

Trial Notebook Techniques & Strategies

How to Create the Ultimate Trial Notebook

Be organized...Be Prepared!

Vicki Voisin, ACP

And

Christina L. Koch, ACP

©2010 Vicki Voisin, Inc. and Christina L. Koch, ACP

All rights reserved. No part of this handout may be reproduced or transmitted in any form or by any electronic or mechanical means, including information storage and retrieval systems, without permission in writing from the copyright holder, except by a reviewer who may quote brief passages in a review.

The Contents

About The Presenters	3
Module One: The Introduction: What is a Trial Notebook?.....	6
Module Two: Supplies, Resources and Your Trial First Aid Kit.....	8
Module Three: When Do You Start Trial Preparation?	11
Module Four: Choosing Your Software	16
Module Five: Detailing Your Trial Notebook	35
Module Six: Trial Notebook Sections	47
Voir Dire, Opening Statements and Closing Arguments	49
Pleadings, Motions and Discovery	49
Witnesses	50
Exhibits	52
Jury Instructions/Trial Briefs	54
Settlement/Damages	54
Module Seven: The Electronic Trial Notebook.....	64
Module Eight: The Trial Preparation	67
Module Nine: Conclusion.....	69
Index of Forms	71

The Presenter: Vicki Voisin, ACP

Vicki Voisin, ACP, “The Paralegal Mentor,” is a nationally recognized author and speaker who delivers simple strategies for paralegals and other professionals to create success and satisfaction by setting goals and determining the direction they will take their careers. Vicki spotlights resources, ethics issues, organizational tips, and other areas of continuing education to help paralegals and others reach their full potential.

She publishes *Strategies for Paralegals Seeking Excellence*, a bi-weekly ezine for paralegals and other professionals who want to create lasting success in their personal and professional lives. Additional information is available at www.paralegalmentor.com. She also hosts monthly Paralegal Mentor Mastermind Calls featuring guest experts who discuss issues of interest to the legal profession. For information or to register, go to www.paralegalmentor.com/mastermind-calls.html.

After spending more than twenty years in the paralegal field, Vicki launched her *Paralegal Mentor Program* so she could share her knowledge and experience with other paralegals.



Vicki speaks on issues of interest to the legal profession and is the creator and presenter of EthicsBasics[®], a unique and enormously popular program designed to raise awareness of ethical concerns by legal professionals. She has worked as a paralegal for more than 20 years and is currently employed by Running Wise & Ford, PLC in their Charlevoix, Michigan office.

Utilizing the *EthicsBasics* format, Vicki has made numerous presentations throughout the United States, addressing paralegals and other members of the legal staff, in both law firms and corporations. She is also a frequent speaker at meetings of professional associations; these presentations have been approved for Attorney MCLE.

Vicki has authored articles of interest to attorneys and paralegals in publications on the state and national level, including the *Michigan Bar Journal*, *Michigan Lawyers Weekly*, *The Michigan Paralegal*, *Legal Assistant Today*, *LAAM's Newsbrief*, and *The Career Chronicle* and *Facts & Findings* published by NALA. Many of those articles have been re-printed nationwide.

Vicki is an active member of the Legal Assistants Section of the State Bar of Michigan, having served as Chair in 2005-06. In 2000, she received the *Mentor's Award* from the Section and she was named *Legal Assistant of the Year* by LAAM, an award that was named in her honor. In 2003, NALA recognized her leadership in the development of the paralegal profession with the presentation of its President's Award.

She is a past president of the National Association of Legal Assistants (NALA) and until recently served on NALA's Advanced Certification Board. Vicki presents **Basic Ethics I and II**, **Advanced Ethics**, **Ethics & Technology**, and **Time Organization Techniques** on NALA Campus *LIVE!* She presented **Social Networking: Not Just For Kids Any More** at the 2009 NALA Annual Convention & Educational Workshops, July 8-11, 2009, San Diego, California.

Questions may be directed to Vicki@paralegalmentor.com. Visit her blog at www.paralegalmentor.blogspot.com where she addresses matters of interest to legal professionals. Subscribe to her bi-weekly ezine titled *Strategies for Paralegals seeking Excellence* at www.paralegalmentor.com.

Follow Vicki

Twitter: <http://www.Twitter.com/VickiVoisin>
Facebook: <http://www.facebook.com/VickiVoisin>
LinkedIn: <http://www.linkedin.com/in/VickiVoisin>



The Presenter: Christina L. Koch, ACP

Christina L. Koch, ACP is a NALA Advanced Certified Paralegal in Trial Practice with more than twenty years of experience in the legal field. She received her Paralegal degree in 1991 and also holds a Bachelor of Science Degree in Management. She is a National Dean's List Scholar.

In 2002, Christina joined the Omaha NE firm of Inserra & Kelley and is currently a Litigation Paralegal/Trial Practice Specialist. Her work with Inserra & Kelley includes handling all aspects of litigation for the firm. She is adept in performing all aspects of litigation, including legal research, writing, discovery, investigative and analytical skills and preparation. Her experience includes the areas of personal injury, workers' compensation, products liability, FELA and insurance defense.

She is a member of NALA, NePA, and a paralegal affiliate of the American Association of Justice. Christina completed the NALA LEAP program in 2009 and was named to the Paralegal Superstar Calendar of the nationwide Paralegal Gateway for March of 2008.

Christina has served on the Nebraska Paralegal Association Board of Directors since 2007 and is currently a member of the AAJ Paralegal Task Force Advisory Committee.

She is a nationally recognized author and speaker on various litigation topics and was a member of the faculty of the Trial Specialist Institute in Las Vegas, NV.

Christina is a freelance legal author, speaker and blogger and the founder of the Nebraska Paralegals list serve.

Follow Christinai

Twitter: <http://twitter.com/ChristinaKoch>
Facebook: <http://www.facebook.com/ChristinaLKoch>
LinkedIn: <http://www.linkedin.com/in/christinakoch>

Notice:

Warning of Copyright Protection: Any sample documents presented to you in this teleclass and are ALL copyright protected. Under no circumstances can the copy in these documents be used or reproduced, in whole or in part, without the express written permission of Vicki Voisin. The absence of a copyright notice on any given page or material should NOT be construed as an absence of copyright. These materials and documents are provided for sample purposes only and only for your personal use. They are not to be distributed or used in any other learning venues.

Legal Notice: This teleclass contains information gathered from many sources, as well as from the experiences of the author. It is produced for general reference and not as a substitute for independent verification by users when circumstances warrant. It is presented with the understanding that the author is not engaged in rendering any legal, accounting or psychological advice. In instances where the opinions or advice of legal, financial, psychological or other professional advice are appropriate, such professional counsel should be sought. The author disclaims any liability whatsoever for individuals' use of any advice or information presented. Although the author has used care and diligence in the preparation of this presentation, she assumes no responsibility for errors or omissions.

Module One

**The Introduction:
What Is a Trial Notebook?**

Module One. What Is A Trial Notebook?

The biggest mistake attorneys and paralegals can make is to delay trial preparation until the week of the trial.

- a. takes away any margin for error
- b. may miss a key subpoena or document
- c. may omit critical elements of your claim
- d. may fail to include evidence necessary to prove elements at trial

Ethics issues: The attorney must act with reasonable diligence on the client’s behalf and owes the client the duty of competency, as well as zealous representation. ABA Model Rules of Professional Conduct 1.1 and 1.3

The trial notebook is your blueprint for trial and should be customized to the attorney who will try the case. The general rule is that it is organized in the same form and order that trial will progress.

Customary sections include:

- ❖ Voir Dire
- ❖ Opening Argument
- ❖ Pretrial Orders/Motions
- ❖ Pleadings
- ❖ Plaintiff’s Witness List w/separate tabs for each witness
- ❖ Defendant’s Witness List w/separate tabs for each witness
- ❖ Plaintiff’s Exhibit List
- ❖ Defendant’s Exhibit List
- ❖ Closing Argument
- ❖ Jury Instructions/Trial Briefs
- ❖ Settlement/Damages

Module Two

Supplies, Resources
and
Your Trial First Aid Kit

CHECKLIST – TRIAL FIRST AID KIT

1. BASIC TRIAL SUPPLIES

- Paperclips
- Scissors
- Scotch Tape
- Small Stapler/Staples
- Paper Puncher
- Blue Pens (4)
- Black Pens (4)
- Red Pens (2)
- Highlighters (3 – different colors)
- Post-It Notes
- Colored flags (you will find these near the post-it notes)
- Pencils (4) and Pencil Sharpener
- Legal Note Pads

2. COMPUTER SUPPLIES

- Laptop
- Flash Drive
- Extra USB cord
- Presenter/Laser Pointer
- PowerPoint Presentation downloaded to Laptop

3. ADDITIONAL SUPPLIES

- Extra Batteries
- Tylenol and Advil (some people cannot take Advil)
- Cough Drops
- Chewing Gum
- Hand Sanitizer
- Hand Lotion
- Carmex/Chap Stick
- Petty Cash (\$20.00 in bills and \$3.00 - \$5.00 in change)
- Protein Bars

4. BUSINESS SUPPLIES

- Attorney Business Cards
- Paralegal Business Cards
- Any demonstrative exhibits?

