, it is to be the main organizer or index of your materials and an outline of your case. Use other folios, folders, binders, and boxes for the “guts” and documents. Keeping the Trial Notebook’s contents concise and to the point makes for easier navigation which is much more logical.

Sadly, in such a short ebook we can only speak in generalities with your Trial Notebook. There are so many types of cases. You might be working either side of civil or criminal, tax or tort, paternity or product liability, contract or malpractice, family or corporate. However, trials do have some foundational elements to them, so we’ll give you the framework you’ll need that will help you prepare the best Trial Notebook you possibly can. Let’s look next at “**Basic Structure.**”



Could you navigate your way through a ton of important documents without a good, logically organized Trial Notebook?

II. Basic Structure

As mentioned in the “Introduction,” with anything as important as a trial, redundancy is your friend. Here under “Basic Structure” we’re going to focus on the contents of a hardcopy notebook, but we’ll also remind you to organize your softcopy files in the same format. Remember; logical organization is key to your material being useful in court.

Some offices organize their notebooks by form, others by function, and we’ve even seen some who choose to do everything in alphabetical order. What we recommend is to organize your sections in pretty much the same order as they’ll be accessed or used in presenting your case. The following are offered as suggested tab sections for a hardcopy notebook, but as we’ve said before, your electronic files should be stored on your computer, CDs / DVDs, and flash drives using an identical folder or document table of contents layout. Here are our suggested sections:

Title Sheet: Trial Information

Tabbed Sections:

1. Pre-Trial
2. Voir Dire & Jury Info
3. Opening Statements
4. Presentation Schedule
5. Witnesses
6. Exhibits
7. Law & Court
8. The Opposition
9. Closing Statements
10. Jury Charge
11. Verdict and Post-Trial
12. Daily Journal & Miscellaneous
- ** Index & Reference



A little organization can sometimes help tame the bigger problems!

Keep in mind that even though we’re listing sections in this order and about to provide you with some forms to put in those sections, that this is more an offer of constructive suggestions than any sort of insistence that you do things our way. This is all here as a place to start for the new folks and a fresh perspective for those of you who’ve done this for a while.

On the next page, we’ll look at these sections and their contents in a little greater detail.

Trial Notebook Structure in a Little Greater Detail

Here we'll expand each of the suggested notebook sections and list some of the recommended contents (including some of the forms – **shown in red text** - which you'll find in this ebook).

Title Sheet: Trial Information

Just inside the cover, place an identifier to inconspicuously label your notebook and provide case/court info. We've provide an example for you called the "Trial Information" sheet.

Tabbed Sections: (Listed with suggested forms or subsections.)

1. Pre-Trial (Included is a generic **Section Cover Sheet** to use with any tabbed section.)

Since much of what happens in pre-trial will dictate the rest of your work to follow, keep copies of all pertinent documents in with the rest of your trial work product. Maintain copies of all motions, orders, pleadings, and the like.

- | | | |
|--|--------------------------------------|---|
| <input type="checkbox"/> Charges / Summons | <input type="checkbox"/> Pleadings | <input type="checkbox"/> Pre Trial Orders |
| <input type="checkbox"/> Motions in Limine | <input type="checkbox"/> Trial Brief | <input type="checkbox"/> Bench Questions |

2. Voir Dire & Jury Info

It would stand to reason that the next section should concern itself with the selection and early pertinent information related to the jury. This area should include not only voir dire questions, but any other piece of data related to the jury while the trial is active.

- | | | |
|---|--|--|
| <input type="checkbox"/> Voir Dire Questions | <input type="checkbox"/> Juror Data Sheet | <input type="checkbox"/> Jury Consultant Report |
| <input type="checkbox"/> Juror Questionnaire | <input type="checkbox"/> Juror List / Seating Chart | <input type="checkbox"/> Copy of Juror Notebooks |

3. Opening Statements

Though initially this section will only house an outline of the presenting attorney's "statement to be," use it to house the final transcript of your opening remarks along with the opposition's.

- | | |
|---|--|
| <input type="checkbox"/> Opening Statements / Arguments Outline | <input type="checkbox"/> Final Transcript of Opening |
| <input type="checkbox"/> Transcript of Opposition's Opening | |

4. Presentation Schedule

The "meat and potatoes" portion of your Trial Notebook. Here is where you'll place your main presentation schedule outlining the issues related to your case and associated witness testimony and evidentiary exhibits. This section is supported by the next two sections. Your copy of your "Bench List," or the abbreviated version of your presentation list that goes to the judge, should be placed here as well. Also, since this section is the overview of your witnesses and exhibits, it should also contain the executive summary provided by your investigator since that work-product is from where some of your presentations have come.

- | | | |
|---|--|---|
| <input type="checkbox"/> Presentation Schedule | <input type="checkbox"/> Copy of Bench Copy | <input type="checkbox"/> Client Data Sheet |
| <input type="checkbox"/> Executive Summary of Investigator's Report | | |

5. Witnesses

This section is all about the people who will be called to support your side of the issues. Here, you'll place your witness list by itself along with the background material on each of them. Please note that our Witness List and Exhibits List cross-reference each other.

- | | | |
|---|--|---|
| <input type="checkbox"/> Client's Testimony | <input type="checkbox"/> Witness List | <input type="checkbox"/> Witness Information |
|---|--|---|

6. Exhibits

Here is where you'll list the various pieces of evidence or other informational exhibits and presentations you'll be making in court. You'll note that our enclosed Exhibits List cross-references with the Witness List. Also please note that you won't necessarily place your exhibits in this notebook, you'll simply list their descriptive information and record where the item is located in the folios, binders, or boxes you brought into court with you.

- Exhibits List Exhibit Info Worksheet Exhibit Support Notes

7. Law & Court

Helping to bridge the gap between what you want to present and what the opposition will present we place the information on how the trial will be governed and how exhibits and witnesses will be handled. This section should house your Table of Points and Authorities along with other supporting case and statutory law research results. It should also contain a copy of the Bench Book or copy of any written rules for this particular court. And, if you should choose to research any background information on prior cases this particular judge has tried and how that judge tends to rule, place that here as well (at your own discretion of course).

- Table of Authorities Judge Background Copy of Court Rules
 Case Law Research Statutory Law Research Clerk Communication

8. Opposition's Case

Just as you want to be able to find the background info on your case rather quickly, you'll want to do the same with the intel you've gathered on what the opposition is up to. Keep all of that here. Note: If you absolutely have to make your notebook physically smaller, this is a good section to put in a separate book.

- Opposition's Witnesses Witness Information Impeachment Briefs
 Opposition's Exhibits Opposing Client Data Discovery Index

9. Closing Statements

Though initially this section will only house an outline of the presenting attorney's closing argument, use it to house the final transcript of the remarks made along with those made by the opposition. You always want to keep a copy of the opposition's statements to make it easier to review for improprieties and a copy of your own for reference or education.

- Closing Statements / Arguments Outline Final Transcript of Closing Statements
 Transcript of Opposition's Closing

10. Jury Charge

Many a case has been won or lost on appeal because of the information that a jury was or was not given, or how their instructions from the court were worded or delivered. Make sure your Jury Charge and Instruction copies are kept close at hand.

- Suggested Jury Charge Opposition Jury Charge Final Jury Charge
 Copy of Juror Instructions

11. Verdict and Post-Trial

Sadly, there is never a guarantee that any verdict is going to go your way. Verdicts are a part of every trial so it stands to reason that your Trial Notebook contain a section to hold verdict-related information to give you a starting point for post-trial work.

- Verdict Forms Post-Trial "To-Do" List Copies: Post-Trial Filings
 Post-Trial Juror Interview

12. Daily Journal & Miscellaneous

There is no such thing as a trial without notes. Having a Daily Journal section gives you a concise location to keep notes you've made, a list of motions or other issues to respond to or follow up on, and to keep either the final transcript received from the court reporter or an executive summary thereof.

- Daily Court Journal** Final Reporter Transcript

** Index & Reference (** A section, but not a numbered section.)

You should have a hardcopy Index & Reference for all the reasons previously mentioned, but this is a document (or documents) that is easier to create electronically and then print to store here. You want to have this section so you can find witnesses, exhibits, or electronic files that may have somehow been misplaced or improperly categorized in other sections.

- Documents Listed by Control Number Alphabetical Witness List
 Annotated List of Alphabetically or Numerically Organized Electronic Files
 Exhibits listed by internal Control Number and cross-referenced to court's exhibit number.

Note: The forms listed above in **red text** are included in this ebook.

In the next section, "Useful Content," we've provided copies of the forms listed in **red text** above. Though this is a PDF format ebook, you can still print the forms to fill in by hand, scan them and read them with OCR (Optical Character Recognition) software, or use them as a model to create your own. They're just a very few of the forms and sections from [The Attorney Case File](#) (where our pages are fully customizable by the user), but we're here to help you make better Trial Notebooks so we thought we'd give you some good templates to help get you started.

But that's not all! There are still so many tips to give you that the next section following "Useful Content" is called "Putting it All Together" where we've provided even more points on assembling both your physical and electronic Trial Notebooks and for getting ready to present your case in court.



Structure is good! It's hard to be happy unless all the parts are together.

III. Useful Content

Here's where you'll find copies of the forms listed in **red text** under "Basic Structure." These are just some of the many pages from [The Attorney Case File](#) provided here to help make your office life easier.

