WITNESS PREPARATION CHECKLIST

* What do you want in evidence and who do you want to testify to the information
* **MEET WITH AND PREPARE WITNESS**

Mock hearing

* Preparing questions
	+ What do you concede
	+ How do you order the questioning- do not do it to make it convenient for the court
	+ Know what is in the documents- read the DCF file, CI report, obtain your clients records etc
* COURTROOM PROCESS- your witness
	+ Where to sit
	+ Swearing in
	+ What to wear
	+ How to act in the courtroom
	+ Questioning process- direct and cross
		- Difference between the form of the question
		- What to do with long multiple fact questions
		- What to do when objections are made- by you or another attorney
		- What to do if the judge asks questions
		- What to do when they don’t understand a question
		- Candor to the tribunal (Mass. Rules of Professional Conduct 3.3)
* QUESTIONING – your witness
	+ Prepare Direct
	+ Prepare for evidentiary objections and your response
	+ Prepare cross to prepare your witness
	+ Prepare for evidentiary objections and your response
	+ Ensure you show witness all exhibits they could be asked about
	+ What do they say and how do they say it
* QUESTIONING –other witnesses
	+ Prepare cross questions (reference exhibits or other documents)
	+ Have exhibits and documents ready
* EVIDENTIARY ISSUES
	+ Prepare objections to exhibits
		- Motions in Limine
		- Best evidence
		- No keeper of the records
		- Expert reports not admissible
		- Personal knowledge of the witness
		- Hearsay
	+ Bring objection cheat sheet
* Subpoenas
* Letters to experts as soon as you have trial dates
* Letters to witnesses with trial dates