

Form - Checklist for Preparing & Filing a Complaint

1. Review office file.
 - A. Check client interview sheet.
 - B. Review police reports.
 - C. Review investigator's report.
 - D. Verify statute of limitations.

2. Gather information for complaint.
 - A. Plaintiffs.
 1. Names.
 2. Are all plaintiffs competent adults?
 - B. Defendants.
 1. Names.
 2. Addresses for service.
 - C. Location of accident.
 - D. Description of injuries and expenses.

3. Were any preliminary notices or actions required?
 - A. Is defendant a government entity?
 - B. Is plaintiff a minor?

4. Determine which court complaint is to be filed in.
 - A. Check local rules of court for any special requirements.

5. Prepare complaint.
 - A. Check office forms file.
 - B. Check form books if needed.

6. Prepare summons.

7. Have attorney review complaint.

8. Check court for proper filing fee.

9. Obtain filing fee from bookkeeper.

10. Take check, complaint and summons to court for filing.

11. Return copies to office.

12. Give copies of complaint and summons to process server for serving.

13. Calendar for 10 days to check on service.

Form - Complaint Drafting Checklist

- 1. Determine names and addresses of parties.*
- 2. Determine proper court for filing.*
- 3. Research jurisdictional and venue issues.*
- 4. List causes of action and determine if necessary elements exist.*
- 5. Obtain sample copy of similar complaint.*
- 6. Check applicable procedural rules for specific court.*
- 7. Include proper court caption or style.*
- 8. Draft jurisdictional allegation.*
- 9. Draft venue allegation.*
- 10. If parties include corporations, list registered agents for service.*
- 11. Draft service of process allegation.*
- 12. Draft facts of cause.*
- 13. Draft causes of action, including damages sustained.*
- 14. Draft prayer for relief.*
- 15. If verification required, draft same.*