In this section you'll find copies of:

| | Pg. |
|--|-----|
| Trial Information: <i>This is the cover sheet to go just inside your Trial Notebook. It will help you ID the notebook without having to put too much information on the outside.</i> | 15 |
| Section Cover Sheet (Generic). <i>Use this template as a basic fill-in-the-blank cover sheet to use with each section. Start your notebook's assembly by putting these pages in place and let them be your section "to do" lists for this particular trial.</i> | 16 |
| Juror Data Sheet: <i>Depending on your area, area of law, and type of case, you may be allowed a certain latitude in the amount of background information you collect on jurors. Whatever you're allowed to collect, this form has a place to record the information.</i> | 17 |
| Juror Questionnaire: <i>A general questionnaire, this template offers a framework for constructing your own more in-depth survey tool for voir dire. You'll note that several of the blanks prompt you to add your own questions or details.</i> | 18 |
| Juror List / Seating Chart: <i>Whether you use a jury consultant or just want to know who's who in the jury box, this worksheet will let you record names, notes, and seating position.</i> | 19 |
| Presentation Schedule: <i>This page will let you outline your case in a chronological order showing which witnesses you want to call, the exhibit with which they're associated, projected date of appearance, anticipated time length, media needs, and even the issue of the case to which it's all related.</i> | 20 |
| Bench Copy of Presentation Schedule: <i>A "lite" version of your Presentation Schedule, this is the copy you'd hand off to the bench to let the judge know more about your witnesses and exhibits and some of the related information.</i> | 21 |
| Client Data Sheet: <i>In this case the sample we've provided is the "Civil Case" information sheet. This will help you gather some of the early data from your client to start the case.</i> | 22 |
| Witness List: <i>A quick organizer to show the names of your witnesses along with pertinent presentation information.</i> | 23 |
| Witness Information: <i>One of the things we'd like to point out about this form is that it prompts you to gather additional contact and tracking information about your witness. As cases drag on in court witnesses sometimes move or do other things that make it difficult to locate them when the next round of trials start. With this form you'll have all the data you need in order to contact them again and again in the future.</i> | 24 |
| Exhibits List: <i>A quick organizer to show the exhibits you'll present along with pertinent information.</i> | 25 |

| | Pg. |
|---|-----|
| Clerk Communication: <i>Much of your communication with the court will be through the Clerk. Having a separate tracking sheet of these communication pieces will offer some redundancy so you'll be sure nothing was missed.</i> | 26 |
| Opposition's Witness Information: <i>Just as you want to know everything you can about your own witnesses, this is doubly important for witnesses the opposition will call. This template prompts you for extended contact information as well as background information, impeachment notes, etc., that your investigation will uncover.</i> | 27 |
| Opposing Client Data: <i>One of the most important people involved in the trial, you'll want to know as much about the opposing client(s) as you possibly can. This page acts as the background investigation cover sheet for the data you'll uncover.</i> | 28 |
| Post-Trial Juror Interview: <i>There's a reason they call it "practicing law." You always learn something new every day. Interviewing the jury – whether you won or lost the case – provides good insight on what went right and wrong for both you and the opposition so you have something to build on next time.</i> | 29 |
| Daily Court Journal (and page 2): <i>This one is a two-pager. Page one is the beginning of your in-court journal; the page where you keep notes regarding what went on in court on that day of trial. The second page is the basic copy for all following pages. These are included as a tool to help you take better-organized notes.</i> | 30 |

We've also provided a couple of checklists not listed in the tabbed sections discussed above:

| | |
|---|----|
| Trial Notebook Final Assembly Checklist: <i>Always work from templates, forms, and checklists. Trial is not a place you want to realize you forgot something. Having a final assembly checklist helps you remember to include important details.</i> | 32 |
| Day of Court Checklist: <i>Since redundancy is your friend in important events, this checklist is provided to make sure you have everything you need for court above and beyond your Trial Notebook.</i> | 33 |

So, enough discussion already, let's show you the forms and templates! Remember, in a PDF ebook, there's only so much you can do with a sample form. With these you can print them to fill in by hand, scan with OCR software, or use as a model for creating something else. In our full system though, all files are in unlocked word processor formats so you can alter at will.

Trial Information

Client

Client(s): _____
Internal Case #: _____ Description / Type of Case: _____
Lead Attorney: _____ Second Attorney: _____
Assigned Staffers: _____

Court

Court: _____ of _____
Trial Date: ____/____/____ Docket / Case #: _____
Re: Case: _____ V _____
Judge: The Honorable: _____
Clerk of the Court: _____ Phone: _____
Courthouse Address: _____
City: _____ State: ____ Zip: _____
Court Room: _____ Main Phone: _____
Court Reporter: _____ Phone: _____

Opposing Counsel

Opposing Counsel Firm: _____
Lead Attorney(s): _____
Opposing Client(s): _____

This Trial Notebook

This Trial Notebook: Single Volume, All Inclusive, One Cover
 Multiple. This volume is # _____ of _____ and covers _____

(Use this page as a cover sheet just inside the Trial Notebook to make identification easier without outside labels.)

Filename: _____

JUROR DATA SHEET (for in-house use only)

Juror #: _____ Foreman?: _____ [Or Alternate #: _____] Post Trial Interview Conducted: ___/___/___ By: _____

Photo available (staple to top of sheet)

General Info:

Full Name: _____ SSN: _____ DOB: ___/___/___

Address: _____ Apt/Ste _____

City: _____ St: _____ Zip: _____ -- Own/Rnt/Rsd Yrs: _____

Phone: _____ Cell Phone: _____

E-Mail: _____ Personal Website: _____

Facebook MySpace YouTube Twitter Blog Other: _____ (Monitored for trial postings)

Employment:

Place of Employment: _____ Supervisor: _____

Address: _____ Title: _____

City: _____ St: _____ Zip: _____ -- Website: _____

Phone: - x Fax: _____ E-Mail _____

Nature of work: _____

Previous Place of Employment: _____ Supervisor: _____

Nature of work: _____

Address: _____ Title: _____

City: _____ St: _____ Zip: _____ -- Website: _____

Phone: _____ Fax: _____ E-Mail: _____

Education:

Education: _____ From: ___/___/___ to ___/___/___ FT/PT Status/Degree: _____

School: _____ Major: _____

Contact : _____ Advisor: _____

Address: _____ Suite.: _____ County: _____

City: _____ St: _____ Zip: _____ - Website: _____

Phone: _____ Pager: _____ ICQ/UIN: _____

Cell Phone: _____ Fax: _____ E-Mail: _____

Notes:

General Notes:

Jury Consultant Notes:

Our decision on this juror: Accept Dismiss Full "Subject Data File" Started and/or background check performed.

All connections or relationships to opposing client, judge, or opposing counsel checked and verified Criminal & Civil Histories Listed

Document Ctrl # _____ Filename: _____

JUROR DATA SHEET: NAME: _____

Juror Questionnaire

Personal Information:

Name: _____ SSN: _____
 Race: _____ Sex: _____ Age: _____ Date of Birth: ___/___/___ Place of Birth: _____
 Address: _____ Apt. _____ Own Rent, Years there: _____
 City: _____ County: _____ Zip + 4: _____
 Phone: _____ Cell Phone: _____
 Email: _____ Website: _____
 Social Media: Are you on any of the following sites? Facebook MySpace Twitter YouTube Blog Other
 If you checked "Blog" or "Other," what is the site? _____
 Marital Status: Single, Married, Divorced, Widowed Religion: _____ Political Affiliation: _____

Employment:

Employer: _____ Your title: _____ Years there: _____
 Nature of work: _____ Your Supervisor: _____
 Address: _____ Suite: _____
 City: _____ County: _____ Zip + 4: _____
 Phone: _____ Cell Phone: _____
 Email: _____ Website: _____

Questionnaire:

1. Have you ever served on a jury before? _____ What kind of case? _____

 2. Have you ever sued anyone? _____ What was it for? _____

 3. Have you ever been sued? _____ What was it for? _____

 4. Have you ever been arrested and/or convicted of a crime? _____ If so, what? _____

 5. What is your opinion on [type of current case] ? _____

 6. What, if anything, have you heard about [current case] ? _____

 7. What is your opinion of [potential penalties] ? _____

 8. Do you personally know any of the following people [judge, client, opposing client, opposing counsel] ? _____

 9. Have you ever been in a situation involving [pertinent tidbit from case] ? _____

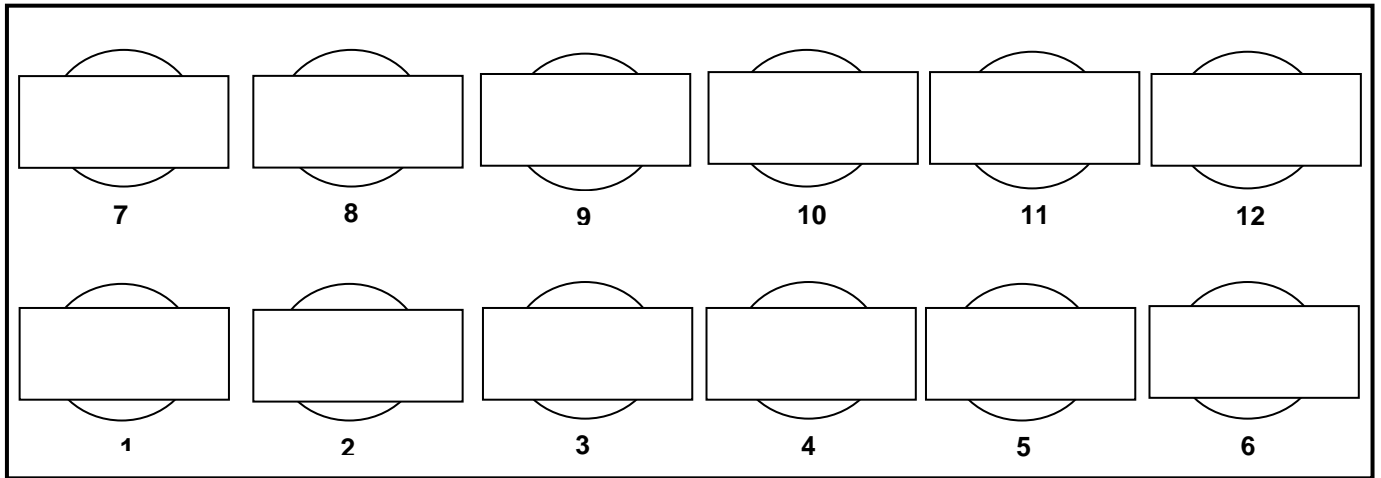
I certify, to the best of my knowledge, that all information and answers provided above are complete, honest, and correct.