5. ADDITIONAL SUPPLIES FOR THIS TRIAL ONLY

- A. _____
- B. _____
- C. _____
- D. _____

Module Three

When Do You Start Trial Preparation?

Module Three. When Do You Start Trial Preparation?

The answer: Assume every case will go trial and begin trial preparation the day the client retains the firm. This includes document organization.

When court proceedings initiate and you begin the discovery process, the file will get larger.

Methods for preparing information for inclusion in the trial notebook include

- ❖ hard file
- ❖ scanning documents into an electronic file
- ❖ scanning to a CD-Rom or server
- ❖ utilizing legal software

CHECKLIST – CIVIL TRIAL NOTEBOOK

1. OBTAIN BASIC INFORMATION

- Initial interview with client. Send representation letters to: _____ client;
_____ client's insurer; _____ defendant; _____ defendant's insurer
- Obtain copies of any statements given by client
- Obtain police report/incident reports or other official reports of occurrence
or previous inspections
- Obtain weather report (if weather is a factor)
- Obtain instruction manuals (if product involved)
- Obtain safety manuals (if FELA case)
- Diagram scene
- Obtain reports of prior hearings or administrative proceedings
- Verify corporation name and registered agent
- Determine if Family Purpose Doctrine applies
- Obtain insurance coverage of client (DEC PAGE if possible)
- Prepare litigation summary

2. WITNESS INTERVIEWS

- Interview adverse party witnesses
- Consult expert
- Interview other witnesses
 - A. _____
 - B. _____
 - C. _____
 - D. _____
- Further interview with client

3. PHOTOGRAPHS

- Vehicles or products involved
- Scene of occurrence (including accident scene or surrounding area, skid marks,
construction, etc.)
- Mapquest area of accident
- Photos of injuries or damages
- Photos of repairs or treatment
- Other photos

4. DAMAGES

- Obtain hospital records; _____ physician's records
- Obtain income tax returns
- Obtain and verify loss of time and income
- Secure copies of all bills
- List all expenses and special damages
- Mortality Table (to support Loss of Earning Capacity)
- Loss of Earning Capacity Evaluation/Functional Capacity Evaluation
- Obtain amount of subrogation interests
- Get expert opinion (or Jury Verdict Research) on verdict range

5. PHYSICAL EXHIBITS AND WITNESSES

- Secure all physical evidence for exhibits

- Chain of Custody secure????
- Secure all correspondence by parties to other parties
- Secure all of client's internal memos of occurrence
- Prepare charts and demonstrative exhibits
- Prepare witness sheet for each witness
- Witness List
- Exhibit List
- Review pleadings to ensure all elements of damage have proof

6. OTHER FACT GATHERING

- A. _____
- B. _____
- C. _____
- D. _____
- E. _____

7. PRE-TRIAL LEGAL MATTERS

- Complaint served (Date: _____)
- Jurisdiction and venue checked (County and city of trial: _____)
- Jury demanded (___yes or ___no)(__6 __9 __12 person)
- Answer served; _____ Third party complaint served
- Counterclaims, cross-claims and reply (if necessary)
- Summary of pleadings prepared
- Our interrogatories sent out to adverse parties
- Further (if needed) interrogatories sent out to _____.
- Documents and things inspected
- Depositions taken of:
 - Other parties; _____ Our client
 - Their experts; _____ Our experts
 - Occurrence and damages' witnesses
 - A. _____ C. _____
 - B. _____ D. _____
- Depositions transcribed and summarized
- Medical records timeline
- Demands for admissions served
- Motions disposed of
- Legal research completed
- First review letter sent to client on _____
- Supplement interrogatory answers as/if needed
- Certificate of Readiness served; Trial date set for: _____
Judge assigned: _____

8. OTHER LEGAL WORK

- A. _____
- B. _____
- C. _____
- D. _____

9. FINAL PREPARATION FOR TRIAL

- Final review letter sent to client on _____ with trial prep time/date
- List exhibits expected for each party
- Check pleadings for amendments needed

_____ Again check answers to interrogatories for supplements
 _____ Requested jury instructions prepared to be sent to judge on _____
 _____ Prepare Pre-Trial Motions/Motions in Limine
 _____ Trial memo prepared to be sent to judge on _____
 _____ Order special needs for trial (VCR/DVD/TV/Elmo, etc.)
 _____ Verify trial date with Bailiff
 _____ Questions prepared for each witness
 _____ Our witnesses alerted
 _____ Prepare subpoena for witnesses where needed
 _____ Conferences with witnesses
 _____ A. _____ _____ C. _____
 _____ B. _____ _____ D. _____
 _____ Jury list obtained and checked
 _____ Voir dire questions prepared
 _____ Opening statement prepared
 _____ Closing argument notes prepared before trial

10. SETTLEMENT SUMMARY

Our client has authorized _____
 We offered _____
 They offered _____
 Subrogation Liens Handled? _____

11. POST-TRIAL

Appealable Issues? _____
 Motion for New Trial? _____
 Ordered Transcript? _____
 Ordered Bill of Exceptions? _____
 Docketed Appeal Deadlines? _____
 Received Settlement Check _____
 Filed Dismissal and Satisfaction? _____
 Close File? _____

Module Four

Choosing Your Software

Module Four. Choosing Your Software

Common software:

- ❖ Outlook
- ❖ Word
- ❖ Excel
- ❖ Time Matters database
- ❖ Adobe Acrobat Professional
- ❖ Summation
- ❖ Sanctions
- ❖ CaseMap

The information you enter in the database is often determined by the type of case. Some information is standard, regardless of the type of case:

- ❖ Basic client information, including name, address, phone number, fax number, email address, web address, spouse and children, date of birth, social security number(s)

What will you try to prove? Include the five W's of investigation:

- ❖ Who?
- ❖ What?
- ❖ When?
- ❖ Where?
- ❖ Why?

You must know exactly what is in your file and its purpose.

Utilize all available resources when you're preparing for trial. (See attached resources)

What to do if your firm uses only hard files:

See attached logs for organizing your file during the discovery process.

You must know

- ✓ the basic facts and issues
- ✓ how to locate each key document
- ✓ how to locate each piece of relevant information

Use the Summary of Evidence Log to keep track of issues and evidence.

There are benefits to using a computerized case management system.

- ✓ ability to share files
- ✓ usually include calendar and docketing functions
- ✓ makes the firm's malpractice insurance carrier very happy

FAVORITE WEBSITE LINKS	
Business Sites	
Business Annual Reports	http://www.annualreports.com
Financial Information	http://finance.yahoo.com
Financial Information	http://www.bloomberg.com
Financial Information	http://www.smartmoney.com
Damages Calculations Sites	
United States Life Tables	http://www.cdc.gov/nchs/products/pubs/pubcd/ftpjs/life/1966.htm
Claims Resources	http://www.claimspages.com/
Blood Alcohol Analysis Calculator	http://www.claimspages.com/tools/bac.asp?catid=1&cat=Automotive
Length Conversion Calculator	http://www.claimspages.com/tools/length.asp?catid=1&cat=Automotive
Skid Speed Calculator	http://www.claimspages.com/tools/skid.speed.asp?catid=1&cat=Automotive
Speed Conversion Calculator	http://www.claimspages.com/tools/speed.asp?catid=1&cat=Automotive
Weight Conversion Calculator	http://www.claimspages.com/tools/weightL.asp?catid=1&cat=Automotive
Present Value Future Value Calculator	http://www.claimspages.com/tools/vom.asp?catid=3&cat=Liability
Depreciation Calculator	http://www.lostcompensation.com/calc.asp
Loss Compensation Calculator	http://www.lostcompensation.com/calc.asp
Kelly Blue Book Auto Values	http://www.kbb.com
Dictionaries/Thesaurus	
Medical Dictionary	http://medical-dictionary.thefreedictionary.com/
Legal Dictionary	http://dictionary.law.com/
Common Language Legal Dictionary	http://www.nolo.com/glossary.cfm
Rogert's II Thesaurus	http://education.yahoo.com/reference/thesaurus/
Subject Index/Encyclopedia/Newspapers	http://www.refdesk.com
Encyclopedia	http://www.encyclopedia.com
Federal Court Websites	
US District Court of Nebraska	http://www.ned.uscourts.gov/
Federal Judicial Center	http://www.fjc.gov/federal/courts.nsf
PACER	http://pacer.psc.uscourts.gov/
About E-Filing	http://www.uscourts.gov/cmecf_about.html
Federal Government	
Government Guide	http://www.governmentguide.com/main.asp
Legislative Information	http://thomas.loc.gov/
US Government Blue Pages	http://www.usbluepages.gov/gsa/bluepages/default.aspx
Request Military Records	http://www.archives.gov/research_room/vetrecs/
Confidential Documents	http://www.themokingun.com/
OSHA Regulations	http://www.osha.gov
Consumer Product Safety Commission	http://cpsc.gov
SEC Securities Database	http://www.sec.gov/edgarhp.htm
National Sex Offender Registry	http://www.fbi.gov/ng/cid/cac/states.htm
Filing a Governmental Tort Claim	http://www.sbf5.com
Federal Stats	http://www.fedstats.gov/
CyberCemetery-Websites of defunct US Gov Agencies and Commissions	http://govinfo.library.unt.edu/default.htm
Government Articles	http://dir.yahoo.com/government/law
Topical information including government, law, references, etc.	http://dir.yahoo.com
Health & Wellness	
Health & Wellness Calculators	http://www.healthcalculators.org/calc_index.htm
Deep Web Health Search	http://www.mammahealth.com
Iowa Legal Sites	
Iowa Code & Supplements	http://coo.legis.state.ia.us/Cool-ICE/default.asp?cate.gov=billinfo&service=lowaCode
Iowa WC Law	http://www.workerscompensation.com/lowa/quickfacts/glance.php
Iowa Legislature	http://www.legis.state.ia.us/Rules2.htm
Iowa Judicial Branch	http://www.judicial.state.ia.us/

