

## TRIAL PREPARATION CHECKLIST

### **Prepared and reviewed the case file in detail.**

- Ensured that all documentation is in place, including:
  - Photographs
  - Video (witness statements, scene, etc.)
  - Scene Diagrams
  - Written (and signed) Witness Statements
  - Confession (if applicable) and signed & witnessed Miranda card
  - Evidence Logs
  - Lab Results
  - Court Orders
    - Subpoenas
    - Search warrant(s)
    - Administrative warrant(s)
    - Other
  - Consent and Release Forms
    - Interview consents
    - Medical records consents
    - Financial records consents
  - Reports & Notes
    - Fire investigation report
    - Fire investigator notes
    - Fire department Incident Report
    - Police department report
    - Database search results
    - Other
  - Insurance Records Documentation
    - Immunity Statute letter
    - Insurance Application
    - Binder
    - Policy
    - Declarations Sheet
    - Notice of Loss
    - Proof of Loss
    - Adjuster's Report
    - Special Investigative Unit report
    - Database search results
    - Communications with insurance company
  - Financial Records
  - Medical Records
  - Newspaper Clippings and Media Coverage
- Collected any outstanding documents.
- Organized the case file.
- Thoroughly reviewed all documents in the case file until I had complete command of all the facts, dates, places, events, witnesses, and evidence.
- Reviewed statements and depositions of other witnesses as appropriate.

## **TRIAL PREPARATION CHECKLIST**

### **Prepared demonstrative evidence.**

- Determined which photos to enlarge and had them enlarged.
- Determined what aids will assist the jury in understanding your testimony (i.e., timeline, floor plans and diagrams, telephone records chart, etc.) and prepared them on boards.
- Determined what pieces of physical evidence should be shown to the jury, checked their availability in storage, and marked them for the prosecutor.

### **Prepared my credentials.**

- Updated my resume or CV.
- Ensured all information on my resume or CV is accurate.
- Sent my resume or CV to the prosecutor and any other necessary parties.

### **Prepared to withstand Daubert.**

- Prepared to explain my systematic approach in terms of the scientific method and within the guidelines of the Daubert decision.
- Prepared and cited scientific evidence backs up my conclusions.

### **Held pre-trial conference with the attorney.**

- Informed the attorney of my availability to testify and marked possible testimony dates on my calendar.
- Reviewed the entire case from start to finish, including all investigative actions.
- Walked through the “story” of the case.
- Discussed the timeline and how the evidence fits the timeline.
- Discussed any pieces of evidence that do not fit the overall picture and how I will deal with them at trial
- Reviewed counter-arguments and possibilities the defense’s fire investigation experts may propose and review how you eliminated them, what evidence supports your conclusions, and how you will rebut the argument at trial.
- Addressed any concerns I have about the case or the process.
- Conducted a dress rehearsal of your testimony.
  - Direct examination
  - Cross examination

### **Gave deposition.**