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| TRIAL COURT OF MASSACHUSETTS BOSTON MUNICIPAL COURT DEPARTMENT | DIVISION |
| COMMONWEALTH vs. _____ NAME OF DEFENDANT | DOCKET NUMBER |

PRETRIAL CONFERENCE REPORT

A pretrial conference between the parties was conducted on _____, 20__ with the following results:

1. AUTOMATIC MANDATORY DISCOVERY FOR THE DEFENDANT. See Rule 14(a)(1)(A). The Commonwealth has disclosed to the defense and permitted the defense to discover, inspect and copy the following, provided it is relevant to the case and is in the possession, custody or control of the prosecutor, persons under the prosecutor’s direction and control, or persons who have participated in investigating or evaluating the case and either regularly report to the prosecutor’s office or have done so in the case:

| Y | N | C/D | N/A | (Not applicable because not relevant to case or not in the possession, custody or control of the prosecutor.) |
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| | | | | Any written or recorded statements, and the substance of any oral statements, made by the defendant or a co-defendant. |
| | | | | Grand jury minutes, and the written or recorded statements of a person who has testified before a grand jury. |
| | | | | Any facts of an exculpatory nature. |
| | | | | The names, addresses, and dates of birth of the Commonwealth’s prospective witnesses other than law enforcement witnesses. The Commonwealth shall also provide this information to the Probation Dept. |
| | | | | The names and business addresses of prospective law enforcement witnesses. |
| | | | | Intended expert opinion evidence, other than evidence that pertains to the defendant’s criminal responsibility and is subject to subdivision (b)(2). Such discovery shall include the identity, current curriculum vitae, and list of publications of each intended expert witness, and all reports prepared by the expert that pertain to the case. |
| | | | | Material and relevant police reports, photographs, tangible objects, all intended exhibits, reports of physical examinations of any person. |
| | | | | Reports of scientific tests or experiments, e.g., substance analysis, ballistics, and fingerprints. |
| | | | | Statements of persons the party intends to call as witnesses. See definition of statement in Rule 14(d). |
| | | | | 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 procedure. |
| | | | | Disclosure of all promises, rewards or inducements made to witnesses the party intends to present at trial. |

2. DISCRETIONARY DISCOVERY. The court has ordered or the parties have agreed to provide the following:

| Y | N | C/D | (Please list and indicate whether provided.) |
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3. CONTINUING DUTY. See Rule 14(a)(4). The undersigned acknowledge that each party shall promptly notify the other party if it subsequently learns of additional material which it would have been required to disclose or produce pursuant to rule or court order, and shall disclose said material in the same manner as required by this rule.

4. AUTOMATIC RECIPROCAL DISCOVERY FOR THE PROSECUTION. See Rule 14(a)(1)(B). Following the Commonwealth's delivery of both automatic mandatory discovery and court ordered discretionary discovery, the defendant has disclosed to the prosecution and permitted the Commonwealth to discover, inspect and copy the following material and relevant evidence which the defendant intends to offer at trial:

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| | Defendant's obligation is not yet triggered because the Commonwealth has not completed all automatic mandatory discovery and court ordered discretionary discovery. |
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| Y | N | C/D | N/A | (Not applicable because the defendant does not intend to offer it at trial.) |
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| | | | | Intended expert opinion evidence, other than evidence that pertains to the defendant's criminal responsibility and is subject to subdivision (b)(2). Such discovery shall include the identity, current curriculum vitae, and list of publications of each intended expert witness, and all reports prepared by the expert that pertain to the case. |
| | | | | Material and relevant police reports, photographs, tangible objects, all intended exhibits, reports of physical examinations of any person. |
| | | | | Reports of scientific tests or experiments, e.g., substance analysis, ballistics, and fingerprints. |
| | | | | Statements of persons the party intends to call as witnesses. See definition of statement in Rule 14(d). |
| | | | | Disclosure of all promises, rewards or inducements made to witnesses the party intends to present at trial. |
| | | | | Names, addresses, and dates of birth of those persons whom the defendant intends to call as witnesses at trial. |

5. UNAGREED PRETRIAL MOTIONS. The parties anticipate filing the following pretrial motions which were not agreed upon, and which will be heard on _____, 20__:

6. STIPULATIONS OF FACT: _____

7. CERTIFICATION. The undersigned certify that the above Pretrial Conference Report was filed on _____, 20__, and that each party is bound by this Report, which shall control the subsequent course of the proceedings.

Assistant District Attorney/Police Prosecutor

Defense Counsel

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

To be completed by judge:

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| | This Report has been submitted in its entirety and accepted by the court. |
| | Compliance with all discovery has been accomplished. |
| | The aggrieved party has waived the right to a compliance hearing. Out of court compliance due by _____, 20__. |
| | This matter has been scheduled for a compliance hearing pursuant to Rule 11(b)(2)(iii) on _____, 20__. |
| | Defendant's Compliance Date (to be imposed <u>only</u> after the Commonwealth's full compliance): _____, 20__. |
| | This matter has been scheduled for Motion Hearing/Trial Assignment/Trial on _____, 20__. |

Date

Justice