

PRETRIAL CONFERENCE REPORT Mass. R. Crim. P. 11(a)(2)(A)	DOCKET NO. _____	MASSACHUSETTS TRIAL COURT 
DEFENDANT NAME: _____	COURT DEPARTMENT <input type="checkbox"/> Boston Municipal Court <input type="checkbox"/> District Court	DIVISION: _____
<p>“Agreements set out in the written pretrial conference report are binding on all parties . . . [and] may be equivalent of a discovery order and thus subject to the trial judge’s reasonably wide discretion to make such order as [they] deem just or to impose sanctions in the event of noncompliance with discovery orders under Mass. R. Crim. P. 14.2(j).” <i>Commonwealth v. Scalley</i>, 17 Mass. App. Ct. 224, 230 n.8 (1983) (internal citations and quotation marks omitted). See <i>also</i> Mass. R. Crim. P. 11(a)(2)(A).</p> <p>A pretrial conference between the parties was conducted on _____ with the following results:</p>		
I. DISCOVERY AND NOTICE		
<p>1. AUTOMATIC DISCOVERY FOR DEFENSE. Mass. R. Crim. P. 14(b)(1) & (2). All mandatory discovery shall be provided no later than _____</p> <p>2. AUTOMATIC RECIPROCAL DISCOVERY FOR PROSECUTION. Mass. R. Crim. P. 14(a). All reciprocal discovery shall be provided no later than _____</p> <p>3. NOTICE OF DEFENDANT’S MENTAL CONDITION. Mass. R. Crim. P. 14.4(a)(1). If the defendant intends to raise an issue of the defendant’s mental condition at the time of the crime, or intends to introduce expert testimony on the defendant’s mental condition at any stage of the proceeding, the defendant agrees to to notify the Commonwealth in writing on or before _____</p> <p>4. NOTICE OF ALIBI. Mass. R. Crim. P. 14.3(a)(1) & (2). The Commonwealth hereby notifies the defendant that the time, date, and place of the alleged offense was as follows:</p> <p style="margin-left: 40px;">Defendant agrees, if an alibi defense will be offered, to notify the Commonwealth in writing on or before _____ of the place(s) at which the defendant claims to have been at the time of the alleged offense and the names, addresses, dates of birth, and known contact information of the defendant’s alibi witnesses.</p> <p style="margin-left: 40px;">The Commonwealth agrees to notify the defendant in writing, within 7 days of service of the defendant’s notice of alibi, of the names, addresses, dates of birth and known contact information of witnesses on whom it intends to rely to establish defendant’s presence at the scene of the alleged offense or to rebut any of the defendant’s alibi witnesses.</p> <p style="margin-left: 40px;">Both parties acknowledge their continuing duty under Mass. R. Crim. P. 14.3(3) to disclose additional alibi witnesses.</p> <p>5. NOTICE OF OTHER DEFENSES. Mass. R. Crim. P. 14.3(b). If defendant intends to rely upon the defense based upon a license, claim of authority or ownership, or exemption, or parental discipline, defendant must notify the Commonwealth by _____</p> <p>6. NOTICE OF FIRST AGGRESSOR SPECIFIC ACTS OF VIOLENCE EVIDENCE. Mass. R. Crim. P. 14.3(c)(1). Defendant agrees to notify the Commonwealth in writing by _____ if the 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 defendant intends to call to provide evidence of each such act. A copy shall be filed with the clerk.</p> <p style="margin-left: 40px;">The Commonwealth shall, within 30 days of service of notice by the defendant, notify the defendant in writing of any rebuttal evidence the Commonwealth intends to introduce, including a brief description of such evidence together with the names of the witnesses the Commonwealth intends to call, the addresses, dates of birth and known contact information of other than law enforcement witnesses and the business address of law enforcement witnesses.</p> <p>7. STIPULATION(S):</p> <p style="margin-left: 40px;">Defendant agrees to file with the court a written stipulation signed by the defendant and defense counsel in accordance with Mass. R. Crim. P. 11(a)(2)(A) and Mass. R. Crim. P. 23 thirty (30) days prior to trial.</p>		