	Iowa Insurance Division	http://www.iid.state.ia.us/agent_company_search/ind_insuranceco.asp
	Iowa Corporation Search	http://www.sos.state.ia.us/corp/corp_search.asp
	Iowa CLE	http://www.judicial.state.ia.us/Professional_Regulation/Attorney_RegulationCommissions/CLE/
Languages	Free Translator	http://www.babelfish.altavista.com http://www.google.com/language_tools?hl=en http://www.nvta.gov/lotw
Legal Blogs/General Legal	Topical index, law blogs, legal podcasts	http://www.juslia.com
	Internet Legal Resource Guide - most comprehensive free for state statutes and codes	http://www.ilrg.com
Libraries	Libraries in the United States	http://www.librarvsites.info/
	Nebraska Library Commission	http://www.nlc.state.ne.us/
	Legal Information/Cornell Law School	http://www.law.cornell.edu/
	Cornell Law Library	http://www.lawschool.cornell.edu/library
	Northern California Assoc of Law Libraries	http://www.nocal.com
	San Francisco Law Library	http://www.sfgov.org/sfll
	Free Virtual Library	http://www.librarvspot.com/
	Librarian's Index to the Internet	http://lii.org/
	Library of Congress	http://www.loc.gov/
	Internet Public Library	http://www.ipl.org
	Digital Librarian	http://www.digital-librarian.com
	Electronic Reference Desk	http://law.emory.edu
	Legal News & Education	http://jurist.law.pitt.edu
	Online dictionary and search engine	http://www.webopedia.com
	Internet dictionary/Text Message Shorthand	http://www.netlingo.com
	Librarian RRS Engine (Beta Site)	http://libworm.com
Medical Information Sites	Anatomy	http://www.innerbody.com/index.html http://www.merck.com/mmhe/index.html
	Anatomy - Grey's Anatomy	http://www.bartleby.com/107/
	Tips for Requesting & Reviewing Med Recs	http://www.attorneymedicalservices.com/primmedrecords.html
	Virtual Body Tours	http://www.mercksource.com/bp/us/cns/cns_home.jsp
	Anesthesiology:	http://www.abanes.org http://www.asahq.org
	Cardiology:	http://www.acc.org http://www.asecho.org http://www.americanheart.org
	Chiropractic:	http://www.amerchiro.org http://www.chiromed.org http://www.nvysca.com
	Emergency Services:	http://www.aaem.org http://www.abem.org http://www.acep.org
	Endocrinology:	http://www.aace.com http://www.women-in-endo.org http://www.diabetes.org

	http://www.about.com/search/under/thyroid
Gastroenterology/Liver:	http://www.acg.org
	http://www.gastro.org
	http://www.aspe.org
	http://www.sgma.org
	http://www.liverfoundation.org
General Medicine:	http://www.aafp.org
	http://www.abms.org
	http://www.ama-assn.org
	http://www.aamc.org
	http://www.nvsafp.org
	http://www.nyems.org
Hematology:	http://www.hematology.org
Iatrogenic Injuries:	http://www.iatrogenic.org
Immunology:	http://www.ashi-hia.org/
	http://www.aaaai.org
Infectious Disease:	http://www.idac.org/dlinks.html
	http://www.cdc.gov/ncidod/d/links.htm
	http://www.amm.co.uk/
Internal Medicine:	http://www.aconline.org
	http://www.abim.org
	http://www.sgim.org
Obstetrics/Gynecology:	http://www.acog.org
	http://www.abog.org
Medical Abbreviations	http://www.medlexicon.com/
MedSpeak	http://www.mlanet.org/resources/medspeak/topiten.html
Medical Dictionary	http://medterms.com
Medical Terminology	http://mwebmd.com/encyclopedia
	http://www.nlm.nih.gov/medlineplus/medlineplusdictionary.html
	http://medmatrix.org
	http://www.edae.gr/dictionaries.html
	http://www.medicinenet.com (then click on dictionary)
	http://www.4woman.org/nwhic/references/dictionary.htm (on line med dictionaries and journals)
	http://www.thebody.com/treat/gloss.html
Medical-Related Sites:	http://www.sciencecomm.ai/links/medicine.html
	http://www.emedicinehealth.com
	http://www.mayoclinic.com
	http://www.webmd.com
	http://hsclibrary.uchsc.edu
	http://www.merck.com
MedLine Plus/Health Questions	http://www.medlineplus.gov/
Midwifery:	
Neurology:	http://www.acnm.org
	http://www.stroke.org/
	http://www.aan.com/
	http://www.neuroguide.com/

	Oncology:	http://www.asco.org
		http://www.cancer.net.ncl.nih.gov
		http://www.oncolink.upenn.edu
		http://www.cancer.org
	Ophthalmology	http://www.evenet.org
		http://www.asors.org
		http://www.asoprs.org
		http://www.claucoma-foundation.org/info/
	Optometry	http://www.aaopt.org
		http://www.aocanet.org
	Orthopedics	http://www.aaos.org
		http://www.sportsmed.org
	Pediatrics	http://www.aap.org
	Pharmacy	http://www.aphanet.org
	Physical Therapy	http://www.aapt.net.org
		http://www.apta.org
		http://www.nationalrehab.org
	Physiology	http://www.qetbodysmart.com
	Plastic Surgery	http://www.facial-plastic-surgery.org
		http://www.plasticsurgery.org
	Podiatry	http://www.apma.org
		http://www.footandankle.com/podmed/
	Preventative Medicine	http://www.acpm.org
	Psychiatry	http://www.abpn.com
		http://www.psych.org
	Pulmonology	http://www.lungusa.org
		http://www.aarc.org/
		http://www.chestnet.org/
		http://www.thoracic.org/
	Radiology	http://www.asrt.org
		http://www.rsna.org
		http://www.acr.org
	Rheumatology	http://www.rheumatology.org
		http://www.arthritis.org
	Spinal Chord	http://www.spinalinjury.net
		http://www.makoa.org/sci.htm
		http://www.sci-info-pages.com
	Surgery	http://www.facs.org
		http://www.aafas.org_foot_and_ankle

		http://www.fascers.org.colon.and.rectal.surgeons
		http://www.womensurgeons.org
	Urology:	
		http://www.aluanet.org
		http://www.kidney.org
	Vascular Medicine	http://www.symb.org
	Patient Safety Links & Literature	http://scilib.uesd.edu/bmi/safety.htm
	MedWeb Plus	http://www.medwebplus.com/
	PubMed	http://www.ncbi.nlm.nih.gov/entrez/quev.fcgi?DB=pubmed
	MedScape	http://www.medscape.com/home
	HealthGate	http://www.healthgate.com/
	Chemical Finder	http://chemfinder.cambridgesoft.com/
	Chemical Health & Safety Data	http://www.ehponline.org/
	NIOSH Pocket Guide to Chemical Hazards	
	Medical World Search	http://www.cdc.gov/niosh/npg/
	MedNets	http://www.mvsearch.com/mwsearchtemplate.htm?http://www.mvsearch.com/
	Health Finder	http://www.mednets.com/
	Standards of Care	http://www.healthfinder.gov/
	NeuroSciences on the Internet	http://www.guidelines.gov/
	Health A to Z	http://www.neuroguide.com/
	HealthWorld Legal Legislative Center	https://www.healthatbz.com/healthatbz/clients/haz/general/custom/default.jsp
	Health Hippo	http://www.healthy.net/
	National Health Information Center	http://hippo.findlaw.com/hippohome.html
	Centers for Disease Control	http://www.health.gov/nhic/
	Food and Drug Administration	http://www.cdc.gov/
	National Center for Health Statistics	http://www.fda.gov/
	Combined Health Information Database	http://www.cdc.gov/nchs/default.htm
	Environmental Protection Agency	http://198.232.250.114/
	Directory of State Medical Boards	http://www.epa.gov/
	Maps and Arial Photographs	http://www.fsmb.org/directory_smb.html
		http://retrasever-usa.com

