

MISDEMEANOR A TO Z PART 2 – TRIAL PROCEDURES & DEADLINES

PURPOSE OF PRESENTATION

ATTACHMENTS: Sample Discovery Demand (971.23 Wis. Stats)
Sample Motion in Limine for Trial

DEADLINES:

Motions Before Trial-971.30, 971.31 Wis. Stats
Alibi-971.23(8) Wis. Stats
Witness List-971.23(1)d Wis. Stats.
Other Deadlines

MOTIONS IN LIMINE--WHAT ISSUES SHOULD BE RAISED BY MOTIONS IN LIMINE

See: Sample Motion in Limine

What is a Motion in Limine?

Timing of Motion in Limine

Examples of issues that should be raised by Motion in Limine

- Sequestration of witnesses.
- Other crimes wrongs or acts
- Witness and/or evidence not disclosed as required by statute or per Discovery Demand
- Improper closing arguments or other statements by the Prosecutor
- Prejudicial, irrelevant information about your client, i.e. he is on probation
- Reiterate request for exculpatory evidence
- Expert witness issues
- No comment or testimony about defendant's silence or exercise of right to remain silent
- Use of defendant's statement without notice by that state of its intent to use the statement and without a *Miranda Goodchild* hearing
- Opinion about credibility
- Mention or use of defendant's prior criminal convictions unless a timely hearing has been held on its admissibility.

Exclusion of any State's witnesses whose prior record was not timely disclosed
Fact specific information, i.e. Newspaper articles or blogs
Any other issue, limited only by one's imagination and the specific case which
should be resolved before the trial starts

OTHER CRIMES-904.04(2)

Getting Stuff In.
Keeping Stuff Out

EXPERTS

PREPARING FOR EVIDENTIARY OBJECTIONS

PRESERVING THE RECORD