NAVY-MARINE CORPS TRIAL JUDICIARY
EASTERN JUDICIAL CIRCUIT
SPECIAL/GENERAL COURT-MARTIAL

U N I T E D S T A T E S **v.** **NAME** **RANK/RATE USN/USMC**	**TRIAL MANAGEMENT ORDER** **DD MM YY**

1. **Trial Dates and Milestones**. The following are due on or before 2359 on the ordered date:

a. Arraignment (and appointment of victim's designee if applicable)	**DD MMM YY**[i]
b. Defense request for discovery	DD MMM YY
c. Government disclosure obligations[ii]	DD MMM YY
d. Defense reciprocal disclosure obligations[iii]	DD MMM YY
e. Defense expert consultant request	DD MMM YY
f. Government response to Defense expert consultant request	DD MMM YY
g. Government notices pursuant to M.R.E. 404(b), 413(b), 414(b)	DD MMM YY
h. Defense witness request[iv]	DD MMM YY
i. Government response to Defense witness request	DD MMM YY
j. Motions filed and notice pursuant to M.R.E. 412[v]*****	DD MMM YY
k. Responses to motions*****	DD MMM YY
l. **Article 39(a)**	**DD MMM YY**
m. Written notice of certain defenses[vi]	DD MMM YY
n. Written notice of pleas and forum[vii]*****	DD MMM YY
o. Motions filed (second session, if necessary)*	DD MMM YY
p. Responses to motions (second session, if necessary)*	DD MMM YY
q. **Article 39(a) (second session, if necessary)**	**DD MMM YY**
r. Final pretrial matters[viii]*****	DD MMM YY
s. **Trial Dates at _____**	**DD-DD MM YY**

Appellate Exhibit _____

2. Timeliness. A party shall seek leave of court to make a notice or filing after the ordered milestone or the written pleading shall include an explanation for good cause. If a continuance is necessary, counsel will seek relief as soon as possible.

3. Victims' Legal Counsel (VLC) and other Non-Party Counsel. VLC and other non-party counsel shall file a notice of appearance with the court, stating the court circuit, applicable case caption, name of the respective client (using initials only if the client is a minor), and name, rank, address, phone number and email address of the counsel. The notice shall contain a brief statement as to the qualifications to practice and oath status of the counsel. The notice must be served on all parties, and prior to any 39(a) session at which the VLC desires to be heard. VLC and other non-party counsel's appearance and filings must be filed in accordance with this Order's milestones, including responses to motions upon which the counsel desires to be heard, and in consideration of the Circuit Rules. Failure to comply with this Order will constitute waiver by the VLC or other non-party counsel's right to be heard, subject to a good cause determination by the Court.

So **ORDERED** this____ day of_____, 20__.

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Military Judge

*Filed with the Clerk of Court and served on counsel consistent with the NMCTJ Uniform Rules. Trial counsel is responsible for service upon named victims in the absence of a victims' legal counsel where such service is necessary.

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[i] All times are Eastern standard time.
[ii] Discovery obligations are continuous. R.C.M. 701 & 703 disclosures: papers accompanying the referred charges; convening and amending orders; statements in the possession of the trial counsel; names and addresses/contact information of witnesses the trial counsel intends to call in the prosecution's case-in-chief and to rebut certain defenses when notified; notice of records of prior convictions of the accused to be offered on the merits; sentencing information when required; and evidence that is favorable to the defense; notice of any immunity or leniency to prosecution witnesses (M.R.E. 301(c)(2)). Disclosure of evidence seized from or the property of the accused, if any (M.R.E. 311(d)(1)). Disclosure of evidence of prior identification of the accused, if any (M.R.E. 321(c)(1)). Disclosure of relevant statements made by the accused, if any, is required prior to arraignment (M.R.E. 304(d)(1)).
[iii] Discovery obligations are continuous. Upon request of trial counsel, the defense shall permit the trial counsel to inspect the documents, tangible objects and relevant reports prepared by expert witnesses that it intends to introduce as evidence in its case in chief or of relevant reports prepared by expert witnesses the defense intends to call at trial upon Government compliance with such requests made by the defense. (R.C.M. 701 (b)(3)&(4)).
[iv] A proper witness request includes a synopsis of expected testimony sufficient to show its relevance and necessity on the merits or that a witness' personal appearance is necessary on sentencing. (R.C.M. 703(c)(2)(B)).
[v] Counsel should strive to litigate all ripe motions at the first motions date, including those required for M.R.E. 412, allegations of errors in the Article 32, preferral and referral process, appointment of expert consultants, witness production, and discovery.
[vi] Particulars of defenses of alibi, innocent ingestion, lack of mental responsibility, or the defense's intent to introduce expert testimony as to the accused's mental condition. (R.C.M. 701(b)(2)).
[vii]Note that forum selections of judge alone or members with enlisted representation must be personally signed by the accused or declared on the record.
[viii] Member questionnaires, requests for judicial notice, voir dire, combined witness list with units, company sized unit, proposed instructions, cleansed charge sheet, findings and sentencing worksheets, and any motions for preadmission of evidence. Notice will be provided to the Court and opposing counsel when a party intends the use of electronic media or to take testimony by telephone or video-conferencing.