		http://www.mapquest.com
		http://earth.google.com/
Miscellaneous		
	Freedom of Information Act Requests	http://www.gwu.edu/~nsarchiv/insaf/oi/howtofoia.html
	Find Solutions to Windows Problems	http://www.windowssecrets.com/winfind/
	Compositions Tips/Writing Style	http://www.bartleby.com/141/index.html
	Finding Articles	http://www.findarticles.com/
	News Archives	http://www.ihiblio.org/slanews/interne/archives.html
	Today's Front Pages - NEWS	http://www.newseum.org/todaystrontpages/
	Journalism-Finding Data on Internet	http://milesonline.com/data/
	Online Investigator	http://www.einvestigator.com/members/reference/ssn.htm
	Company Research	http://online.wsj.com/public/us
	Company Research	http://www.companylink.com
	NonProfit Company Research	http://www.guidestar.org
	Foreign/Domestic Company Search	http://www.sec.gov/edgar.shtml
	PowerPoint Tips	http://www.powerpointanswers.com/index.html
	Graph Paper	http://incompetech.com/bea/ai/plainGraphPaper
	Airline Bookings (23 different airlines)	http://www.seatguru.com/
	Tracking Packages (different carriers)	http://www.packtrack.com/
	World Time Server	http://www.worldtimeserver.com/current_time_in_BO.aspx
	Professional Organizations	http://www.weddlies.com/associations/index.cfm
	Identity Theft	http://www.idtheftcenter.org/index.shtml
	Law and Policy Institutions Guide	http://www.lpiq.org/
	History - Time Capsule	http://dmarie.com/timecap/
	Online Comics	http://www.comics.com/categories/index.html
Nebraska Boards & Commissions		
	Commission of Industrial Relations	http://www.ncir.ne.gov/
	Board of Examiners for Land Surveyors	http://www.sso.state.ne.us/bels/
	Nebraska Dept of Natural Resources	http://www.dnr.ne.gov/
	Nebraska Game & Parks Commission	http://www.ngpc.state.ne.us/
	Nebraska Library Commission	http://www.nlc.state.ne.us/
	NE Public Employees Retirement System	http://www.npers.ne.gov/home.jsp
	NE Public Service Commission	http://www.psc.state.ne.us/
	Tax Equalization & Review Commission	http://www.teirc.ne.gov/
Nebraska Counties Websites		
	Nebraska Counties	http://www.nebraska.gov/counties.ph.html
	Douglas County	http://www.co.douglas.ne.us/explorer.shtml
	Sarpy County Property Search	http://www.sarpy.com/assessor/property-search.htm
	Douglas County Property Search	http://dotccms.dotcomm.org:8080/info/duel/belver/live/ViewPage.action?repositoryName=dassessor
Nebraska Executive Branch		
	Nebraska Department of Insurance	http://www.doi.ne.gov/appointments/search/index.cgi
	Nebraska Government	http://www.nebraska.gov/service_info.ph.html?service_id=2
	Department of Administrative Services	http://www.das.state.ne.us/
	Department of Agriculture	http://www.agr.state.ne.us/
	Department of Economic Development	http://www.neded.org/
	Department of Education	http://www.nde.state.ne.us/
	Department of Insurance	http://www.doi.ne.gov/
	Nebraska Workforce Development	http://www.doi.state.ne.us/
	Department of Banking and Finance	http://www.ndbf.org/
	Corporation Inquiry	http://www.nebraska.gov/sos/corp/corpsearch.cgi?nav=search
	DMV	http://www.dmv.state.ne.us/
	Nebraska Attorney General	http://www.agp.state.ne.us/
	Department of Revenue	http://www.revenue.state.ne.us/index.html
	Nebraska Energy Office	http://www.neo.state.ne.us/

	Nebraska Governor	http://www.gov.state.ne.us/
	Health & Human Services	http://www.hhs.state.ne.us/
	HHS System Aging Services	http://www.hhs.state.ne.us/ags/index.htm
	Lt. Governor	http://www.ltgov.ne.gov/
	Secretary of State	http://www.sos.state.ne.us/
	Nebraska Tourism	http://visitnebraska.org/
	Property Assessment & Taxation	http://pat.no.lol.org/
Nebraska Judicial Branch		
	Douglas County Judicial District 4	http://www.co.douglas.ne.us/dept/districtcourt/index.php
	Nabr Ct of Appeals Judges	http://court.no.lol.org/judges/appealsjudges.htm
	Nebr Supreme Court Judges	http://court.no.lol.org/judges/sjudges.htm
	Nebraska State Bar Association	http://www.nebar.com/
	State of Nebraska Judicial Branch	http://court.no.lol.org/
	US District Court of Nebraska	http://www.ned.uscourts.gov/
	NE Supreme Court Calendar	http://court.no.lol.org/calendar/calendars.htm
	NE Clerk of Supreme Ct. & Ct. of Appeals	http://court.no.lol.org/clerk/scclerk.html
	District Court of NE - 8th Judicial District	http://dc8.no.lol.org/
	Nebraska County Courts	http://court.no.lol.org/judges/countycourt.htm
	NE WC First Report Request	https://www.nebraska.gov/WC/records.php
	Nebraska Juvenile Courts	http://court.no.lol.org/judges/juvenilecourt.htm
	Nebraska Work Comp Court	http://www.wcc.ne.gov/
	United States Courts	http://www.uscourts.gov/courtlinks/
	State Court Web Sites	http://www.ncsonline.org/D_KIS/info_court_web_sites.html
	Nebraska District Court Clerks	http://www.co.lincoln.ne.us/content/cirk_dist_crt/statecdc.html
Nebraska Legal Sites		
	Doctor/Lawyer Search	http://www.dr-411.com/
	Nebraska Law Express	http://www.nebar.com/resources/nebarexpress/index.htm#2006fed
	Nebraska State Bar Association	http://www.nebar.com/
	Paralegal Gateway - Lawyer Jokes	http://www.paralegalgateway.com/lawyerjokes.html
	LRX Forms and Dockets	http://www.lrx.com/court/rules/
	USDC-NE Local Rules	http://www.ned.uscourts.gov/localrules/index.html
	Find a Police Department	http://www.usacops.com/calendar/index.html
	Nebraska Police Information	http://www.nebraskapolice.info/home.html
	Nebraska Work Comp Info	http://www.workerscompensation.com/nebraska.php
	Nebraska Work Comp Court	http://www.wcc.ne.gov/
Nebraska Legislative Branch		
	Nebraska Legislative Reports	http://www.unicam.state.ne.us/reports/index.htm
	Nebraska Legislative Committees	http://www.unicam.state.ne.us/committees/index.htm
	Nebraska Bills & Documents	http://www.unicam.state.ne.us/documents/bills.htm
	Nebraska Business Statutes	http://assist.nedcd.org/statutes.htm
	Nebraska Constitution	http://info.nedcd.org/statehand/parttwo/nebcnst.htm
	Nebraska Legislative Documents	http://www.unicam.state.ne.us/documents/index.htm
	Nebraska Statutes Search	http://www.unicam.state.ne.us/
Nebraska Medical Sites		
	Ambulance Services Search	http://www.madicyellow.com/category/Ambulance_Service/Cities.htm
	American Chiropractic Association	http://www.amerchiro.org/search/memsearch.cfm
	Check Medical Complaints on NE Doctor	http://www.hhs.state.ne.us/reg/regindex.htm
	Doctor/Lawyer Search	http://www.dr-411.com/
	Find Nebraska Physicians	http://www.nebraska.gov/LISSearch/search.cgi
	Iowa Doctor Finder	http://www.docboard.org/ia/cfrifsearch.htm
	Medical Courtroom Illustrations	http://www.highpacilit.com/
	Medical License Search	http://www.healthinksusa.com/license_lookup/medical_license_lookup.htm
	Nebraska Chiropractic Association	http://www.nechiropractice.org/
	Nebraska Physician License Information	http://www.nebraska.gov/LISSearch/search.cgi
	AMA Doctor Finder	http://www.ama-assn.org/apps/captcha/verify.cgi?reason=nocookie&method=GET&url=http://webapps.ama-assn.org/doctorfinder/disclaimer.jsp
	UNMC Physicians	http://www.unmchphysicians.com/tq-uma/public/index.htm

