

CIVIL LITIGATION PARALEGAL

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ALL OF THE BELOW DUTIES ARE ASSUMED TO, AND MUST BE, UNDER THE DIRECTION AND SUPERVISION OF A LICENSED ATTORNEY.

A. COMMENCEMENT OF ACTION

1. Identify parties.
2. Attend initial client interviews.
3. Check for conflicts of interest.
4. Participate in case analysis and identification of potential issues, including discovery considerations with attorney; check jury instructions for claims and defenses.
5. Internal Factual Development; investigate and analyze factual issues:
 - a. Determine sources of potential evidence;
 - b. Locate, obtain, and preserve material evidence, *i.e.*, search public records, conduct site inspection, obtain medical and investigative materials, obtain photographs, documents and other physical evidence;
 - c. Place and monitor “litigation hold” on all evidence, hard and electronic files;
 - d. Locate and interview lay and expert witnesses, obtain statements and prepare written reports;
 - e. Arrange for outside investigator, if necessary;
 - f. Review and organize data; establish concept and design for document management system; assist in determining whether to use litigation support software, and the extent of such use;
 - g. Analyze and summarize all data; prepare necessary chronologies;

- h. Obtain, review, and organize damage information; calculate damages and prepare, maintain and update damage summaries; and
 - i. Begin trial/hearing notebooks.
 6. Research (including computer research) legal issues:
 - a. Locate and summarize applicable statutory law, including statutes of limitation, and regulatory law;
 - b. Locate, Shepardize, and summarize relevant case law;
 - c. Draft briefs and legal memoranda for attorney review;
 - d. Review citations and references in briefs; and
 - e. Review citations and references in briefs of opposing parties and prepare memoranda.
 7. Draft pleadings and other documents, including, but not limited to: complaint, summons, answer, motions, stipulations, discovery pleadings, affidavits, briefs, *etc.*; and arrange for service of process.
 8. Draft or prepare correspondence.
 9. Communicate with the clerk of the Court, division clerk, and law clerk as needed.
 10. Maintain tickler system, master dockets and calendars:
 - a. Statute of limitations situations for filing suit/notices of claim;
 - b. Answers/Responses to complaints (*e.g.* original, third party, counterclaims);
 - c. Answers, Responses to motions requiring an answer or response;
 - d. Rule 16 Case and Trial Management Orders, in accordance with Rule 26 where required; and
 - e. Answers/Responses to discovery requests (*e.g.*, interrogatories, request for production, request for admissions).
 11. Review file regularly, make recommendations to attorney and prepare regular status reports to client.

12. Conduct medical and technical research as necessary.

B. DISCOVERY AND DISCLOSURES

1. Assist in formulation of discovery/disclosure plan.
2. Send 26(a)(1) letter to client.
3. Collect, review, organize and index and Bates number discovery documents; maintain list of privileged documents.
4. Subjectively code documents to database; supervise objective coding of documents; arrange to have documents imaged for use during trial preparation, depositions, and trial.
5. Draft Rule 26(a)(1) disclosures, organize, index and Bates number documents.
6. Draft, prepare, and respond to requests for admission, production of documents, interrogatories, and discovery motions.
7. Meet with client and prepare Rule 26(a)(1) disclosures and responses to discovery requests.
8. Prepare summary of disclosures and discovery responses.
9. Attend and/or supervise document productions.
10. Assemble witness files and assist in preparing witnesses for deposition.
11. Depositions:
 - a. Assist attorney in determining appropriate depositions;
 - b. Arrange deposition times, locations, reporters, videographers, *etc.*;
 - c. Prepare subpoenas and notices of deposition, witness fees and mileage checks; prepare demand letters, subpoenas and commissions to take out-of-state depositions;
 - d. Draft deposition questions and outline; prepare witness profile notebooks; review and assemble documents for depositions;
 - e. Attend deposition with attorney and take notes, which can include observation of reactions of deponent and others present, and manage documents;

- f. Prepare summaries and digests of deposition transcripts;
- g. Follow-up after depositions for additional information; and
- h. Load full-text transcripts on computer, and conduct text searches as needed.

12. Supervise discovery and recommend further discovery.

C. PRE-TRIAL

1. Designate portions of testimony from video tapes, audio tapes or transcribed depositions for use at trial and consult with attorney regarding same.

2. Schedule and accompany attorney to hearings, pretrial conferences, and settlement conferences, and draft and prepare necessary follow-up documents, *i.e.*, letter to client, order, *etc.*

3. Prepare disclosure certificates, amend case management order, settlement statements and trial management order.

4. Prepare witnesses for trial.

5. Prepare or arrange for demonstrative exhibits, *i.e.*, charts, graphs, diagrams, *etc.*

6. Arrange for necessary special equipment at trial.

7. Locate and interview potential expert witnesses and give them copies of necessary records, documents, *etc.*

8. Organize and label trial exhibits and prepare trial notebooks.

9. Coordinate additional arrangements required for out-of-town trials.

D. TRIAL

1. Prepare trial subpoenas.

2. Assist in drafting *voir dire*.

3. Assist in drafting jury instructions both before and during trial; obtain jury lists and biographical information on jurors.

4. Manage trial logistics such as coordination of witnesses, delivery and return of trial materials, provisions for special equipment and other matters that arise during the course of trial.

5. Attend trial with attorney and take notes; assist with jury selection; take notes during *voir dire*, observe reactions of potential jurors to voir dire questions; assist with coordination of witnesses; manage exhibits and visual aids.

6. Meet with attorney regarding evaluation of witnesses, testimony and trial strategy.

7. Assist with retrieving testimony from depositions for impeachment purposes.

8. Work with database, imaged documents and transcripts on laptop computer during course of trial.

9. Monitor exchange of exhibits at trial; maintain list of exhibits as mentioned, offered, admitted or objected to.

E. POST-TRIAL

1. Draft cost bill.

2. Draft Attorney's Fee Application.

3. Summarize trial testimony; order trial transcripts and prepare recap or outline of same.

4. Draft or prepare post-trial motions.

5. If case is not appealed, participate in post-mortem, if case is not appealed, *i.e.*, assist in speaking with members of the jury, and closing the file.

6. Prepare garnishments, levies, and other post-judgment collection documents; assist in processing writs of execution.

F. APPEAL

1. Prepare timetable for appeal process and set up reminder system.

2. Obtain applicable case law and organize research.

3. Assist with preparation of appeal briefs, *i.e.*, Shepardize cases, prepare table of contents and table of authorities, *etc.*

4. Assist with designation of record on appeal; organize appendix.
5. Draft notice of appeal for attorney review.
6. Review and analyze legal authority cited by adverse party.

G. SETTLEMENT

1. Draft or prepare settlement agreements, calculations and releases.
2. Draft or prepare motions and stipulations for dismissal.

H. INCIDENTAL

1. Utilize applicable computer programs, Internet, and other technology for research, investigations, document management, exhibit and witness preparation, tracking deadlines, e-filing and service of pleading, and other case-specific tasks.