

TRIAL/HEARING PREPARATION CHECKLIST

Do I have the full brief ?	Y/N/NA
Does my client have a copy of the brief?	
Do I have a list of the charges, elements and max penalty ?	
Are there any statutory alternatives ?	
Do I need further and better particulars from the prosecution?	
Do I need to seek disclosure of any items from the prosecution?	
Do I need to issue any subpoenas or GIPA applications ? (e.g. criminal records, CCTV, phone records)	
Do I have a notice of prosecution case ?	
Have I prepared a defence response ?	
Am I raising any objections ?	
Am I seeking exclusion of entire pieces of evidence – e.g. ERISP, CCTV, photo ID procedure?	
Am I making objections that need to be determined pre-trial or pre-hearing?	
Do I need a voir dire ?	
Do I need a Basha enquiry ?	
Do I need any expert reports ? Note service requirements.	
Do I need the custody management record (if not served)? Is custody manager required as a witness?	
Do I need to make a separate trial application from co-accused?	
Do I need to make an application to sever counts ?	
Do I need to apply for a judge alone trial ? Note time limits.	
Do I need to issue a notice for alibi ? Note time limits.	
Do I need to object to tendency or coincidence evidence?	
Do I need to issue a tendency or coincidence notice?	
Do I need to object to a s65/67 notice (maker unavailable)?	
Do I need to issue a s65/67 notice (maker unavailable)?	
If the evidence is DNA evidence, do I have a copy of the Forensic Procedure order and video of forensic procedure ?	
Do I need a suppression/non-publication order?	
Do I need medical records/reports ?	
Do I need to get a fitness assessment ?	
Do I need to write representations or a no bill ?	
Do I need to apply for a stay ?	
Is good character going to be raised? If so, is there evidence to rebut good character?	
What instructions do I need?	
Will I be calling any witnesses in the accused's case ? If so, what is their evidence?	
Do I need to make a bail application ?	
Do I have a list of proposed directions ?	
Do I have any aids/one-pagers that I propose to hand to the Magistrate/Judge/jury?	
Is there any scope for an agreed fact or facts ? Does this include any admissions ?	
Do I need any notices of motion and accompanying affidavits?	
Is there a callover ?	
Is there a readiness hearing ?	
Are there any adjustments required for client ? (e.g. accessibility, interpreter etc.)	
Are there any issues with conflict ? (e.g. acted for complainant or co-accused)	