Nebraska State Info Sites	http://www.csnwm.org/Pronouncing/dictionary.html http://quickfacts.census.gov/qfd/states/31000.html http://www.nebraska.gov/index.phtml?section=no1 http://www.onlinenewspapers.com
Newspapers	http://law.freeadvice.com/resources/personal_injury_statute_of_limitations.htm http://www.nhisa.dot.gov/ http://www.ftsb.gov/ http://www.ihhs.org/
Personal Injury Sites	http://www.pharmweb.net/ http://www.usp.org/ http://www.centerwatch.com/pharminfo.net/ http://www.factsandcomparisons.com/ http://www.ismp.org/
Pharmaceutical Sites	http://www.osuliret.com/text_files/code_links.htm http://www.safelyit.org http://www.recall-warnings.com/ http://www.consumer.gov/sentinel/
Products Liability Sites	http://www.cpsc.gov/ http://www.nist.gov/ http://www.howstufworks.com
QuickSearch Sites	http://dictionary.reference.com/search http://www.google.com/webhp http://stocks.tradingcharts.com/stocks/symbols/sb http://www.urbandictionary.com/define.php?term=%s http://en.wikipedia.org/wiki/%25s http://www.addresses.com/public_records.php http://www.reversephonedirectory.com/whitepages/phone/ http://www.infoseek.com http://www.wifowhere.com http://www.free-people-search.com/ http://www.meta-people-search.com/ http://www.fourt1.com http://www.databaseamerica.com http://www.iaf.net http://www.worldpages.com http://www.pretrieve.com/ http://www.searchsystems.net http://www.networksolutions.com/hois/index.jsp http://www.live.com http://www.mamma.com http://www.ask.com http://www.alltheweb.com
Research and People Finders	http://www.scholar.google.com http://www.accurint.com http://www.ljig.org/ http://tech.nytimes.com/top/news/technology/cyberlifetimesnavigator/index.html http://www.loc.gov/law/guide/ http://www.martindale.com/

	Facts, Quick Reference, News and More	http://www.allrefer.com
	General Information	http://www.infoplease.com
	Zip Codes, area codes, free lookups	http://www.melissadata.com/lookups
	Free People Search	http://www.zabasearch.com
	Email addresses, postal info.	http://www.addresses.com
	PI Links	http://www.investigator-links.com
	Pawnshop Database	http://www.juststolen.net/pawnshop_database/
Rules of Court & Forms		
	County Court General Rules	http://court.nol.org/rules/Countyct_13.htm
	Nebraska Judicial Branch Information	http://court.nol.org/community/index.htm
	Supreme Court Court of Appeals Rules	http://court.nol.org/rules/oraproc.htm
	Trial Court Local Rules Index	http://court.nol.org/trialcourt/
	Uniform District Court Rules	http://court.nol.org/rules/DISTRICT_28.htm
	Nebraska Statutes of Limitations	http://www.statutes-of-limitations.com/nebraska.htm
	Federal Rules of Civil Procedure	http://www.law.cornell.edu/rules/frcp/
	Federal Subpoena On-Line Form	http://www.mow.uscourts.gov/Formpage/districtforms/ac88.pdf
	Public Access to Court Records	http://www.courtaccess.org/
State Legal Docs		
	Legal Docs by State	http://www.kautzlaw.com/links1.htm
	State Statutes by Topic - ALL STATES	http://www.law.cornell.edu/topics/state_statutes.htm
	Uniform Rules of Evidence Locator	http://www.law.cornell.edu/uniform/evidence.htm
Technology		
	Blog Search	http://www.bloghop.com/search.htm?action=checkit
	Text Message Shorthand	http://www.netlino.com
	Podcast Locator	http://www.podanza.com
	IT Terms	http://www.techweb.com/encyclopedia
	Abbreviations Search	http://www.abbreviations.com
	Track Internet Technology/Search Engines	http://www.pandia.com
	Internet Technology	http://www.techmeme.com
	Who owns website	http://www.allwhois.com
Travel		
	Trip Planning	http://www.tripadvisor.com
Weather		
	National Weather Service Climate	http://www.weather.gov/climate/index.php?wfo=oax
	Climate Data for Exhibits	http://ois.ncdc.noaa.gov/cgi-bin/mndc/buyOL-001.cgi?FNC=qname_Aswogmain.htm

Prior and/or Unrelated Medical

Case Name: Jerome Phillips v. Christopher Allen

Case ID: Doc. 1067 No. 493

Date	Provider	Medical Treatment	Reason for Treatment	Impairment or Permanency	Medical Records?	Date Produced	Privilege Assessed	Notes	Column4

Module Five

Detailing Your Trial Notebook

Module Five. Detailing Your Trial Notebook

Developing a one page summary of the case helps organize trial issues at the front of the trial notebook. Include:

- ✓ Case caption
- ✓ Pertinent dates and times
- ✓ Brief summary of the facts, damages, claimed liability and applicable defenses
- ✓ Major witnesses

Add a timeline or chronology. Can use a specific software program, if available, or Word or Excel.

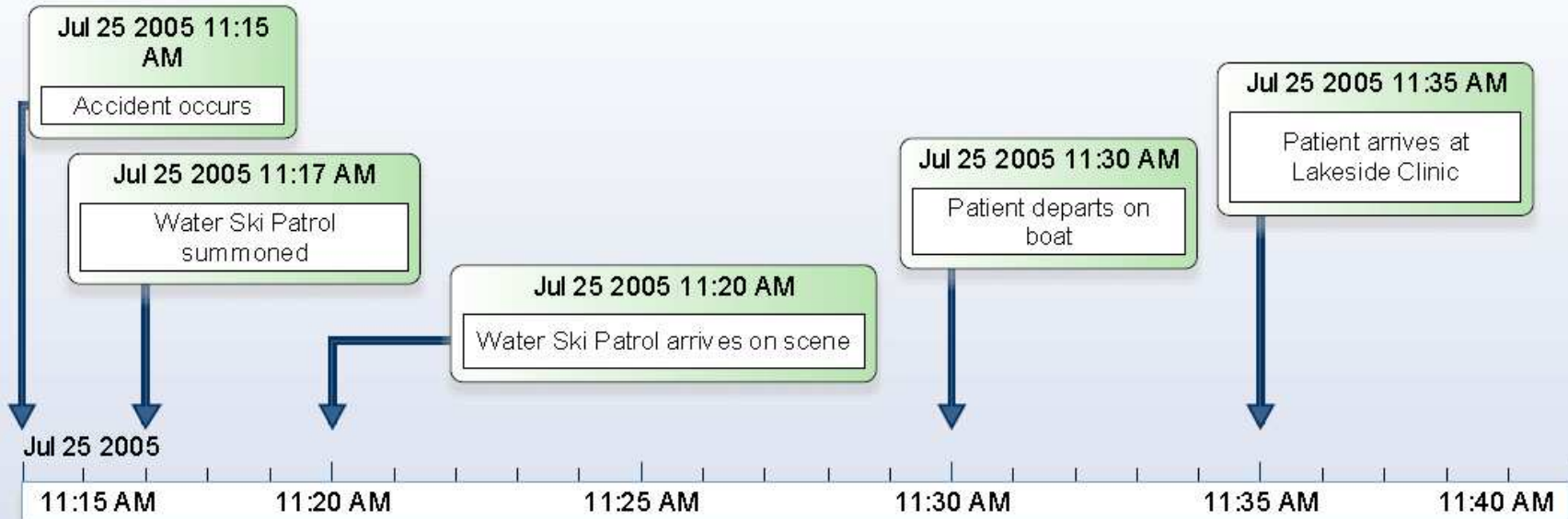
It's time to:

- ✓ Review the Pretrial Order for deadlines and orders on procedure (caution: deadlines change!)
- ✓ Be sure you know the rules of the jurisdiction where the trial will take place
- ✓ Review local rules regarding pretrial, trial, exhibits and witnesses

CASE SUMMARY

	Name and Address			Phone
	Occupation and Employer if Client is Individual or Person to Contact and Title if Client is Business			Phone
	Insurer If Any		Claims Mgr. And Phone Number	Claim No.
	Medical Specials	Property Damages	Wage Loss	Other Specials and General Damage Details: Loss of Consortium Family Purpose Doctrine
VENUE/JURISDICTION	Location of Accident			
	Court and Judge		Docket and Page	
ACCIDENT	Date and Time of Accident		Weather	
	Summary			
TRIAL ISSUES	Liability Causation Damages Other???			
	Notes:			
NATURE OF CASE	Injuries Claimed:			
	Elements of Claim:			
	Short Description of Case and Claims Made:			
	Summary:			
LIENS/SUBROS	Summary			

