


PRETRIAL CONFERENCE REPORT Mass.R.Crim.P. 11(a)(2)(A)		DOCKET NUMBER	Trial Court of Massachusetts Juvenile Court Department 
Commonwealth v. _____ NAME OF CHILD/DEFENDANT		COURT DIVISION	
(To be completed and signed by both parties and submitted to the court at the Pretrial Hearing unless child/defendant tenders a plea or admission)			
A pretrial conference between the parties was conducted on _____, 20____, with the following result:			
I. DISCOVERY			
1. Automatic Discovery for the Child/Defendant. Pursuant to Mass.R.Crim.P. 14(b)(1)&(2). The Commonwealth has disclosed to the defense and the defense has been permitted to discover, inspect and copy: (in the Commonwealth's possession and control)			
YES	NO	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Written or recorded statements and the substance of any oral statements made by the child/defendant or any co-defendant
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Grand jury minutes, and the written or recorded statements of a person who testified before a grand jury
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Facts of an exculpatory nature
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	The names, addresses, and dates of birth of the Commonwealth's prospective witnesses other than law enforcement witnesses. (The Commonwealth shall also provide information to the Probation Department.)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Names and business addresses of prospective law enforcement witnesses
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Intended expert opinion evidence, other than evidence that pertains to the child's/defendant's criminal responsibility and is subject to Mass.R.Crim.P. 14(b)(2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Material and relevant police reports, photographs, tangible objects, all intended exhibits
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reports of physical examinations of any person or of scientific tests or experiments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Statements of any person the Commonwealth intends to call as a witness
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Summary of identification procedures, and all statements made in the presence of or by an identifying witness that are relevant to the issue of identity or to the fairness or accuracy of the identification process
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any promises, rewards, or inducements made to any witness
2. Automatic Reciprocal Discovery for the Prosecution. Pursuant to Mass.R.Crim.P. 14(a). The defense has disclosed to the prosecution and the prosecution has been permitted to discover, inspect, and copy the following intended for offer at trial:			
YES	NO	N/A	(because the prosecution has not yet completed all automatic and court ordered discovery)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Intended expert opinion evidence, other than evidence that pertains to the child's/defendant's criminal responsibility and is subject to Mass.R.Crim.P. 14(b)(2)
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Material and relevant police reports, photographs, tangible objects, all intended exhibits
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Reports of physical examinations of any person or of scientific tests or experiments
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Any promises, rewards, or inducements made to any witness
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Names, addresses, dates of birth, and statements of those persons the defendant intends to offer as witnesses at trial.
3. Unresolved Discovery Issues. With respect to any discovery to which the parties are or may be entitled, automatically or by court order, pursuant to Mass.R.Crim.P. 14 and which has not yet been provided:			
<input type="checkbox"/>	The parties agree as follows: (list items and agreed upon date of delivery, inspection, etc.) _____ _____		
<input type="checkbox"/>	The defense is filing herewith the following motion(s) to compel discovery: _____ _____		
<input type="checkbox"/>	The prosecution is filing herewith the following motion(s) to compel discovery: _____ _____		
4. Certificate of Compliance. The undersigned acknowledge that each party must file a Certificate of Compliance when the party has provided all discovery required by rule, agreement or court order, pursuant to Mass.R.Crim.P. 14.2(e).			

5. Subsequently Discovered Material. The undersigned acknowledge their continuing duty regarding discovery pursuant to Mass.R.Crim.P. 14(d); 14.1(b).

II. OTHER PRETRIAL MATTERS

6. Notice of Alibi. See Mass.R.Crim.P. 14.3(a)(1)&(2). The Commonwealth hereby notifies the child/defendant that the time, date, and place of the alleged offense was as follows:

If an alibi defense will be offered by the child/defendant, he/she agrees, if ordered by the judge, to notify the Commonwealth in writing on or before _____, 20____ of the place or places at which the child/defendant claims to have been at the time of the alleged offense and the names, addresses and dates of birth of the child's/defendant's alibi witnesses or may here so state:

The Commonwealth agrees to notify the child/defendant in writing within seven days of service of the child's/defendant's alibi, of the names, addresses and dates of birth on which it relies to establish the child's/defendant's presence at the scene of the alleged offense or otherwise to rebut the child's/defendant's alibi defense. Both parties acknowledge their continuing duty under Mass.R.Crim.P. 14.3(3) to disclose additional alibi witnesses.

7. Notice of Child/Defendant's Mental Condition. Mass.R.Crim.P. 14.3(b). If the child/defendant intends to raise an issue of the child/defendant's mental condition at the time of the crime or intends to introduce expert testimony on the child/defendants' mental condition at any stage of the proceeding, the child/defendant agrees to notify the Commonwealth in writing on or before _____, 20____.

8. Notice of First Aggressor Specific Acts of Violence Evidence. Mass.R.Crim.P. 14.3(c)(1). Child/Defendant agrees to notify the Commonwealth in writing by _____ if the child/defendant intends to raise a claim of self defense and to introduce evidence of the alleged victim's specific acts of violence to support an allegation that they were the first aggressor. The notice shall include a brief description of each such act, together with the location and date to the extent practicable, and the names, addresses, dates of birth and known contact information of the witnesses the child/defendant intends to call to provide evidence of each such act. A copy shall be filed with the clerk.

9. Notice of Other Defenses. Mass.R.Crim.P. 14.3(b). If the child/defendant intends to rely upon a defense based upon a license, claim of authority or ownership, or exemption, or parental discipline, defendant must notify the Commonwealth within 21 days of the assignment of a trial date, or may here so state:

10. Non-Discovery Motions. In addition to any discovery-related motions listed above, the following motions will be filed on matters upon which the parties have **not** reached an agreement.

11. Stipulation of Facts:

12. **Status of Child** (if applicable). The child presently is in the custody of _____

13. **Status of Case (Not Binding)** Estimate length of trial: _____ Proposed trial date(s) _____

No. of Witnesses: Prosecutor _____ Defense _____ Jury _____ Jury Waived _____ **(Not Binding)**

14. **Interpreter.** A _____ interpreter is needed.

15. **Commonwealth to proceed by:** ☐ Complaint ☐ Indictment ☐ Not yet determined

16. **Certification.** The undersigned certify that the above Pretrial Conference Report was agreed to on _____, 20____, and that each party is bound by this report. The report shall control the subsequent course of the proceedings.

Assistant District Attorney / Police Prosecutor

Defense Counsel

Child/Defendant (required when waiving a constitutional right or when
the report contains stipulations as to material facts)

Parent or Guardian (if delinquency/youthful offender)

(To be completed by Judge)

This report has been submitted in its entirety and accepted by the court.

☐ **This matter has been scheduled for a compliance hearing on** _____, 20____.

☐ **This matter has been scheduled for trial on** _____, 20____.

Date

Justice