**Committee for Public Counsel Services**

**Children and Family Law Division**

**Prepared by Margaret Winchester, Esq.**

Trial Notebook Checklist

1. Trial kit
   1. Extra paper
   2. Extra pens including a red pen
   3. White out
   4. Black marker
   5. Paper clips
   6. Change
   7. Colored paper
   8. Pad of paper for clients
   9. Colored highlighters
   10. Stapler and staple remover
   11. Hole punch
   12. Extra file folders
   13. Extra dividers for trial notebook
   14. Stickies/post-its
2. Copy of your facts sorted by date or similar document
3. Copy of facts sorted by issue or chapter or similar
4. Copy of dictation and all records
5. Opening outline
6. Master list of all pre-marked exhibits
7. Master list of all potential witnesses with notation as to party calling
8. Master list of your witnesses with contact information
9. Objection list/evidentiary foundations
10. Master binder with all pre-marked and potential exhibits with a table of contents. If MIL were heard prior to trial make sure all exhibits are appropriately redacted including the master list, the courts exhibits and your working copies.
11. Copies of MIL with each exhibit
12. Direct examination
    1. Questions written out or closely structured examinations for each witness with any documents you intend to exam them on plus an extra copy of the document. One for you and one for the witness. Copies of the document for other counsel and the court if it's not already a pre-marked exhibit.
    2. Copies of subpoenas with return of service
13. Cross examination
    1. Questions written out or closely structured examinations for each witness with any documents you intend to examine them on plus an extra copy of the document. One for you and one for the witness. Copies of the document for other counsel and the court if it's not already a pre-marked exhibit.
14. Memorandum of law on any potential evidentiary issues that you expect. Copies of the relevant cases with each memo
15. Master checklist of issues required to prove your case and disprove the opponents
16. Separate pad of paper to keep track of de bene evidence
17. Closing argument
18. List of all potential rebuttal witnesses
19. Proposed findings