Mirror Lake Ski Accident



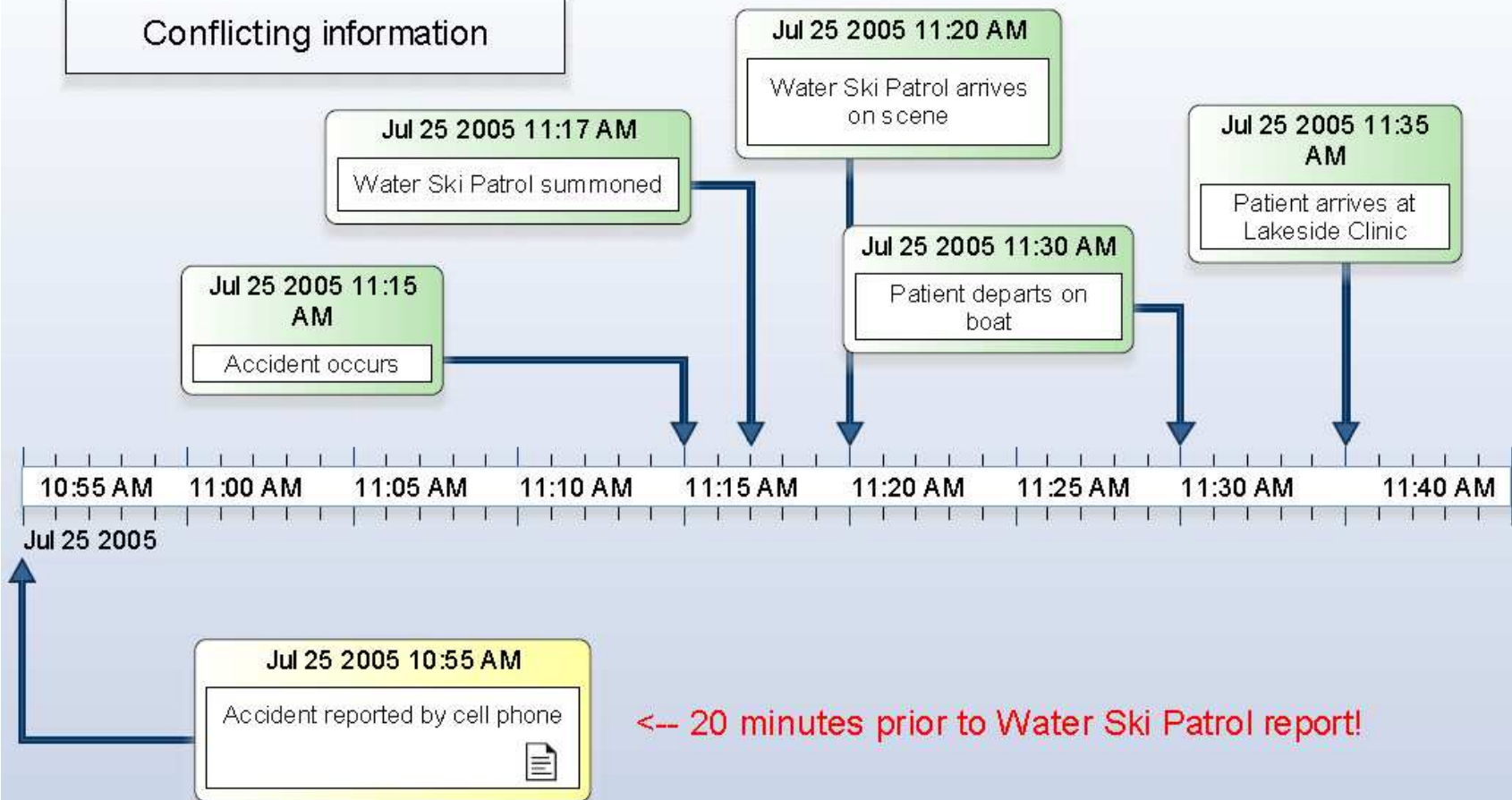
Details from Water Ski Patrol reports 11:15am to 11:35am