Signature: _____ Date: ___/___/___

For Office Use Only

Remarks: _____
 Document Ctrl # _____ Filename: _____

Juror Seating Chart and Jury Section Cover Sheet



| # | Name & Misc. Info | Notes | B |
|--|-------------------|-------|--------------------------|
| 1 | | | <input type="checkbox"/> |
| 2 | | | <input type="checkbox"/> |
| 3 | | | <input type="checkbox"/> |
| 4 | | | <input type="checkbox"/> |
| 5 | | | <input type="checkbox"/> |
| 6 | | | <input type="checkbox"/> |
| 7 | | | <input type="checkbox"/> |
| 8 | | | <input type="checkbox"/> |
| 9 | | | <input type="checkbox"/> |
| 10 | | | <input type="checkbox"/> |
| 11 | | | <input type="checkbox"/> |
| 12 | | | <input type="checkbox"/> |
| Alternates | | | |
| | Names | Notes | B |
| 1 | | | <input type="checkbox"/> |
| 2 | | | <input type="checkbox"/> |
| 3 | | | <input type="checkbox"/> |
| 4 | | | <input type="checkbox"/> |
| 5 | | | <input type="checkbox"/> |
| B Column <input type="checkbox"/> = "Background Info" See attached "Juror Background Checklist" | | | |

Presentation Schedule of Witnesses and Exhibits – Internal Copy

| | |
|-----------------|-------------------------|
| Client: | Internal Case #: |
| Court Docket #: | Trial Date: ___/___/___ |

| # | Est. Date | (Show which witness is associated with which exhibit and coordinate with Issue.) Witness ← Associated with → Exhibit | | Media | Time Length | Status | | | | Issue |
|-----|-------------|---|--|-------|-------------|--------|---|---|---|-------|
| | | | | | | P | S | A | E | |
| 1. | ___/___/___ | | | | | | | | | |
| 2. | ___/___/___ | | | | | | | | | |
| 3. | ___/___/___ | | | | | | | | | |
| 4. | ___/___/___ | | | | | | | | | |
| 5. | ___/___/___ | | | | | | | | | |
| 6. | ___/___/___ | | | | | | | | | |
| 7. | ___/___/___ | | | | | | | | | |
| 8. | ___/___/___ | | | | | | | | | |
| 9. | ___/___/___ | | | | | | | | | |
| 10. | ___/___/___ | | | | | | | | | |
| 11. | ___/___/___ | | | | | | | | | |
| 12. | ___/___/___ | | | | | | | | | |
| 13. | ___/___/___ | | | | | | | | | |
| 14. | ___/___/___ | | | | | | | | | |
| 15. | ___/___/___ | | | | | | | | | |
| 16. | ___/___/___ | | | | | | | | | |
| 17. | ___/___/___ | | | | | | | | | |
| 18. | ___/___/___ | | | | | | | | | |
| 19. | ___/___/___ | | | | | | | | | |
| 20. | ___/___/___ | | | | | | | | | |
| 21. | ___/___/___ | | | | | | | | | |
| 22. | ___/___/___ | | | | | | | | | |
| 23. | ___/___/___ | | | | | | | | | |
| # | Est. Date | Witness ← Associated with → Exhibit | | Media | Time | P | S | A | E | Issue |

All line numbers cross-checked with Exhibits List
 All line number cross-checked with Witness List
 All line numbers cross-checked with Bench Copy

Instructions: **“Est. Date”** = Projected Date this Witness and/or Exhibit will be presented. **“Media”** = What format the exhibit is in or what needs the witness might have, whether or not an audio / visual tool is required, etc.. **“Time Length”** = Estimated length of time items on this line might require. **“Issue”** is an open column used to show with which issues or charges these witnesses or exhibits are associated. **“Status”** = show if line item(s) are Pre-offered, Submitted, Accepted, or Excluded.

| | | |
|---------------|-----------|---------------------------|
| Doc control # | Filename: | This is page # ___ of ___ |
|---------------|-----------|---------------------------|

Presentation Schedule of Witnesses and Exhibits – Internal Copy

**Bench Copy
Presentation Schedule of Witnesses and Exhibits**

| | |
|----------------------------------|-----------------|
| Presented by: | Counsel for: |
| Trial Date: ___/___/___ | Court Docket #: |
| Case of _____ V _____ | |
| Additional contact for our firm: | |

| # | Est. Date | Witness ← Associated with → | Exhibit | Media | Time | B |
|-----|-------------|-----------------------------|---------|-------|------|--------------------------|
| 1. | ___/___/___ | | | | | <input type="checkbox"/> |
| 2. | ___/___/___ | | | | | <input type="checkbox"/> |
| 3. | ___/___/___ | | | | | <input type="checkbox"/> |
| 4. | ___/___/___ | | | | | <input type="checkbox"/> |
| 5. | ___/___/___ | | | | | <input type="checkbox"/> |
| 6. | ___/___/___ | | | | | <input type="checkbox"/> |
| 7. | ___/___/___ | | | | | <input type="checkbox"/> |
| 8. | ___/___/___ | | | | | <input type="checkbox"/> |
| 9. | ___/___/___ | | | | | <input type="checkbox"/> |
| 10. | ___/___/___ | | | | | <input type="checkbox"/> |
| 11. | ___/___/___ | | | | | <input type="checkbox"/> |
| 12. | ___/___/___ | | | | | <input type="checkbox"/> |
| 13. | ___/___/___ | | | | | <input type="checkbox"/> |
| 14. | ___/___/___ | | | | | <input type="checkbox"/> |
| 15. | ___/___/___ | | | | | <input type="checkbox"/> |
| 16. | ___/___/___ | | | | | <input type="checkbox"/> |
| 17. | ___/___/___ | | | | | <input type="checkbox"/> |
| 18. | ___/___/___ | | | | | <input type="checkbox"/> |
| 19. | ___/___/___ | | | | | <input type="checkbox"/> |
| 20. | ___/___/___ | | | | | <input type="checkbox"/> |
| 21. | ___/___/___ | | | | | <input type="checkbox"/> |
| 22. | ___/___/___ | | | | | <input type="checkbox"/> |
| 23. | ___/___/___ | | | | | <input type="checkbox"/> |
| # | Est. Date | Witness ← Associated with → | Exhibit | Media | Time | B |

Line number and projected date are the same as on counsel’s in-house copy of this list. **“Est. Date”** = Projected Date this Witness and/or Exhibit will be presented. **“Media”** = Type of format the exhibit is in or what needs the witness might have, whether or not an audio / visual tool is required, etc. **“Time”** = Estimated length of time items on this line might require. **“B”** = Supporting Brief or Citation attached.

| | | |
|---|-----------------|---------------------------|
| Verified and presented to the Court by: | On: ___/___/___ | |
| Document Control #: | Filename: | This is page # ___ of ___ |

CLIENT DATA SHEET – CIVIL CASE

| | | | | | |
|--|--|--|--|--|--|
| Case number: _____ | | Client is: <input type="checkbox"/> Plaintiff <input type="checkbox"/> Defendant | | Client is: <input type="checkbox"/> Person(s) <input type="checkbox"/> Business Entity | |
| Client is: <input type="checkbox"/> Sole Client <input type="checkbox"/> Main Client of Group numbering: _____ | | <input type="checkbox"/> Client # _____ of this group | | <input type="checkbox"/> Member of Class Action | |
| Name: _____ | | SSN: _____ | | Sex: _____ | |
| DOB: ___/___/___ | | POB: _____ | | Religion: _____ | |
| Address: _____ | | Apt/Ste: _____ | | Cmp/Sb: _____ | |
| City: _____ | | Co: _____ | | St: _____ Zip: _____ -- Own/Rnt/Rsd:Yrs: _____ | |
| Phones: (H): () - _____ | | Cell Phone: () - _____ | | | |
| E-Mail: _____ | | Website: _____ | | | |
| Place of Employment: _____ | | Title: _____ | | Supervisor: _____ | |
| Nature of work: _____ | | | | | |
| Address: _____ | | | | Reachable at work? Y / N | |
| City: _____ | | St: _____ | | Zip: _____ -- | |
| Phone:() - _____ | | X | | Cell Phone: () - _____ | |
| E-Mail: _____ | | Website: _____ | | | |
| Phone: (others): type: _____ () - _____ | | | | () - _____ | |

| Client-Provided Background: | Releases: | Client: |
|--|---|--|
| <input type="checkbox"/> Documentation <input type="checkbox"/> Physical Evidence <input type="checkbox"/> Printed Articles <input type="checkbox"/> Television <input type="checkbox"/> Website: _____ <input type="checkbox"/> Other: _____ | <input type="checkbox"/> All Info – Client <input type="checkbox"/> All Info - Spouse <input type="checkbox"/> All Info – Child <input type="checkbox"/> Power of Atty <input type="checkbox"/> Subpoena <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Criminal history <input type="checkbox"/> Litigation history <input type="checkbox"/> No Civil/Crim History <input type="checkbox"/> Witness lists <input type="checkbox"/> Official Reports <input type="checkbox"/> _____ <input type="checkbox"/> Date of first contact: ___/___/___ <input type="checkbox"/> Referred by: _____ <input type="checkbox"/> Contract / Agreement signed ___/___/___ <input type="checkbox"/> Retainer <input type="checkbox"/> Credit Application <input type="checkbox"/> Deposition taken: ___/___/___ <input type="checkbox"/> Deposition Bates #: _____ |

