

**CHECKLIST FOR SEQUENTIAL ACTIVITIES  
TO ORGANIZE AUTOMOBILE ACTION**

\_\_\_\_\_ vs. \_\_\_\_\_

**INTAKE OF CLIENT INFORMATION**

- INTAKE. 01. Initial Client Information (via first telephone call to law firm).
- INTAKE. 02. First appointment is made; a letter is sent to client to confirm the appointment and advise him or her what to bring to the office; a second questionnaire (Client Information Questionnaire) is enclosed with instructions to fill it out to the best of the client's ability.
- INTAKE. 03. Further information is taken from client at first appointment to determine if case will be represented.
- Give client a booklet explaining what to expect in the handling and procedure of his case; if appropriate, also give client a form of diary in which to keep track of his pain and suffering, doctor or therapy visits, etc.

**REPRESENTATION CONTRACT (FEE AGREEMENT):**

- Choose the appropriate form of contingency fee agreement and have client, attorney and referring attorney, if any, execute.

**AUTHORIZATIONS AND RELEASES:**

Have the client execute the appropriate release forms:

- General form of release.
- Tax information from Internal Revenue Service.
- Client's insurance records.
- Client's personnel records for work history and wage loss information.
- Medical records and reports.

**PRELIMINARY INVESTIGATION:**

- Determine statute of limitations.
- Write for medical information.
- Write to appropriate agencies for driving records (when appropriate for automobile accident cases) and accident, investigative or incident reports.
- Write to Plaintiff's employer to determine wage loss information.
- Write to Defendant's insurance carrier advising of representation of Plaintiff and requesting insurance coverage information.
- Write to Plaintiff's insurance company for coverage information and log of no-fault payments (when appropriate for automobile accident cases).
- Write to Defendant advising of representation of Plaintiff.
- Write a thank you letter to referral source, if appropriate.

- Send special notice to public entity of claim and injury.
- Write for mortality tables for use at trial.
- If Defendant is a corporation, check the responsible agency for corporate information to determine status of the corporation, the names of the responsible officers and directors, name of registered agent and address, etc.
- In automobile accident cases, obtain disposition of traffic court trial or hearing, if any.
- Obtain photographs of accident scene, property damage, and client's injuries.
- Obtain engineer's drawings, if appropriate.
- Prepare a Case Development Plan
- Attempt to negotiate settlement in selected cases.

**INITIAL PLEADINGS:**

- Prepare and serve Complaint.
- Prepare and serve Summons and Affidavit of Return of Service.
- Prepare and serve Interrogatories.
- Prepare Reply to Affirmative Defenses, if necessary.

**DISCOVERY:**

- Set date for Defendant's deposition.
- Arrange for court reporter.
- Consider videotape and telephone depositions.
- Prepare motion or stipulation defining circumstances of taking.
- Prepare and serve Request for Admissions.
- Prepare and serve second set of Interrogatories, if needed.
- Prepare and serve Request for Production of Documents.
- Prepare and serve second Request for Production of Documents, if needed.

**MOTIONS:**

- Motion and Order for Partial Summary Judgment.
- Motion and Order for Summary Judgment.
- Motion to Amend Complaint.
- Move to set case for pre-trial conference.
- Move to set case for trial

**PRE-TRIAL:**

- Pre-Trial Statement.
- Pre-Trial Order.
- Diary relevant dates from Pre-Trial Order.
- Prepare Pre-Trial Checklist.
- Motions in Limine.

**JURY INSTRUCTIONS:**

- Prepare appropriate jury instructions for trial.
- Prepare appropriate jury verdict forms.

**TRIAL PREPARATION:**

- Summarize depositions.
- Prepare and mark exhibits.
- Prepare trial notebook.
- Letter to witnesses advising what to expect at trial.
- Prepare and serve subpoenas on witnesses.
- Prepare list of witnesses, addresses, telephone numbers, and make sure witnesses have transportation.
- Arrange last minute briefing or pre-trial conference with:
  - Trial team.
  - Client.
  - Witnesses.
- Letter to doctors, hospitals, etc. , for update on medical bills due.
- Check courtroom for facilities (view boxes, videotape arrangements, etc. ).
- Obtain medical illustrations and checklist for use of demonstrative evidence.
- Obtain trial docket.
- Check sequencing of earlier trials to determine "ready date. "

**POST TRIAL:**

- Prepare Final Judgment form.
- Prepare settlement sheet for client indicating distribution of settlement proceeds.
- Prepare Motion to Tax Costs.
- Determine terms of structured settlement.