Legend: Water Ski Patrol Accident Report

Created with Timeline Maker Professional on Feb 06 2010

Mirror Lake Ski Accident

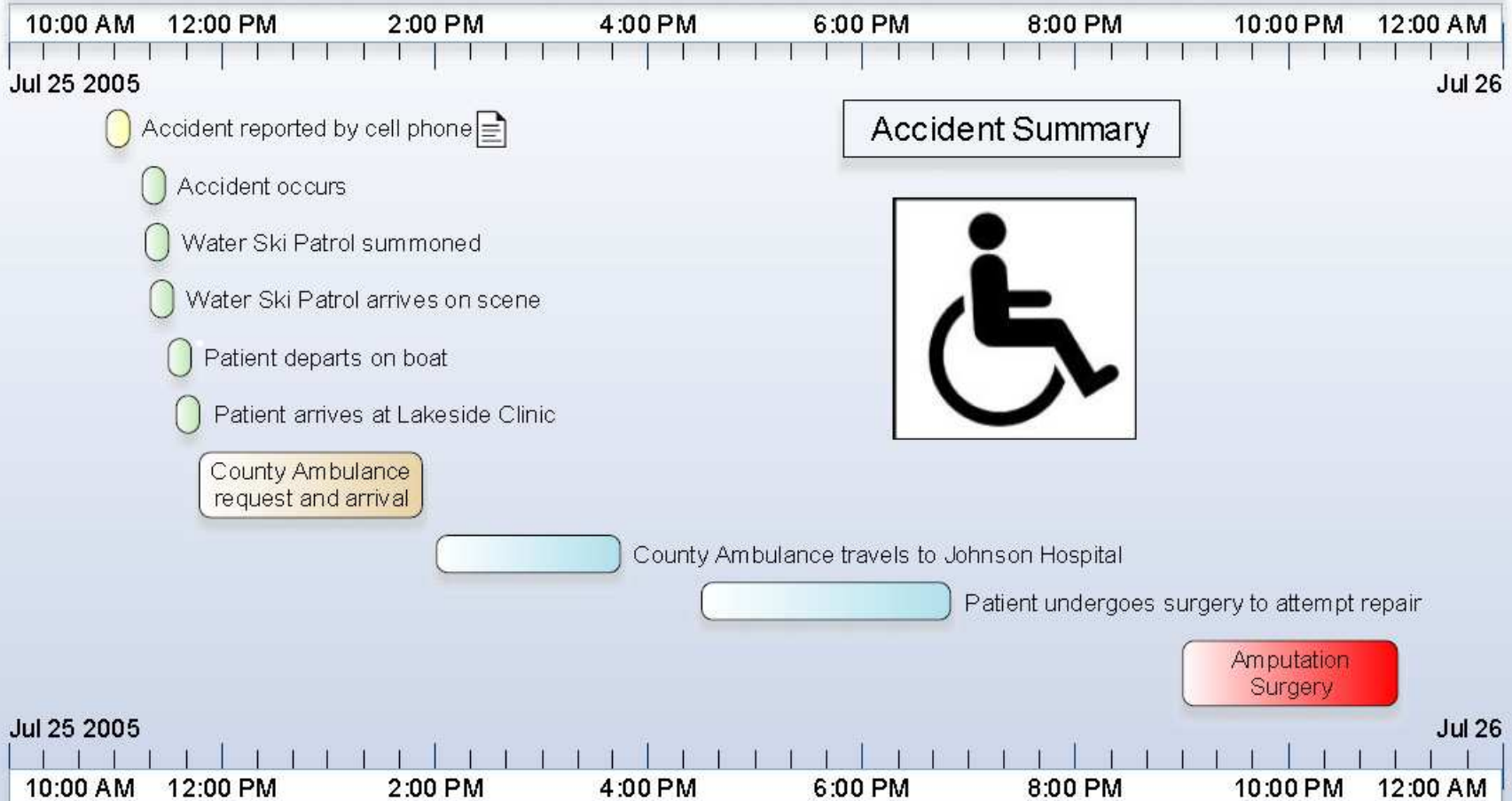
Conflicting information



Legend: Cell Phone Records Water Ski Patrol Accident Report

Created with Timeline Maker Professional on Feb 06 2010

Mirror Lake Ski Accident



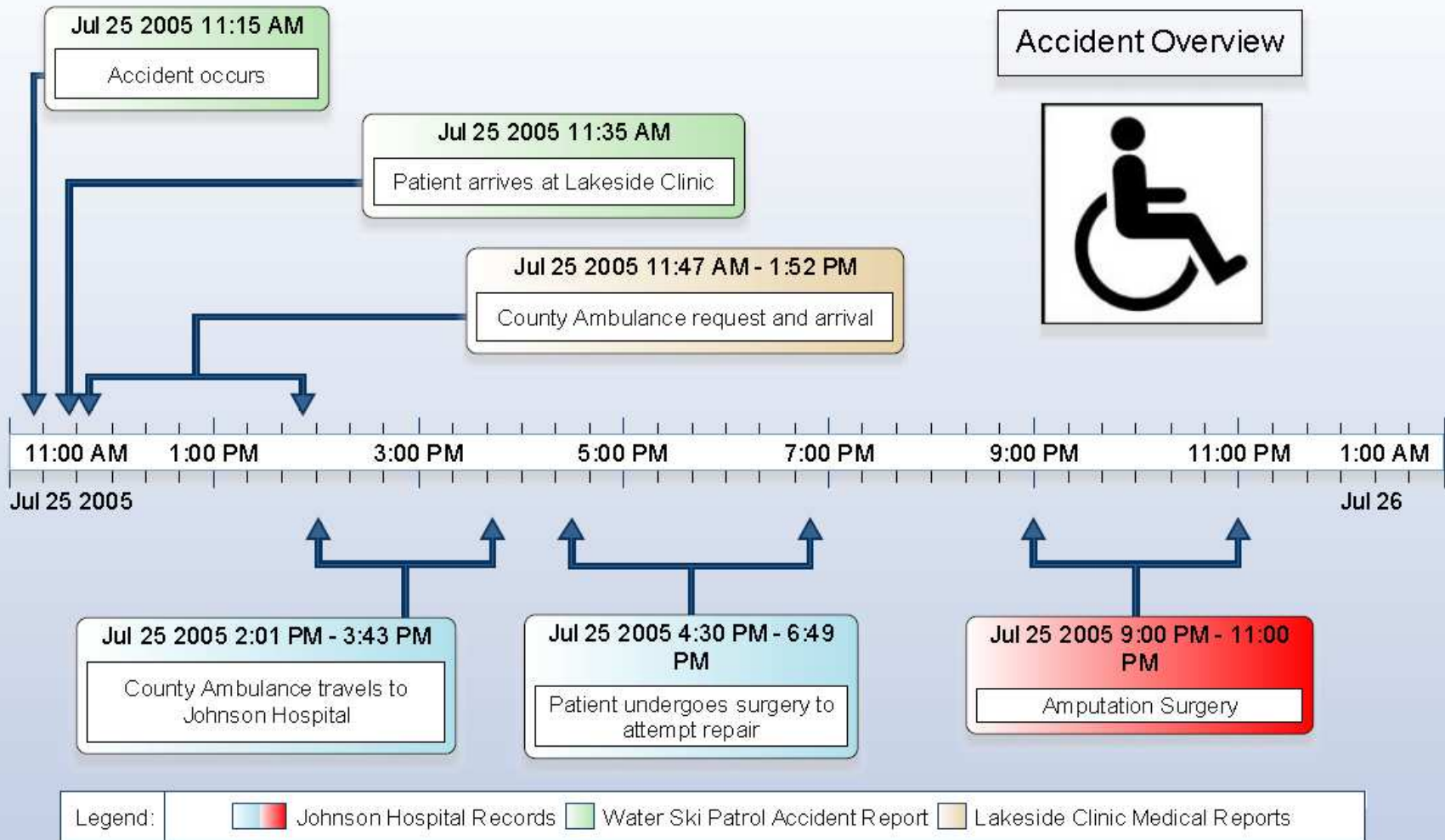
Accident Summary



Legend:	Johnson Hospital Records	Cell Phone Records
	Water Ski Patrol Accident Report	Lakeside Clinic Medical Reports

Created with Timeline Maker Professional on Feb 06 2010

Mirror Lake Ski Accident



Created with Timeline Maker Professional on Feb 06 2010

Mirror Lake Ski Accident

Event Name	Start Date	Start Time	End Time	Category
Accident reported by cell phone	Jul 25 2005	10:55 AM		Cell Phone Records
Accident occurs	Jul 25 2005	11:15 AM		Water Ski Patrol Accident Report
Water Ski Patrol summoned	Jul 25 2005	11:17 AM		Water Ski Patrol Accident Report
Water Ski Patrol arrives on scene	Jul 25 2005	11:20 AM		Water Ski Patrol Accident Report
Patient departs on boat	Jul 25 2005	11:30 AM		Water Ski Patrol Accident Report
Patient arrives at Lakeside Clinic	Jul 25 2005	11:35 AM		Water Ski Patrol Accident Report
County Ambulance request and arrival	Jul 25 2005	11:47 AM	1:52 PM	Lakeside Clinic Medical Reports
County Ambulance travels to Johnson Hospital	Jul 25 2005	2:01 PM	3:43 PM	Johnson Hospital Records
Patient undergoes surgery to attempt repair	Jul 25 2005	4:30 PM	6:49 PM	Johnson Hospital Records
Amputation Surgery	Jul 25 2005	9:00 PM	11:00 PM	Johnson Hospital Records

Created with Timeline Maker Professional on Feb 06 2010

Medical Timeline

Case Name:

DOA:

Doc.

Page

Date	Provider	Medical Treatment	Charges Incurred	Prescriptions	Physician	Notes

LITIGATION PRETRIAL CHECKLIST

- Trial Theme? _____
- Attorney/Paralegal Trial Strategy Meeting?
- Legal research completed
- Jurisdiction and venue checked (county of trial)
- Local rules reviewed and docketed?
- Jury demanded (___yes ___no) (no. of persons ____)
- Complaint served (date): _____
- Answer served (date): _____
- Counterclaims, Cross-claims and Reply (if necessary) (date): _____
- Experts
 - Experts Designated
 - Expert CV, Publications and prior testimony received and reviewed
 - Expert Report Received
 - Expert Interrogatory Answered and reviewed for supplementation
 - Depositions completed?
- Witness List Prepared
 - Subpoenas necessary for trial?
 - Depositions reviewed and summarized?
 - Deposition objections need to be ruled on?
- Motions made and served
 - Daubert Motions
 - Motions in Limine
 - Other Pretrial Motions?
- Exhibit List Prepared
 - Exhibit log reviewed to include exhibits from depositions and hearings
 - Mortality Table included?
 - Included video depositions taken and yet to be taken (and written transcripts)
 - Demonstrative exhibits?
 - Objections that need ruled on?
- Prepare Statement of the Case
- Prepare proposed Jury Instructions?
- Prepare proposed Verdict forms?
- Special needs for trial? (Elmo, DVD/TV, interpreters?)
- Review Judge's preferences with bailiff/technology allowed in courtroom
- Additional docketing necessary?
- Notify witnesses of trial date?
- Other issues for trial?

Motion Dates: _____

Pretrial
Date: _____

Trial Dates: _____

Module Six

Trial Notebook Sections

Review your documents and your list of witnesses; do this by summarizing discovery and depositions.

- ✓ Are you missing key documents?
- ✓ Do you know how to locate your witnesses?
- ✓ Do you need to subpoena any witnesses?

Begin separating the sections of your trial notebook, usually with Voir Dire, Opening Statements and Closing Arguments.

Add pleadings, motions and discovery.

Motion in Limine: filed to exclude objectionable or prejudicial information from trial.

Daubert Motion: a special type of Motion in Limine used to exclude expert testimony. The standard was set by *Daubert v Merrill Dow Pharmaceuticals*, 509 US 579 (1993).

Motion for Summary Judgment: filed when there are no material issues of fact and the case can be dismissed based solely on the issues of law.

Witnesses:

Each witness has a tab, a Witness Summary and list of exhibits to be used _____

Expert witnesses: Do your research! _____

Have you responded to discovery requests? _____

Exhibits

Explore Court Rules and know State and Federal rules regarding exhibits. _____

Jury Instructions/Trial Briefs

This section includes a copy of the Jury Instructions and trial briefs filed by all parties. _____

Summarize any differences in the Jury Instructions from each party. _____

Settlement Damages

Summarize your settlement numbers, subrogation, liens, out-of-pocket costs and Medicare set-aside issues. Also include a list of special damages and general damages. _____

Consider including a settlement spreadsheet. _____

Include settlement demands and offers. _____

JURY SELECTION DIAGRAM

<p style="text-align: center;">Juror #1</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #2</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #3</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #4</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #5</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #6</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>
<p style="text-align: center;">Juror #7</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #8</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #9</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #10</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #11</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #12</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>
<p style="text-align: center;">Juror #13</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #14</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #15</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #16</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #17</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>	<p style="text-align: center;">Juror #18</p> <p>Name: Employer: Phone: Notes:</p> <p><input type="checkbox"/> JS <input type="checkbox"/> PS <input type="checkbox"/> DS <input type="checkbox"/> SC</p>

KEY: JS – Judge Struck

PS – Plaintiff Struck

DS – Defendant Struck

SC – Struck for Cause

Page 1

WITNESS SUMMARY – JANE DOE



WITNESS INFORMATION

Witness name:

Address:

Telephone Number:

Work and/or Fax number:

Cellular Number:

E-Mail:

CHECKLIST

- Witness Disclosed in Discovery
- Recorded Statements Taken by _____
- Recorded Statements Obtained and Attached?
- Deposition Taken? Date: _____
- Deposition Transcript Obtained?
- Deposition Transcript Summarized?
- Exhibits Needed and Prepared?
- Conflicts in Testimony?
- Other Needs for Trial?
- Travel arrangements made, confirmed and witness notified?

SUMMARY OF TESTIMONY

Blank area for the summary of testimony.

SUMMARY OF TESTIMONY (Continued . . .)

**DEPOSITION OF STEPHEN HUMPHREY
MAY 21, 2008
EMPLOYEE OF KEYSTONE GLASS**

<u>LINE AND PAGE</u>	<u>TESTIMONY</u>
5:21 – 6:2	Keystone Glass for 17 years performing installation of glass/repairs/maintenance
9:14 – 20	Re-attached door; set screw rusted away or disintegrated through the years, put door back up, dropped pin back down, stuck wire screw to screw in and broke off – sealed with caulking
10:4-10	Pin lying on the deck also
10:23-25	Top pivot pin breaking can cause the door to fall
11:11-21	Never made inspections of doors or did preventative maintenance at this location; did one at First National Bank in Norfolk, Nebraska that had door closure problem – screws were falling out
14:17 – 15:1	No prior work on the door; no knowledge of any prior by Keystone Glass
19:14-20	DeMarco did not remove door
27:6 – 28:17	Pin not broken, but set screw was missing
30:11-24	No knowledge of door closure installation
32: 6-11	No one worked on door before or since then
36:21 – 37:11	To get set screw out – must be drilled out; he’s taken one out in his career about five years ago
41:25 – 42:11	Hole where screw went in was rusted and corroded; reamed it out by making the hole a little bigger with a drill bit and then threaded screw and cut head off
42:17-19	Somebody has done something to the door since they put door closure on there
45:9-13	Put another set screw in; threaded it and cut head off and then put caulking over it
46:16-24	No knowledge that National Electric touched door

**LYNN S. KING v. Ronald M. Pettis and Crete Carrier Corporation
Doc. 1050 No. 804 Personal Injury Special Damages List**

Date of birth: **11/29/1953** Age on date of the accident was **53**

Life expectancy: **27.1** years on date of the accident

SHORT DESCRIPTION OF INJURIES (If you had to tell a friend in 90 seconds what kind of case you are working on, what would you say the injuries are?)

