

# Contents

---

---

<b>CHAPTER 1—NEW CLIENT/INITIAL INTAKE</b>	<b>1</b>
Form 1-001 Welcome Letter/E-Mail to New Client who has Already Signed Power of Attorney and Other Forms	2
Form 1-002 Welcome Letter to New Client With Power of Attorney and Other Forms	3
Form 1-003 Power of Attorney and Contingent Fee Contract – Direct (Single Client)	5
Form 1-004 Consent to Association of Counsel	19
Form 1-005 Power of Attorney – Referring Attorney (Multiple Clients)	21
Form 1-006 HIPAA Authorization	36
Form 1-007 Takeover Authorization to Prior Attorney Requesting Client’s File	38
Form 1-008 Letter to Client’s Prior Attorney Requesting Client’s File	39
Form 1-009 Thank You Letter to Referral Attorney	40
Form 1-010 Thank You Referral Letter to Non-Attorney	41
Form 1-011 Letter to Potential Referring Attorney	42
Form 1-012 Letter to Attorney Referring New Case	44
Form 1-013 Referral Agreement Letter Between Counsel	45
Form 1-014 Letter to Client Referring Case	46
Form 1-015 Personal Injury Litigation Checklist	47
Form 1-016 Letter to Client Providing Instructions	55
Form 1-017 Instructions to Client Sheet	56
Form 1-018 Case History Sheet	60
Form 1-019 Letter Requesting Police Report	73
Form 1-020 Notice Letter to Defendant – Motor Vehicle Case	74
Form 1-021 Verify Liability Coverage – Motor Vehicle Incident	75
Form 1-022 Request Municipal Court Disposition – Motor Vehicle Incident	76
Form 1-023 Notice Letter to Defendant – Non-Motor Vehicle Incident	77
Form 1-024 Letter to Client Requesting Insurance Information	78
Form 1-025 Notice to Lienholder and Request for Lien Information	79
Form 1-026 Request Record Property Owner – Fall Down Case	80
Form 1-027 Letter/E-Mail Requesting Weather Report	81
Form 1-028 Letter/E-Mail Requesting OSHA Records	82
Form 1-029 Chapter 74 Notice Letter – Medical Malpractice Case	83
Form 1-030 Chapter 74 Medical Authorization – Medical Malpractice Case	85
Form 1-031 Rejection Letter to Potential Client – Personal Injury Case	90
Form 1-032 Rejection Letter to Attorney Referred Client – Personal Injury Case	91
Form 1-033 Rejection Letter to Referring Attorney	92
Form 1-034 Rejection Letter to Client – Medical Malpractice Case	93
Form 1-035 Medical Power of Attorney	94
Form 1-036 Statutory Durable Power of Attorney – Texas	100

# Contents

---

---

Form 1-037	Letter Regarding Medical Liens	107
Form 1-038	Joint Prosecution & Expense Sharing Agreement	108
Form 1-039	What to Expect in Your Litigation	113
<b>CHAPTER 2—PRE-LITIGATION</b>		<b>117</b>
Form 2-001	Status of Treatment Letter	118
Form 2-002	Letter Requesting Hospital Records	119
Form 2-003	Letter Requesting Hospital Bills	120
Form 2-004	Letter Requesting Doctor Medical and Billing Records	121
Form 2-005	Letter Forwarding Report Fee to Doctor	123
Form 2-006	Follow-Up Letter for Doctor's Report	124
Form 2-007	Follow-Up Letter for Doctor's Office Records	125
Form 2-008	Letter Requesting MRI or X-Ray Films	126
Form 2-009	Letter of Protection to Medical Provider	127
Form 2-010	Letter Requesting Photographs of Accident Scene	128
Form 2-011	Letter to Post Office for Current Address Lookup	129
Form 2-012	Letter to Employer for Personnel File	131
Form 2-013	Authorization to Employer for Personnel File	132
Form 2-014	Letter Requesting Workers' Compensation File & Lien	133
Form 2-015	Settlement Letter to Insurance Company	134
Form 2-016	Letter to the IRS Requesting Tax Transcripts	135
Form 2-017	Letter to the IRS Requesting Tax Returns	137
Form 2-018	Letter to Defendant Insurance Carrier for Protection of Fee Interest (Pre-Suit)	139
Form 2-019	Authorization for Release of Cellular Phone Records	140
Form 2-020	Authorization for Release of Education Records	142
<b>CHAPTER 3—PERSONAL INJURY PROTECTION (PIP) BENEFITS AND UNINSURED/UNDERINSURED MOTORIST</b>		<b>143</b>
Form 3-001	Letter Requesting PIP Application	144
Form 3-002	Letter to Client Forwarding PIP Application	145
Form 3-003	Letter Forwarding PIP Application to Insurance Carrier	146
Form 3-004	Letter Submitting Medical Bills to PIP Carrier for Payment	147
Form 3-005	Letter Requesting PIP Payment Ledger	148
Form 3-006	Initial Notice to Uninsured (UM)/Underinsured (UIM) Motorist Carrier	149
Form 3-007	Notice Letter to Underinsured (UIM) Motorist Carrier and Request for Permission to Settle	150
Form 3-008	Letter to Underinsured (UIM) Motorist Carrier Requesting Insurance Policy	151
Form 3-009	Demand Letter to Underinsured (UIM) Motorist Carrier	152