Full "Subject Data File" started on Client, Full background check performed, History Sheet filled out

Suit Filed or Summons rec'd on: ___/___/___ Via: _____ Reviewed on: ___/___/___ By: _____

Case Synopsis:

Extended narrative attached

Acceptable Settlement for Arbitration / Negotiation:

| Client Releases and Acknowledgement: (check the "R" box if separate form used) | R |
|--|--------------------------|
| I hereby authorize release of any and all psychological records pertaining to this case. Initial: _____ | <input type="checkbox"/> |
| I hereby authorize release of any and all medical and dental records pertaining to this case. Initial: _____ | <input type="checkbox"/> |
| I hereby authorize release of any and all criminal records pertaining to this case. Initial: _____ | <input type="checkbox"/> |
| I hereby authorize release of any and all credit and financial records pertaining to this case. Initial: _____ | <input type="checkbox"/> |
| I hereby authorize release of any and all DMV records pertaining to this case. Initial: _____ | <input type="checkbox"/> |

I hereby certify that all information presented above is true, correct, and complete, and give full authorization for a full and complete background check on myself and all aspects of my case. I understand this check will include any and all records listed above.

Client: _____ Signature: _____ Date: ___/___/___

Witness: _____ Signature: _____ Date: ___/___/___

Document Control #: _____ File Name: _____

Client Data Sheet – CIVIL CASE

Witness List

Case#:

Client:

Court Docket #:

| | Name: | Type: | Date Served | Main Phone | Exhibit | Scheduled: | | C | Staff | W |
|----|-------|-------|-------------|------------|---------|------------------|------|--------------------------|-------|--------------------------|
| | | | | | | Date | Time | | | |
| 1 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 2 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 3 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 4 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 5 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 6 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 7 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 8 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 9 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 10 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 11 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 12 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 13 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 14 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 15 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 16 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 17 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 18 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 19 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 20 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 21 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 22 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| 23 | | | __/__/__ | | | __/__/__ | | <input type="checkbox"/> | | <input type="checkbox"/> |
| | Name: | Type: | Date Served | Main Phone | Exhibit | Date | Time | C | Staff | W |
| | | | | | | Scheduled | | | | |

Line numbers cross-checked with presentation schedule Witnesses cross-checked with items appearing in "Exhibit" column. All checked witnesses confirmed to appear.

Instructions: "Name" = Name of witness. "Type" = Expert, Alibi, Character, etc. "Date Served" = Date on which process was served. "Main Phone" = Number at which this person can be reached in case of court schedule change. "Exhibit" = Exhibit with which this witness might be associated. "Scheduled Date / Time" = Date and time this person is projected to appear in your presentation. "C" = Confirmed to appear. "Staff" = Staff member in charge of this witness. "W" = Notation of a "Witness Information Sheet" being included in this Trial Notebook.

Document Ctrl # _____ Filename: _____ This page is # ____ of ____

Witness List

Client's Witness Information

| | | | | | |
|--|--|---|-------------------|---|------------------------|
| Type: <input type="checkbox"/> Expert <input type="checkbox"/> Direct <input type="checkbox"/> Alibi <input type="checkbox"/> Character <input type="checkbox"/> Other: | | | | Line # on Witness List: _____ | |
| Deposed: / / | | Time: am/pm | | Recorded via: _____ | |
| Deposed by: _____ | | | | | |
| Full Name: _____ | | | SSN: _____ | | DOB: __/__/__ |
| Address: _____ | | Apt/Ste _____ | | Cmp/Sb: _____ | |
| City: _____ | | County: _____ | | St: _____ Zip: _____ -- Own/Rnt/Rsd Yrs: _____ | |
| Phone: _____ | | | Cell Phone: _____ | | |
| E-Mail: _____ | | | Website: _____ | | |
| Place of Employment: _____ | | | Supervisor: _____ | | |
| Nature of work: _____ | | | | | |
| Address: _____ | | | Title: _____ | | |
| City: _____ | | St: _____ | | Zip: _____ -- Website: _____ | |
| Phone: - x | | Fax: _____ | | E-Mail _____ | |
| Spouse / Relative / Friend: Name: _____ | | | | | ← (For later location) |
| Relationship: _____ | | SSN: _____ | | Sex: _____ DOB: __/__/__ | |
| Address: _____ | | Apt/Ste: _____ | | Cmp/Sb: _____ | |
| City: _____ | | County: _____ | | St: _____ Zip: _____ -- Own/Rnt/Rsd Yrs.: _____ | |
| Phones: (H): () - | | Cell Phone: () - | | | |
| E-Mail: _____ | | | Website: _____ | | |
| Place of Employment: _____ | | | Supervisor: _____ | | |
| Address: _____ | | | Website: _____ | | |
| City: _____ | | St: _____ | | Zip: _____ -- | |
| Phone: () - | | Fax: _____ | | E-Mail: _____ | |
| Brief synopsis of testimony: | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Cross-Ex Caveats, and Potential Impeachment: | | | | | |
| | | | | | |
| | | | | | |
| Exhibit(s) associated with this witness: _____ | | | | Line # from Exhibits List: _____ | |
| Electronic files associated with this witness: | | | | | |
| <input type="checkbox"/> Witness requires: \$ _____ Fees; \$ _____ Travel; \$ _____ Lodging; _____ # Days advance notice of court appearance date . | | | | | |
| <input type="checkbox"/> Special Needs: Interpreter, Handicapped, etc.: | | | | | |
| <input type="checkbox"/> Associated with or provided item from "Discovery Index of Background Materials". Line # _____ Item: _____ | | | | | |
| <input type="checkbox"/> All informal communications listed on "Daily Activity Chart" and associated "Journal" notes. <input type="checkbox"/> Background check releases signed | | | | | |
| <input type="checkbox"/> Resume or professional credentials attached (for expert) <input type="checkbox"/> Full "Subject Data File" Started and/or background check performed. | | | | | |
| <input type="checkbox"/> All connections or relationships to client or opposing client checked and verified <input type="checkbox"/> Criminal & Civil Histories Listed <input type="checkbox"/> Photo attached | | | | | |
| Line # synopsis of deposition transcript stored: _____ | | Full transcript of deposition stored / filed: _____ | | Reviewed by: _____ | |
| Document Control #: | | | Filename: _____ | | |

Staple Business Card here

Client's Witness Information; Witness: _____ Line # "Witness Tracker Sheet" _____

Exhibits List

Case#:

Client:

Court Docket #:

| # | Type | Internal # | Name / Description | Format | Staff | Witness | S | Court Ex. # | W |
|----|------|------------|--------------------|--------|-------|---------|---|-------------|--------------------------|
| 1 | | | | | | | | | <input type="checkbox"/> |
| 2 | | | | | | | | | <input type="checkbox"/> |
| 3 | | | | | | | | | <input type="checkbox"/> |
| 4 | | | | | | | | | <input type="checkbox"/> |
| 5 | | | | | | | | | <input type="checkbox"/> |
| 6 | | | | | | | | | <input type="checkbox"/> |
| 7 | | | | | | | | | <input type="checkbox"/> |
| 8 | | | | | | | | | <input type="checkbox"/> |
| 9 | | | | | | | | | <input type="checkbox"/> |
| 10 | | | | | | | | | <input type="checkbox"/> |
| 11 | | | | | | | | | <input type="checkbox"/> |
| 12 | | | | | | | | | <input type="checkbox"/> |
| 13 | | | | | | | | | <input type="checkbox"/> |
| 14 | | | | | | | | | <input type="checkbox"/> |
| 15 | | | | | | | | | <input type="checkbox"/> |
| 16 | | | | | | | | | <input type="checkbox"/> |
| 17 | | | | | | | | | <input type="checkbox"/> |
| 18 | | | | | | | | | <input type="checkbox"/> |
| 19 | | | | | | | | | <input type="checkbox"/> |
| 20 | | | | | | | | | <input type="checkbox"/> |
| 21 | | | | | | | | | <input type="checkbox"/> |
| 22 | | | | | | | | | <input type="checkbox"/> |
| 23 | | | | | | | | | <input type="checkbox"/> |

| # | Type | Internal # | Name / Description | Format | Staff | Witness | S | Court Ex. # | W |
|---|------|------------|--------------------|--------|-------|---------|---|-------------|---|
|---|------|------------|--------------------|--------|-------|---------|---|-------------|---|

Line numbers cross-checked with presentation schedule Exhibits cross-checked with witness names appearing in "Witness" column. All items verified as accessible.

