

Practice Pointers

Controlling Chaos

by JoAnne Musick

If your practice is like mine, chaos can easily take over. Each client's question is the most important question in the world...to him. Sure it's important to you as well, from a representation perspective, but you must manage the chaos before it takes over.

1

SET PRIORITIES

Do you really need to read every email as it comes in? Not likely. Turn off email alerts on your phone! Every alert draws your attention away from the task at hand. Minimize the alerts and minimize the distractions. Email can be a priority, but set a time for it to be the priority rather than all day and all night.

2

CALENDAR

Follow a calendar: paper or electronic. Make sure every appointment and appearance is recorded. Schedule time for emails. Schedule time for phone calls. Schedule time for research and case review. The more you schedule the more you realize just how busy you are and how productive you can be.

3

ELECTRONIC FILES?

Paper is just fine. Create a file for every client. Keep track of everything you do. Make notes about conversations with prosecutors and clients. Keep a running list of things to do. Follow a checklist to make sure you aren't forgetting something. Do you need a paperless office? Maybe, maybe not. If you have time, scan everything. Get a Dropbox or similar online storage and place only current files in it. Then you will have access from your smartphone or tablet anywhere, anytime. Once a file is closed, consider scanning its entire contents for storage. Electronic storage is a much easier than warehouse space; just make sure you have adequate backup systems in place so you don't lose your electronic file.

4

FACE THE MUSIC

Clients get mad. Clients get aggravated. Clients blame you when they don't get the plea offer they want. Instead of becoming defensive or avoiding, call the client or schedule a meeting. Review the process and options. Before speaking though, give the client an opportunity to talk or even vent. Sometimes they just want to be heard.

5

MAKE A LIST

Keeping a "to do" list is simple and effective. It can be written or electronic. I'm currently using Evernote to keep a master list of general items plus categorized lists for specific projects. Having a list helps you set goals for getting tasks done and helps you visualize the priorities. Anything not done today gets done tomorrow!

General Criminal Checklist

- Client Information Sheet
- JIMS (or other system for out of county)
- Contract for Representation Executed
- File Folder created
- Initial Court Appearance Calendared
- Client Info in Contacts (SOS and Outlook)
- Opening Letter to Client
- Billing Info Entered (contract to Vivian)

Court:

- Charging Instrument in File (information, complaint, or indictment)
- Discovery Request (Michael Morton)
 - Offense Report recv'd
 - Video/Audio Recordings recv'd (scene & video room)
 - Defendant Stmts recv'd
 - Witness Stmts recv'd
 - Search Warrant recv'd
 - 911 call recv'd
 - Lab Report recv'd
 - RIP Call notes recv'd
 - Photos recv'd
 - Medical Records recv'd
- 28.01 Hearing Set _____
 - Motions filed 10 days prior
- Grand Jury Packet Necessary?
 - ADA notified
- Defense Motions Filed
 - Motion to Quash
 - Ake Motion
 - Request for State Experts
 - Request 37.07 Notice
 - Request 609(f) Notice
 - Request 404(b) Notice
 - Motion to Suppress
- Copies of Motions to Client
- State Notice/Motions Received, if any
 - Request for Defense Experts
 - 37.07 Notice Given
 - 609(f) Notice Given
 - 404(b) Notice Given

Trial Prep

- TCLEOSE Info on Law Enforcement
 - requested
 - received
- Request ALR Transcript— if necessary
- Other Transcripts (Protective Order hrg)
- Business Records, filed 30 days prior
- Scene Photos / Scene Visit / Google Earth
- Subpoena hostile witnesses, if any
- Punishment Election Filed
- Motion for Probation Filed
- Motion in Limine Filed
- Diagrams prepared
- Exhibit List
- Mitigation/Punishment Evidence

NOTES