Shoulders

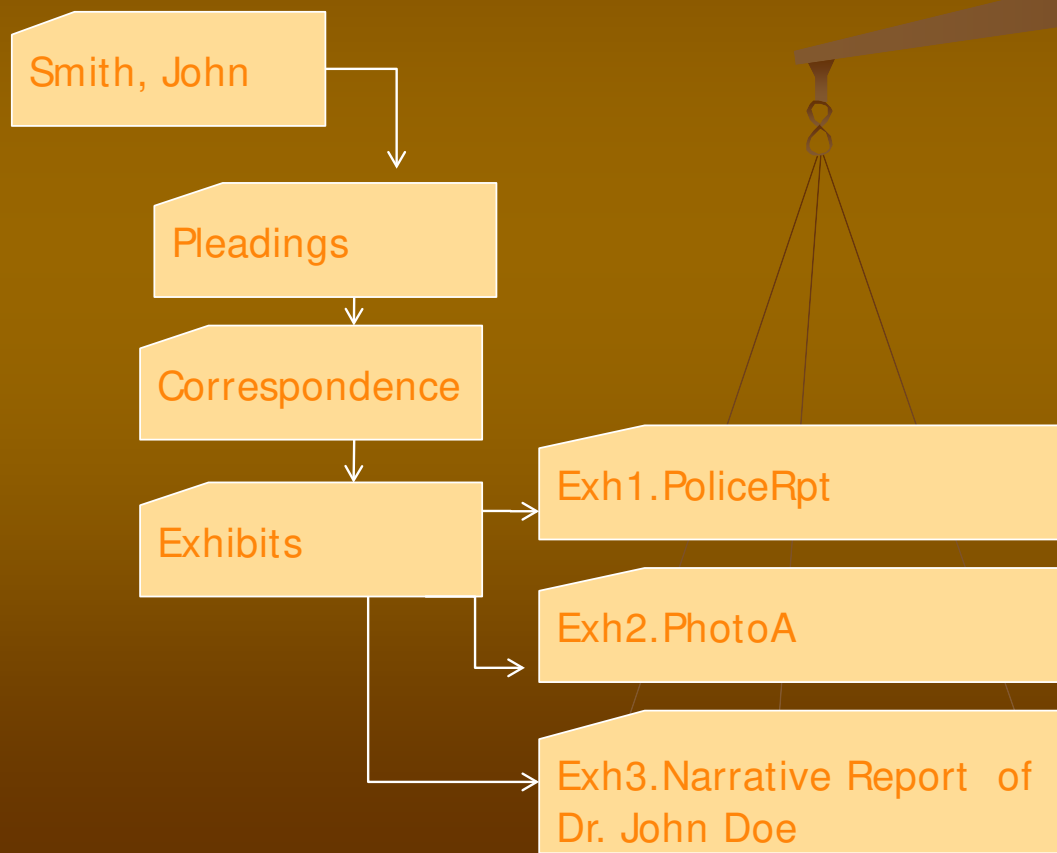
SPECIAL DAMAGES	
HOSPITALS (Name of hospital and date of last billing)	
1. Creighton/St. Joseph Hospital (1/26/05)	\$ 1,403.25
2. Nebraska Orthopaedic Hospital (4/14/05)	\$ 8,009.52
3. Alegent/Bergan Mercy (4/5/05)	\$ 215.47
DOCTORS (Name of doctor and date of last billing)	
1. OrthoWest (8/15/05)	\$ 8,542.00
2. Georgetown Medical (4/5/05)	\$ 350.00
3. Creighton Medical Associates (1/26/05)	\$ 224.00
4. Omaha Orthopaedic Clinic (3/14/05)	\$ 1,180.00
5. University Medical Associates (3/10/05)	\$ 164.00
6. Ortho Anesthesia Specialist (4/14/05)	\$ 780.00
PHYSICAL THERAPY, NURSING SERVICES, APPLIANCES, DRUGS AND OTHER MEDICAL EXPENSES (Name and date of last billing)	
1. Physicians Laboratory Services (4/5/05)	\$ 31.25
2. Radiology Consultants (4/5/05)	\$ 35.00
3. Community Rehab (4/18/05)	\$ 1,919.00
4. SUBTOTAL OF MEDICAL	\$ 22,853.49
TRANSPORTATION AND TEMPORARY HOUSING EXPENSES	\$ -0-
AUTOMOBILE DAMAGE - Is this Repair Estimates, or Actual Cost of Repair, or Total Loss minus Salvage? Year, Make & Model:	\$ Paid

Collision Insurer & Deductible Amt.:	
Market Value Before Accident:	
Market Value After Accident:	
PAST LOSS OF EARNINGS CAPACITY (Date of this computation is __/__/__)	\$
Occupation: Self-Employed Truck Driver	
Employer: Self-Employed	
Rate of Pay: Varied	
Dates Lost From Work: See attached	
MISCELLANEOUS OTHER EXPENSES	\$ 43,725.54
Lost Wages	\$ 4,375.20
Miscellaneous Costs	
11% Permanent Impairment of left upper extremity from Dr. Hutton	
SPECIAL DAMAGES TOTAL	<u>\$70,954.23</u>

Module Seven

The Electronic Trial Notebook

EXAMPLE OF NESTED FOLDER STRUCTURE



Module Eight

The Trial Preparation

Module Nine

Conclusion

Index of Forms

Index of Forms

Module	Page	Document	Purpose
2	10	Checklist – Trial First Aid Kit	This is a good checklist to remind you to verify you have complete supplies for your Trial First Aid Kit.
3	13	Checklist – Civil Trial Notebook	This is a good checklist that will take you from beginning of the file to the end, preparing for trial.
4	20	Christi's Favorite Websites	This is a running list of websites I use, mostly for research.
4	29	Prior or Unrelated Medical	This log will help your attorneys avoid surprises at trial. It will help your attorneys to identify issues which may interfere with symptoms your client may have which may not be related to the accident.
4	30	Medication Log	The medication log is extremely helpful to determine who prescribed what medications and narrow down what prescriptions can be causally related to the accident.

Module	Page	Document	Purpose
4	31	Photograph Log	This is a good log to keep track of photographs, as well as the information you will need for foundation to get them admitted at trial.
4	32	Production Log	This log will help you keep track of every document produced in discovery
4	33	Privilege Log	This log will help you keep track of documents you did not produce due to a claim of privilege.
4	34	Summary of Evidence	A good log to use to keep track of the evidence necessary for trial
5	38	One Page Case Summary	Put in the front of the trial notebook as a quick reference of the case and related issues for trial
5	39	Examples of Chronology/Charts	Great way to show how you can place dates and times into charts and logs for exhibits or to evaluate evidence
5	43	Medical Chronology/Timeline	Helps avoid missing breaks in treatment; helps determine medical causation issues for trial
5	44	Medical Timeline	This is just another example of a way to do a timeline if you do not have a timeline program.

Module	Page	Document	Purpose
5	45	Medical Bill Tracker	This is a really good way to keep track of what bills have been paid, who has paid them, and what subrogations and liens are left to be satisfied from settlement or verdict.
5	46	Litigation Pretrial Checklist	Helpful to make sure you have reviewed all elements of your case for Pretrial and have prepared all relevant documents
6	56	Juror Box Diagram	This is a good example of a box you can use during jury selection. It will help you both during jury selection and help you record specific details for your post-jury polling.
6	57	Witness Summary	This form is important as it will help you determine what prior testimony of the witness has been obtained.
6	59	Exhibit Witness Cross Reference	This is a great log to use to keep track of which exhibits you will need for the testimony of each witness. It will help the attorney prepare his testimony question lists.
6	60	Example of Deposition Summary	This is just a basic example of a deposition summary, mostly to give a format to new paralegals.

Module	Page	Document	Purpose
6	61	Exhibit Log	Helps keep track of exhibits from the first deposition or hearing through trial; avoids the mistake of having more than one exhibit receive the same number for trial
6	62	Damages With Numbers	This is a good summary of damages for trial. This is very good to have on hand when you get an offer at mediation or trial.
7	66	Example of Nested Folder Structure	This is an example of how to set up database folders for ease of access and the electronic file for trial. Your electronic file should mirror your hard file.

LOCAL RULES:

You can find the link to your federal local rules at: <http://www.uscourts.gov/rules/district-localrules.html>. You can find the link to your state trial level local rules at <http://www.llrx.com/courtrules>.