Instructions: "**Type**" = Type of evidence or exhibit. Use a letter code or abbreviation such as "Dep" for Deposition. "**Internal #**" = Your internal document or other control #. "Name / Description" = Note to remind you what this piece of evidence contains. "**Format**" = Kind of media this exhibit is in. It might be "Video tape," "Photograph," or an electronic file such as a "PDF." "**Staff**" = Name of staff member in charge of this particular exhibit if there are more than one staff member. "**Witness**" = Witness name if one is associated with this exhibit. "**S**" = "**Status**," whether the item was **Pre-Offered**, **Submitted**, **Accepted** or **Excluded**. "**Court Ex. #**" = Court's Exhibit # if item was Accepted. "**W**" = Notation of whether or not a more detailed "Exhibit Worksheet" was filled out for this particular item and included in this Trial Notebook.

| | | |
|-----------------|-----------|-----------------------------|
| Document Ctrl # | Filename: | This page is # ____ of ____ |
|-----------------|-----------|-----------------------------|

Exhibits List

Clerk of the Court Communication

| | |
|-----------------------|------------------------------------|
| Internal Case #: | Client: |
| Court: _____ of _____ | |
| Court Docket #: | Case of: _____ V _____ |
| Clerk of Court: | Other Contact Person: |
| Address: | Address pt. 2: |
| City | County: _____ St: _____ Zip: _____ |
| Main Phone: | Fax: |
| Cell Phone: | Other: |
| Website: | Email: |

(The purpose of this file is to provide a redundant list to track important communication back and forth with the court.)

| | I/O | Subject / Document Type | Date Sent | Date Received | Tracking / Delivery ID# | Sent Via | Response Due | Copies | | | | F |
|-----|-----|-------------------------|-----------|---------------|-------------------------|----------|--------------|--------|---|---|---|--------------------------|
| | | | | | | | | C | J | O | I | |
| 1. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 2. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 3. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 4. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 5. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 6. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 7. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 8. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 9. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 10. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 11. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 12. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 13. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 14. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 15. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |
| 16. | | | __/__/__ | __/__/__ | | | __/__/__ | | | | | <input type="checkbox"/> |

Instructions: "I/O" = Incoming or Outgoing. "Subject / Document Type" = kind of document, i.e. motion, request for transcript, etc., "Date Sent" and "Date Received" are to show those dates regardless if Incoming or Outgoing communication. "Tracking / Delivery ID#" = Tracking # of Incoming items or Proof of delivery for Outgoing items. "Sent Via" = Method of delivery, i.e. US Mail, FedEx, Courier, Email, etc. "Response Due" = Date a response is due, either by you or from you. "Copies" = Copies filed with Client, Judge, Opposition, or In-house only. "F" = A copy of the communication is filed in this Trial Notebook.

| | | |
|--------------------|-----------|-------------------------------|
| Document Control # | Filename: | This is page # _____ of _____ |
|--------------------|-----------|-------------------------------|

Opposition's Witness

| | | | | | |
|---|--|--|-----------|--|--|
| Type: <input type="checkbox"/> Expert <input type="checkbox"/> Direct <input type="checkbox"/> Alibi <input type="checkbox"/> Character <input type="checkbox"/> Other: | | | | Line # on Witness List: _____ | |
| Re: | | | | Assoc. w/item from "Discovery" ? Line #: _____ | |
| Deposed: / / | | Time: am/pm | | Recorded via: Deposed by: | |
| Full Name: | | SSN: | | Sex: DOB: __/__/__ | |
| Address: | | Apt/Ste | | Cmp/Sb: | |
| City: | | St: Zip: -- | | Own/Rnt/Rsd Yrs: | |
| Phone: | | Cell Phone: | | | |
| E-Mail: | | Website: | | | |
| Place of Employment: | | Supervisor: | | | |
| Address: | | Title: | | | |
| City: | | St: Zip: -- | | Website: | |
| Phone: - x | | Fax: | | E-Mail | |
| Nature of work: | | | | | |
| Closest friend or relative (spouse if married): Name: | | | | ← (For later location) | |
| Relationship: | | SSN: | | Sex: DOB: __/__/__ | |
| Address: | | Apt/Ste: | | Cmp/Sb: | |
| City: | | St: Zip: -- | | Own/Rnt/Rsd Yrs.: | |
| Phones: (H): () - | | Cell Phone: () - | | | |
| E-Mail: | | Website: | | | |
| Place of Employment: | | Supervisor: | | | |
| Address: | | Website: | | | |
| City: | | St: Zip: -- | | | |
| Phone: () - | | Fax: | | E-Mail: | |
| Brief synopsis of testimony or content of expert witness testimony: | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |
| Cross-Ex Notes: | | | | | |
| | | | | | |
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| | | | | | |
| Impeachment Notes: | | | | | |
| | | | | | |
| | | | | | |
| Caveats: | | | | | |
| <input type="checkbox"/> Extended Narrative of all notes is attached. | | | | | |
| Exhibit(s) associated with this witness: | | | | Line # on Exhibits List: _____ | |
| Electronic files associated with this witness: | | | | | |
| <input type="checkbox"/> All informal contacts listed on "Daily Activity Chart" and associated "Journal" notes. <input type="checkbox"/> Assoc. w/item from "Discovery"? Line #: _____ | | | | | |
| <input type="checkbox"/> Full "Subject Data File" Started or background check performed. <input type="checkbox"/> Resume or professional credentials attached <input type="checkbox"/> Photo attached | | | | | |
| <input type="checkbox"/> All connections or relationships to client, opposing client, judge, or jurors checked and verified <input type="checkbox"/> Criminal & Civil Histories Listed | | | | | |
| Line # synopsis of deposition transcript stored in: _____ | | Full transcript of deposition stored in: _____ | | Reviewed by: | |
| Document Control #: | | | Filename: | | |

Staple Business Card here

OPPOSITION'S WITNESS: NAME: _____ **Line # "Witness Tracker Sheet"** _____

Juror Post-Trial Interview

Please tell us about your experience as a juror. This will help us to help others in the future.

I. The Case

Thank you for serving as a juror on the case of _____ V _____

The case was about _____

The trial started on ___/___/___ and lasted until ___/___/___ ending in a verdict of _____

Meaning that _____ was found _____ of _____

II. The Court

Was the court room comfortable? Yes No. Was the juror seating area comfortable? Yes No

Did you feel the judge was understandable and effective? Yes No What about other staff? Yes No

Was the jury deliberation room comfortable or functional? Yes No.

Tell us what could be done to have made the facilities better for you: _____

III. Their Case

“Their Case” was _____ and “they” means _____

Did they give a clear, concise presentation? Yes No

Good points about their case / presentation: _____

Bad points about their case / presentation: _____

IV. Our Case

“Our Case” was _____ and “we” represented _____

Did we give a clear, concise presentation? Yes No

Good points about our case / presentation: _____

Bad points about our case / presentation: _____

V. The Verdict

You voted _____ Is this the way you still feel? Yes No

Were the instructions given to the jury clear and easy to understand? Yes No

Please don't mention any names, but how many jurors were undecided at first? Please give us a number: _____

Did you have issues or difficulties with the other jurors? Yes No

VI. Your Overall Experience

Overall, how was it? Good Bad Other. If “Other” please explain: _____

Was it okay to take time off from work? Yes No. Please tell us more: _____

Would you be willing to be on a jury again? Yes No.

VII. Other Thoughts: Please tell us in your own words if there is anything else you would like us to know.

VIII. Your Information

Name: _____

Juror #: _____

Signature: _____

Date: ___/___/___

Daily Court Journal

| | | | | |
|--|-----------|-------------|---------|-------------------------------|
| Day: | Date: / / | Case #: | Client: | |
| Docket #: | Court: | Court Room: | | |
| Judge: | Reporter: | Bailiff: | | |
| Counsel in attendance: | | | | |
| Support staff in attendance: | | | | |
| | | | | Person using this form: _____ |
| Opposing Counsel in attendance: | | | | |
| Court Convened: am / pm Adjourned: am / pm Day # ____ of trial. This is page 1 of ____ for this date | | | | |

Use the columns below as you see fit. However, be sure to include objections, rulings, sidebars, juror reactions, recesses, etc. Ref. by

| | Time | Misc. Notes | R |
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| 24 | | | |
| 25 | | | |
| # | Time | Misc. Notes | R |

Copy of daily reporter's transcript received Media present in courtroom Day # ____ of trial. This is page 1 of ____ for this date

“R” Column = check to notate an item that needs to be checked against court Reporter's record.

| | | | | |
|------|-------------------|---------|---------|--|
| Day: | Date: ___/___/___ | Case #: | Client: | |
|------|-------------------|---------|---------|--|

Daily Court Journal (page ___ of ___)

Day: _____ Date: ___/___/___ Case #: _____ Client: _____

This is page _____ of _____ for this date. Day # _____ of trial Reviewed on: ___/___/___ by: _____

| # | Time: | Misc. Notes: | R |
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| 61 | | | |

| # | Time: | Misc. Notes: | R |
|---|-------|--------------|---|
|---|-------|--------------|---|

Day: _____ Date: ___/___/___ Case #: _____ Client: _____

“R” Column = check to notate an item that needs to be checked against court Reporter’s record.

