**INITIAL DISCLOSURES Explained – General Information**

**Federal Rule of Civil Procedure 26(a)(1)(A)**

Initial disclosures are due 14 days after you have had your initial conference with opposing counsel according to Federal Rule of Civil Procedure 26(f). This document is used to describe what evidence and witnesses that you already have or are aware of at the beginning of your case. You do not send this document or any evidence you have to the court—initial disclosures are only sent to opposing counsel.

You should review Rule 26 carefully. There are four sections to the Initial Disclosure document. Below is a description of what you should include in each section. You should send this document to opposing counsel along with any of the evidence you have to support your case.

Rule 26(a)(1)(A)(i) – Individuals

*In this section you must list any witness you are aware of who you might use to support your case. You must put the name, address and phone number if you have it, and state what knowledge or information the witness has. The description of the witness does not need to be very detailed, but it must explain the subject matter of the witness’ testimony – i.e. give the other side an idea of how the witness fits into your case, or in other words, describe generally what the witness may to testify about.*

Rule 26(a)(1)(A)(ii) – Documents

*In this section, you need to list the documents or other items you currently possess that you might use to support your case. For example, if you have a letter, document, or audio/video recording that you feel supports your case and that you intend to use as evidence, list it here. You will also need to send a copy of these documents, unless there are a substantial amount of documents, to the other side along with this initial disclosure document.*

Rule 26(a)(1)(A)(iii) – Computation of Damages

*In this section you should explain how you compute your damages that you claim were caused by the defendant’s actions, i.e. physical injuries, mental/psychological injuries, pain and suffering, lost wages, etc. You also need to provide copies of any documents or evidentiary material that support your computation of damages, i.e. medical records, medical bills, w-2’s or paystubs, or any other document that you believe supports your damages. You should attach copies of these documents to this initial disclosure when serving it on defendant(s). If you have documents related to your computation of damages, list those in the documents section also.*

Rule 26(a)(1)(A)(iv) – Insurance Agreement

*In most instances, the plaintiff will not have an applicable insurance policy, so you can simply write “None” for the answer. If there is an insurance policy that you have which would apply you need to list it here.*