

Practice Standards

December, 2012

Section VI, Qualifications and Duties of Counsel

7. Formal and Informal Discovery

A. Counsel should consider seeking discovery, at a minimum, of the following items by written motion:

- a. Potential exculpatory information;
- b. Potential mitigating information;
- c. The names and addresses of all prosecution witnesses, their prior statements, and criminal record, if any;
- d. All oral and/or written statements by the client, and the details of the circumstances under which the statements were made;
- e. The prior criminal record of the client and any evidence of other misconduct that the government may intend to use against the client;
- f. All books, papers, documents, photographs, tangible objects, buildings or places, or copies, descriptions, or other representations, or portions thereof, relevant to the case;
- g. All results or reports of relevant physical or mental examinations, and of scientific tests or experiments, or copies thereof;
- h. Statements of co-defendants;
- i. All investigative reports by all law enforcement and other agencies involved in the case;
- j. All records of evidence collection and retained by law enforcement; and,
- k. Counsel shall file with the court a receipt of all materials received.