This is page _____ of _____ for this date. Day # _____ of trial Reviewed on: ___/___/___ by: _____

Daily Court Journal (page ___ of ___)

Trial Notebook Final Assembly Checklist

(On completion of this checklist, place this form in the Trial Notebook as the very last page behind “Index & Reference”)

| Internal Case #: | | | | Client(s): | | | |
|--------------------------|--|------------------|----|--------------------|----|------------------|----|
| Court Docket #: | | | | Lead Attorney: | | | |
| ☑ | Hardcopy Notebook Section Assembly | Primary Assembly | | Trial Start Review | | Mid-Trial Review | |
| | | Date | IN | Date | IN | Date | IN |
| <input type="checkbox"/> | Trial Information Cover Sheet | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 1. Pretrial | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 2. Voir Dire & Jury Info | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 3. Opening Statements | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 4. Presentation Schedule | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 5. Witnesses | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 6. Exhibits | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 7. Law & Court | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 8. The Opposition | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 9. Closing Statements | | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 10. Jury Charge | | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 11. Verdict & Post Trial | | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | 12. Daily Journal & Miscellaneous | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | ** Index & Reference | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | All sections cross-checked w/ Discovery | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | | _/_/___ | | _/_/___ | | _/_/___ | |
| Additional Formats | | | | | | | |
| <input type="checkbox"/> | Electronic Copy of Trial Notebook done | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | Electronic Files Saved in all Formats | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | Files saved on dedicated laptops | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | Files saved on unique flash drives | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | Files backed up on CD and/or DVD | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | | _/_/___ | | _/_/___ | | _/_/___ | |
| Pre-Trial Content Review | | | | | | | |
| <input type="checkbox"/> | With Presenting Attorney(s) | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | With Client(s) | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | | _/_/___ | | _/_/___ | | _/_/___ | |
| <input type="checkbox"/> | All items and sections cross-checked with “Day of Court Checklist” | _/_/___ | | _/_/___ | | | |
| | | | | Filename: | | | |

“Date” = Date this item was checked / approved. “IN” = Supervisor’s Initials.

Day of Court Checklist

Use this as an in-house checklist when prepping this case for its first day of trial. Having all components together means you won't have anything to S.W.E.A.T.: (Staff Witnesses Exhibits Accessories & Trial Notebook)

Trial Date: ___/___/___ Court: _____ of _____

Client(s): _____

Internal Case #: _____ Court Docket / Case #: _____

1. Staff

- Presenting attorney(s) ready: _____
- Notified all support staff: Paralegal Team Investigators _____
- All arrangements for travel lodging meals parking (\$\$) _____ have been made.

2. Witnesses

- All subpoenas verified as issued and received. Travel and arrangements for all Witnesses complete.
- All witnesses on Client's Witness List have been notified of the trial start date, time, and location.
- All witnesses scheduled to appear today ___/___/___ are confirmed as ready.
- Exception to Witness readiness: _____
- Staff in charge of Witnesses: _____

3. Exhibits

- All Exhibits listed on Exhibit list accounted for and stored at _____ ready to transport.
- Boxes # _____ through _____ prepped and ready. Electronic files tested and backed up.
- Exceptions to Exhibits readiness: _____
- Bench Copy of Witnesses & Exhibits checked Exhibit List Bench Copy complete Juror Notebooks done
- Staff in charge of exhibits ready: _____

4. Accessories

- Laptops #d _____, _____, and _____ loaded & checked.
- Power cords Connector cables all devices Batteries for all devices checked Extra batteries all devices
- Laptop Remote Control Tape Player / Recorder VCR DVD Player Laser pointers Stick Pointer
- CD / DVDs #d: _____ through _____ Thumb Drives #d: _____ through _____
- All listed devices, backups, and peripheral devices compared to court's electronic communication system.
- Projector Extra bulb Screen Connector Cables Printer Printer Paper Extra Ink/Toner
- Dry Erase Board Dry Erase Markers Eraser Easels Poster Paper Markers Tape Tabs
- All cell phones charged Wall-adaptor cell phone chargers Cigarette lighter adapter cell phone charger
- Staff in charge of audio visual, accessories, and peripherals: _____

5. Trial Notebook

- Trial Notebook Final Assembly Checklist completed and signed. Trial Notebook loaded with Exhibits.
- Staff in charge of Trial Notebook: _____

Supervisor's Signature: _____

Date: ___/___/___

Filename: _____

IV. Putting it All Together

We started off with a short “Introduction” to make sure we’re all on the same page with what this ebook is about, we gave you a suggested Trial Notebook layout under “Basic Structure,” we provided a few of our many detailed templates in “Useful Content” and now it’s time to wrap it up and talk about “Putting it All Together.” Here we’ll discuss the thoughts, tips, and tricks we’d like to pass along so you have more in your toolbox to help with Organizing Your Materials, Physical Assembly of Your Notebook, Handling the Computer Files, and Prepping for Trial.

The first tip we’ll give you here is the first item under “Top 10 Reasons to Create a Trial Notebook” from the Introduction section which is that reading through it is educational in and of itself. For that reason and that reason only, we’ve categorized the tips below but have not put them in any sort of additional order (contrary to our own admonishment to always be organized). Our feeling is that if you read through all of them, you’ll learn more than if you only skipped through looking for certain things.

Organizing Your Materials

These are the tips that can apply to the notebook, to your office, or to how you gather your pieces for trial in the first place. Like we said earlier, structure is good and structure depends on having all your resources together and organized.

- ◆ When do you start putting your notebook and related files together for trial? The answer is “Yes! Sort of.” You should always organize all your data from the very first second a client calls your office. That’s generally a given. And, you should be able to lay hands (or mouse) on these files at any given moment, because if you have to spend too much time sorting through your gathered data you’re wasting valuable Trial Notebook assembly time. However, you don’t want to jump the gun; you don’t want to waste company time assembling a Trial Notebook until it’s certain you’re going to trial. So balance the two and stay organized from day one and you’ll be ready to start on your notebook and trial prep should that become necessary.
- ◆ A key hint: Once you decide on a Trial Notebook structure, use that layout exclusively (in both hardcopy and softcopy formats) and make sure all attorneys and all staff members learn which parts are where. Familiarity improves speed of use.
- ◆ Putting your Section Cover Sheets into your Trial Notebook first turns the whole thing into its own to-do list making your life a little easier. Now all you do is fill in the blanks.
- ◆ If you use a color scheme for tabs, page color, highlights, printed text, etc., make it a uniform system for every case worked, and keep a legend in your office, and in the Trial Notebook. Do the same with your fonts or typestyles. One font might mean one thing, one font might mean another. Use a uniform system for bolding, italicizing, highlights, etc.
- ◆ However, regarding font colors, highlight colors, font style, bullet points, and all that to signify certain things, the first question to ask is, “Just how complicated do you want things to get?” It would be easy to get so bogged down in signaling, that you spend all your thought energy trying to figure out what a particular marker color means and you lose track of the more important points behind what you’re doing. If you choose a highlight or symbol system make it simple.

- ◆ Hint: One of the many cross-reference things you should do is when you have an issue to bring out in recorded deposition, mark the location by line number in the hardcopy transcript and cross-reference that to time / marker location on video or audio (such as minutes or seconds). Caveat: If you're using the court's equipment, know how it marks or tracks the location of video or audio segments and you certainly want to know if it doesn't track or mark parts or segments at all.
- ◆ Consider having a "Hold" sub-tab for witnesses or exhibits you have decided against using or extras you're keeping in reserve. This keeps their info handy in case they later prove necessary.
- ◆ The key step in creating a great Trial Notebook is to organize your information from the very beginning. Use forms, templates, or whatever it takes to avoid having to go back and decipher unorganized notes from legal pads, etc. Most everything in life is like a computer; "Garbage in, garbage out." Your Trial Notebook will be the same. Keep things organized from the beginning.
- ◆ Hint: Keep your old Trial Notebooks even if the case is long closed. Lessons learned in one trial often carry over to others, and this is definitely true if you focus on a narrow specialty.
- ◆ **"Top 10 Productivity Tips for Trial Notebook Assembly"**
 10. *Avoid emails, phone calls, and other distractions. If you have to, leave the office to work.*
 9. *Do you work better with regular breaks, or with unbroken continuous work periods?*
 8. *Focus on only one trial at a time. Some offices try to "mass produce" and it can backfire.*
 7. *What's your most focused time of day? Are you a morning or night person? Work then.*
 6. *Work from a Trial Notebook checklist (like this ebook) or refer to a good one you made before.*
 5. *Check your supplies. Do you have paper? Ink? Your laptop power cord? Set up for success.*
 4. *Copies of all pertinent materials and documents should be on hand. Searching wastes time.*
 3. *Have all production components on hand: notebook, laptop, CD/DVDs, thumb drives, etc.*
 2. *Does something like coffee or food work for you or against you? Adjust your diet accordingly.*
 1. *Work alone or in small numbers for the first assembly. Let a team review later.*

Physical Assembly of Your Notebook

- ◆ If you use numbered tabs, make sure you have a key in the front, the back, and in the Daily Journal section so you can easily find sections from the most likely places you'd be while you're in court.
- ◆ Preferably, you label your tabs using words. If you do, make sure the tabs are labeled on both sides. Remember, any awkward flipping or extended time searching looks bad in court to all present.
- ◆ Another hint for your tabs is to color code them. Use one color for your exhibits, another for items from the opposition and so on.
- ◆ Every section should have at least one cover, the tab divider page. This keeps prying eyes off your documents. In our profession there have been too many incidents of "prying eyes" causing problems with cases or court proceedings. Keep this same thought in mind when you have your laptop screen up.



Use cover sheets and exercise caution in court to keep prying eyes off your documents!

Consider getting a screen cover that only permits viewing from a very small direct angle, or at least have your “sleep mode” or screen saver only a keystroke away (so you can blank the screen without having to wait for it to time out).

- ◆ When making secondary books for others, i.e. judge, jury, and opposition, you might be tempted to scrimp on the opposition’s if you even do one at all (for discovery). But, remember this; what goes around comes around. Play fair, be nice, and treat everyone well. Consequently, you don’t want to spend too much money on the notebooks otherwise it looks like you’re trying to bribe, influence, or at least curry favor.
- ◆ Production hint: Since your notebook will be flipped through a lot, you’ll need a little durability with the pages and the punched holes if it’s going in a three-ring binder. First, print all your documents for the notebook on a slightly heavier paper. Standard printer / copier paper is a 20-pound paper. Go with about a 24-pound paper. Also, run a strip of cellophane tape down the inside margin of the paper on the front or back side before punching it for the binder. This is a much easier reinforcement than trying to go back later with those little adhesive “donuts” that fit around a punched hole.
- ◆ If your finished notebook is on the ponderous side, get in the habit of taking out the pertinent pages when you need them (such as your opening or closing statement outline) and immediately replacing the pages when done. Note: As much as anything else, the proper use of the Trial Notebook helps in creating good organizational habits and one leads to the other. Creating good Trial Notebooks teaches organization, and good organizational skills help in creating good Trial Notebooks.
- ◆ For your physical notebook, use only one if at ALL possible! It’s not a case of “all your eggs in one basket” since you have redundant softcopy backups, but being the easier format to use, it looks better if A), you have everything under “one roof” and B), with everything together you don’t forget one of the notebooks back at the office.
- ◆ You’ll notice in our suggested sections list, we have 13 categories (the “Baker’s Dozen” kind of 13, not the unlucky kind) though we labeled the last one with ** rather than a number. Here’s why: You can find 12-tab divider sets along with a ton of other set sizes (5 tabs and up) at your favorite office supply store. For the odd tab, simply keep a set of blank dividers and use a different one of them each time you make a notebook. The final tab would be marked “Index” anyway so it shouldn’t matter if the rest of your sections are divided by numbered tabs or named labels. That’s why the Index & Reference section is marked **.
- ◆ Just as you tailor the Trial Notebook to the lead attorney, you should also tailor the Presentation Schedule Bench Copy to the Judge or Court. Different Judges or Courts may prefer (or outright require) different formats. The thing to check is whether they would appreciate a redundant copy in a different format. For example, a court may require that all copies of Trial Notebooks be in electronic softcopy format, whereas the Judge may be “old school” and like a nice paper hardcopy. Another thing to think about is that if they do like a paper hardcopy, what are they more appreciative of? Three-ring binder? Comb binding? Spiral binding? One caveat though. Where your attorney might appreciate having that nice leather-bound expensive looking binder, giving something like that to a judge might be construed as attempted influence. Make your bench book professional and presentable yet economical.
- ◆ On the subject of sub tabs in your physical notebook: Colored Post-It® tabs are so easy to use, but please resist the urge to use them too often. Having a few is fine when you need to mark something for quick access, but otherwise, too many looks unprofessional. (In fact, having too many will look like you just slammed your book shut on a Parrot!) Instead, you can either use a numbered set of tabs, another set of blank dividers, or a “peel and stick” tab so you can more neatly mark the subsections you need to access while in court.

- ◆ You'll notice that some of the sample forms we've provided in this ebook have the titles repeated at the top and bottom. That's because a good many of our clients prefer a top bound notebook or classification folder system and having the title repeated at the bottom makes finding a particular page easier. Consider this level of detail and thought when you go to create your own forms and pages.
- ◆ Depending on the size of the case and the amount of witnesses, exhibits, and other data, you *might* want to create two notebooks; one for your case and the other for the opposition's. This makes navigation easier, it makes division of duties easier and faster (if you have to look something up during a tense moment in court), and it makes for better portability since you only have to pick up half the material as you're pouring over one book or the other. Color-code the two notebooks if you do this. However, if at all possible, keep everything in one notebook. It's harder to lose parts that way.
- ◆ Whatever format the lead attorney prefers, have the Trial Notebook available in that format, but always, ALWAYS have a redundant backup in the other format (softcopy - in several formats - or hard copy). Going green is good, but earning green is just as important, so don't blow the case just to save some paper. Leave the electronic copy requirements for the volumes of paper exhibits that have to be shuttled back and forth as part of Discovery, and for eDiscovery.
- ◆ The redundant backup rule also applies to key exhibits. For example, a witness statement should be prepared in all available and applicable formats. If there is a video deposition, there should be a hardcopy transcript (verified), the video should be saved on both disk and thumb drive (flash drive) and in various video formats depending on the requirements / capabilities of your electronic equipment and that of the court. For video, an audio file backup should be made just as you'd make a hard copy transcript of the audio.
- ◆ Where it's important to have an original document, place a photocopy of the original in your Trial Notebook if needed while the original resides in your file box or is already in the court's possession as evidence. In many cases, the location of a physical piece of paper indicates its value. For example, a piece of paper in the Trial Notebook can have handwritten notes added at will. A piece of paper in the file box should not be touched, altered, or marred.
- ◆ If you choose something like an expensive leather binder, don't make it so expensive that you can't file it away for years at a time while the case progresses through various steps.
- ◆ You should have a sub-section on "lessons learned" in each Trial Notebook, or at least as part of your "Court Journal." After all, it's called *practicing* law.
- ◆ Speaking of detail, please notice that we did not number this ebook like a normal book. We started with the very first title page because we knew we would be giving this book away in PDF format, and we wanted the PDF's page numbers to match the ebook's page numbers. This is another tiny example of not only the kind of detailed thought we apply to what we do, but an example of the detail you should use.



Though this is a hardcopy notebook, it doesn't help. Work from templates, forms, and checklists.

Handling the Computer Files

- ◆ Even if most of your data storage is electronic, and discovery is eDiscovery, we still suggest you have a hardcopy version of your Trial Notebook. The more important the situation, the more a little redundancy is your friend.

- ◆ Thumb drives should all be labeled with a name, case number, or drive serial number and that information entered into the “where stored” blank on your various forms and Index & Reference.
- ◆ Laptop computers should also be inconspicuously labeled. There would be nothing more embarrassing than to say “Oops! I left that file in my other computer!”
- ◆ Just as you have your Trial Notebook in both hardcopy and softcopy formats, your electronic information should be saved in a variety of formats to ensure universal accessibility. Save things in their native format and make electronic copies in PDF, TXT, DOC, PPT, or XLS formats. For example, if you have a PowerPoint® presentation you’d like to make, only the PowerPoint software doesn’t want to cooperate, you can save the PPT or PPS file as a PDF and use Adobe to show the slides. You’ll lose some of your special effects, but it will work in a pinch.
- ◆ Now that we’ve mentioned the possibility of losing your special effects, we feel it prudent to ask you to not use special effects unless absolutely necessary. Keep things simple for the jury.
- ◆ Your hardcopy and softcopy pages should look just alike. Use the same document format in your physical notebook as you do on computer. If you have to switch back and forth you want to be able to read and navigate one as easily as the other and having to decide which is what or where on different formats does nothing but waste time and cause confusion. Uniformity is one of the keys of efficiency.
- ◆ If your firm handles a variety of cases, come up with a case and file numbering system that will tell you at a glance what type of case you’re working (criminal vs. civil, tax vs. tort, family vs. corporate, etc.) and also whether or not you’re representing the plaintiff or defendant.
- ◆ In your softcopy version, you can use internal hyperlinks from key words or names to definitions, exhibit notes, or background info. Internal hyperlinks are easy to make in most word processors.
- ◆ Become an insatiable file saver or backup person. Learn the “save hotkey” for any software package you might use. For example, in Microsoft Word® and Excel® hitting “Ctrl S” (the Control key and the letter S key) will save the current document. You can make it an almost unconscious habit to hit Ctrl-S every minute or so and never have to worry about losing important files in those “Murphy’s Law” moments where the power goes out or the computer “hiccups.” Also, change the “auto save” time length. For Microsoft Word® you do this by going to “Tools” then “Options” then click on the “Save” tab. You’ll see an option that says “Save AutoRecover info every...” and then you’ll see a box where you can change the number of minutes governing how often the auto-save feature saves your current file.
- ◆ One of the things we constantly point out to people is that the software systems that came loaded on their computers are probably far more useful than most of us know. They’ll do so much already that we tell most of our readers / clients to learn what their computers will do already before investing in higher-end software-oriented case management or trial notebook packages.
- ◆ Check all flash drives, files, and file storage devices for viruses, spyware, and keystroke loggers before loading them on your office computers and certainly before loading them on the computer you’ll be taking to court.
- ◆ Consider adding a small box to each document template you create for your office where you show the filename for the template. This helps you find it more easily because you don’t have to



Though we focus on hardcopy Trial Notebooks, never walk in to court without a softcopy backup.

stop and think “Now which of these cover sheet filenames is the one I want?” You’ll notice on some of our forms we provide that same item along with a blank for “Document Control #.”

- ◆ Make sure pretty much everything you do or create has some sort of internal “Document Control Number” such as “Bates Numbering.” Hint: If you have your files saved in Microsoft ® format(s), they’re searchable for keyword content. This means that if you know a document control number and it’s typed into a document somewhere, you can tell various search features already loaded with Windows ®, to search inside a series of documents to find the document(s) containing that number (or any other key word or phrase).
- ◆ In addition to your firm’s internal document control number, be sure to list accepted / admitted items by the court’s exhibit number and cross-reference with your “Index & Reference” section.
- ◆ Hint: Assign an ID number to your thumb drives, or at least label them with the case number for the trial. Do the same with CDs / DVDs, and other removable storage devices that will be dedicated to this one particular case or trial. In addition to labeling them, list them in the Index.
- ◆ Another hint: When upgrading laptops or buying new ones, try to make sure they all match and that they all use the same version of the same operating system. This way everyone knows how to work all the computers. Uniformity is one of the keys to efficiency. Speaking of computers:
 - ◆ **“Top 10 Qualities of a Good Software-Based Case Management / Trial Notebook System”**
 10. *The software’s system requirements match the capabilities of your firm’s computers.*
 9. *The package’s features and functions are an exact match to your office’s needs.*
 8. *Use is intuitive and does not require much training. And if it does, training is included.*
 7. *There are no hidden fees such as “per station,” “per time period,” “number of cases,” etc.*
 6. *The software company does not place a great deal of emphasis on useless features.*
 5. *The package won’t be obsolete in just a few months, unless upgrades are very low cost.*
 4. *You can recoup the cost of investing in the software in a very short period of time.*
 3. *The package is customizable by the user and can change and grow with the firm’s needs.*
 2. *Tech support is free and available 24 hours a day, 7 days a week.*
 1. *Tech support is staffed with operators you can understand and who can understand you.*

Prepping for Trial

This part might seem redundant since this whole ebook is about prepping for trial, but this portion is a small set of ideas to help get you ready for court that have little to do with *making* a Trial Notebook, though some parts are related, and more about *readying* you to use your notebook in trial. We just felt compelled to give you all the help we could.

- ◆ Use the same Trial Notebook template / model for all court cases, not just the bigger more important ones. The reason being, you want to know your Trial Notebook system forward and backward so when the more important cases come up you’re focusing on the case and not trying to remember all the details you need in your files.
- ◆ Call a colleague, preferably someone in the same firm but uninvolved in this trial, to read through your notebook. It should make sense to them even though they may be unfamiliar with the

issues, people, and exhibits. They should feel like they could take on the case if your notebook was handed off to them.

- ◆ Prepare an “office supply box,” a small one, and keep handy items such as paper clips, stapler, binder clips, markers, breath mints, etc. (Hint on mints: These help make sure the presenter’s throat is hydrated and their voice is as smooth and even as possible.)
- ◆ Review the Trial Notebook with available staffers, even if not all of them are involved in that particular trial. This does 2 things. One, it gives you fresh sets of eyes and ears who can help you spot errors, inconsistencies, or contradictions, and two, if a firm member who is part of the trial is absent for whatever reason, their replacement is at least a little familiar with the trial’s focus and issues.
- ◆ One of the worst things you can do is sit in front of your client the day of (or just before) trial and put your Trial Notebook together. The Trial Notebook should be in a constant state of assembly from the day trial is a probability. Last minute efforts do nothing but undermine your client’s confidence in you as their legal representative. Since one of the purposes of a good Trial Notebook is client confidence, they should get to see the Trial Notebook assembly in progress and should be asked on occasion to review portions thereof. Indeed, the act of a thorough investigation itself will almost produce your Trial Notebook in rough draft format.
- ◆ Review with the client is good for several reasons. First, the chief complaint among clients is a lack of communication from their attorney. Second, trial is nerve wracking on any client – regardless how many times they may have been there – and knowing how thorough your preparations are can help make them more at ease. Third, they may be able to add that one crucial detail that you either omitted or they forgot to tell you (better to know now). Fourth, review also reconfirms to the client their position in the trial so as to reinforce reasonable and legitimate expectations of probable outcome and preps them so they know what is going to happen and when during the trial process.
- ◆ Another thought with having your client review your material with you is potential malpractice reduction. Though your client is a layman so to speak, and has hired your firm as their representative, you might allay the claims of “I didn’t know what was going on” or “I didn’t know that was going to come up in court” or “My attorney never communicated with me” by including the client in as many steps as possible. This is the reason you’ll find “Client’s Signature” or “Reviewed by Client” on some of the Trial Notebook forms. Though this holds little to no weight regarding existing precedent, good communication and documentation can go a long way toward protecting you on a number of fronts against unforeseen issues.
- ◆ If you have multi-media presentations or slide shows, practice presenting them as often as you can. Being familiar with the material and smooth in its presentation carries a lot of weight regarding your image and how you’re perceived in court.
- ◆ Also keep in mind that “prepping for trial” is an on-going process that doesn’t only occur when a case is scheduled for court. There are quite a number of skills above and beyond good Trial Notebook assembly that lend themselves well to success in a court of law. On the next page we’ve put together a quick list of eleven different ways to keep yourself ready for trial.



***When possible and permissible,
let your client review your work.***

♦ **“Top 11 Ways to Improve Your Trial Skills”**

11. *Volunteer to help the indigent. Practice makes perfect, so the more time spent in court...*
10. *Take a creative writing class. This will help teach creative thought and organized writing.*
9. *Take law-related Continuing Ed classes through your Bar Association or local college.*
8. *Be part of a Debate Club. Practice combining reason, logic, and persuasion.*
7. *Take Software Classes. The better you are with a computer, the easier presentations will be.*
6. *Join a mystery book of the month club. Reading a good mystery is good brain exercise.*
5. *Constantly work word, math, and spatial puzzles to keep your analytical brain exercised.*
4. *Take a course on private investigation. This will also help develop analytical thinking.*
3. *Visit an image consultant. How you come across to others in court is very important.*
2. *Watch your diet, rest, and exercise. Stable energy levels help you focus and concentrate.*
1. *Join Toastmasters. The better you can speak in public the better you'll be in court.*

Since we like adding our little numbered lists, here's one more to condense some of the more important points we've made to sum up this section:

♦ **Putting it All Together - A Final Step by Step Synopsis:**

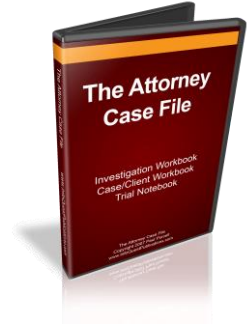
1. *Put together your Trial Notebook shell using a three-ring binder and the tab dividers.*
2. *Insert the Trial Information Sheet and fill out the Section Cover Sheets.*
3. *Load the Trial Notebook using the Section Cover Sheets as your “to-do” checklists.*
4. *Coordinate the loading of your Trial Notebook with the organization of your electronic files.*
5. *Print your “Index & Reference” pages and insert them in that section.*
6. *Review each section with the supervisor, presenting attorney(s), and the client.*
7. *Record the fact that each section was reviewed on the section's cover sheet.*
8. *Compare the hardcopy Trial Notebook to the electronic version.*
9. *Review your redundant electronic backups to make sure all presentations will work.*
10. *Fill out your “Day of Court Checklist” to help you remember everything you'll need.*

One of the things that will make your life easier is if you had everything you needed not only for assembling a Trial Notebook at the click of a mouse, but the detailed checklists you'd want to have when working the whole case from the beginning so as to not miss a single detail. The one thing worse than you not having something like this is if your opposition does!

This next section is important since it's here you'll learn about the origin of everything you've been given so far, and a valuable resource that can make your law office management, case management, and Trial Notebook production much simpler. Let's learn about the source.

V. About the Source

Everything given to you thus far has come from [The Attorney Case File](#). This is the package you need that will make all the difference in the world with organizing your cases, work product, and trial appearances.



The few sample forms we've provided here don't even begin to do the system justice. The Attorney Case File is a three-component system made up of nearly **200 pages** of interrelated forms, templates, and checklists, all of which carry the detail to keep you on track, the appearance to enhance your professional image, lifetime usage for one single price, at a cost low enough to recoup your investment when you save one billable hour. How much time has this ebook alone saved you already?

The three components are the Case / Client Workbook, Investigation Workbook, and the Trial Notebook:

1. **The Case / Client Workbook** acts as the central coordinator for all your cases and works with a variety of types of law whether you're working a criminal defense case, either side of a civil case, or any number of other areas of law.
2. **The Investigation Workbook** is a complete "investigation in a box." If you hire outside investigators, you can set the parameters under which they operate and make sure they don't miss a detail. If you have an in-house investigator, this section helps set them up for success like no other package available from any other source.
3. **The Trial Notebook** is made up of the forms and worksheets you've seen here and more. Like we said, there's only enough room in an ebook to give you a few pages.

The next thing you should do is visit our site to learn more about our complete system and the long list of benefits we don't have room to list here.

"A lifetime of case management for less than the cost of *one* billable hour."

Click here: [The Attorney Case File](#)

By special arrangement with InfoQuest, **Blumberg Excelsior** now carries The Attorney Case File.

When you order, you'll receive an **email with all the files in a zip file**, PLUS you'll receive a **Backup CD for only the cost of shipping!**

(A final note: About the "accident scene" photo on page 12. Yes, it's a fake. We were sitting around with some crime scene tape, red electrical tape, one of our web pages we were working on, and too much time on our hands. That's when things happen! Just thought you should know that no people, animals, or trees were harmed in the making of this ebook although billions of electrons were temporarily inconvenienced.)

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