# Contents

---

---

<b>CHAPTER 4—PETITIONS</b>	<b>153</b>
Petition Practice Tips	154
Form 4-001 Motor Vehicle Petition	155
Form 4-002 Motor Vehicle Petition – Different Driver and Owner	160
Form 4-003 Motor Vehicle Petition for a Passenger Against Driver of Another Vehicle	166
Form 4-004 Motor Vehicle Petition for a Passenger Against a Different Driver and Owner	172
Form 4-005 Motor Vehicle Petition for a Passenger vs. Host Owner/Operator and Other Vehicle’s Owner/Operator	179
Form 4-006 Motor Vehicle Petition for a Pedestrian	185
Form 4-007 Motor Vehicle Petition for a Pedestrian with Different Owner of Vehicle	190
Form 4-008 Motor Vehicle Petition Against DWI Defendant and Bar	196
Form 4-009 Jones Act Petition	203
Form 4-010 Product Liability Petition	210
Form 4-011 Medical Malpractice Petition	216
Form 4-012 Dog Bite Petition	223
Form 4-013 Premises Liability Petition	228
Form 4-014 Case Style Template	233
Form 4-015 Declaratory Action Against Medical Provider	234
Form 4-016 Underinsured Motorist Petition	238
Form 4-017 Petition in Intervention for Attorney Fees and Expenses	243
Form 4-018 Petition in Intervention for Attorney Expenses (Waiver of Fees)	246
<b>CHAPTER 5—PENDING LITIGATION</b>	<b>251</b>
Form 5-001 Status Letter to Referring Attorney	252
Form 5-002 Jury Demand	253
Form 5-003 Service Letter to Sheriff/Constable	255
Form 5-004 Service Letter to Private Process Server	256
Form 5-005 Letter to Adversary Requesting Waiver of Service	257
Form 5-006 Letter to Adversary Serving Petition when Service has been Waived	258
Form 5-007 Notice of Non-Suit	259
Form 5-008 Notice of Partial Non-Suit	261
Form 5-009 Docket Control Order	263
Form 5-010 Rule 11 Letter Regarding Court Deadlines	266
Form 5-011 Fact Witness Designation	267
Form 5-012 Tolling Agreement	270
Form 5-013 Letter Producing Expert Reports – Medical Malpractice Case	272
Form 5-014 Letter to Expert Requesting Further Review of Records	273
Form 5-015 Letter to Client to Sign Authorizations from the Defendant	274
Form 5-016 Letter Forwarding Signed Authorizations to the Defendant	275

# Contents

---

---

Form 5-017	Letter to Adversary Requesting Records Obtained with Subpoena	276
Form 5-018	Letter to Client for a Scheduled Independent Medical Examination	277
Form 5-019	Letter to Client to Schedule an Independent Medical Examination	280
Form 5-020	Notice of Designation of Lead Counsel	281
Form 5-021	Letter to Newspaper Enclosing Press Release	283
Form 5-022	Letter to Attorney Regarding Status of Referred Case	284
Form 5-023	Letter Providing Information to Expert Economist	285
Form 5-024	Letter Providing Information to Expert Economist – Deceased Client	286
Form 5-025	Letter Providing Information to Vocational Rehabilitation Expert	287
Form 5-026	Letter Providing Information to Life Care Plan Expert	288
Form 5-027	Notice of Change of Address	289
Form 5-028	Preservation Letter—Video	291
Form 5-029	Letter to Client Regarding Withdrawal of Representation	292
Form 5-030	Preservation Letter—Commercial Accident	293
Form 5-031	Preservation Letter—Motor Vehicle	295
Form 5-032	Preservation Letter—Industrial Accident	296
<b>CHAPTER 6—DISCOVERY</b>		<b>297</b>
	Discovery Practice Tips	298
Form 6-001	Letter to Client to Answer Interrogatories and Request for Production	300
Form 6-002	Letter to Client Forwarding Draft Answers to Interrogatories for Review	302
Form 6-003	Letter Serving Answers to Interrogatories and Requests for Production	303
Form 6-004	Letter Supplementing Discovery with a Document	304
Form 6-005	Letter Supplementing Expert Report	305
Form 6-006	Letter Advising Adversary of Expert’s Further Review of Records	306
Form 6-007	Cover Letter for Discovery Requests	307
Form 6-008	Cover Letter for Interrogatories to Defendant	308
Form 6-009	Cover Letter for Request for Production of Documents	309
Form 6-010	Cover Letter for Request for Admissions	310
Form 6-011	Interrogatories – Standard Set	311
Form 6-012	Interrogatories to Defendant – Motor Vehicle Case	318
Form 6-013	Interrogatories to Defendant Doctor – Medical Malpractice Case	328
Form 6-014	Interrogatories to Defendant Hospital – Medical Malpractice Case	336
Form 6-015	Interrogatories – Jones Act	344
Form 6-016	Requests for Production – Standard Set	356
Form 6-017	Requests for Production – Motor Vehicle Case	364
Form 6-018	Requests for Production to Defendant Doctor – Medical Malpractice Case	375
Form 6-019	Requests for Production to Defendant Hospital – Medical Malpractice Case	384
Form 6-020	Requests for Admission	392

# Contents

---

---

Form 6-021	Initial Disclosures	395
Form 6-022	Rule 11 Letter Regarding Discovery Responses	398
Form 6-023	Mutual Rule 11 Letter Regarding Discovery Responses	399
Form 6-024	Letter to Defendant Regarding Overdue Answers to Interrogatories	400
Form 6-025	Follow Up Letter Requesting Overdue Insurance Information	401
Form 6-026	Letter Requesting Overdue Demand for Production of Documents	402
Form 6-027	Notice of Filing Affidavits	403
Form 6-028	Letter to Client for Scheduled Deposition	405
Form 6-029	Letter to Client for Rescheduled Deposition	408
Form 6-030	Notice of Deposition	409
Form 6-031	Deposition Notice for a Corporate Representative	411
Form 6-032	Deposition Notice for Deposition Via Videoconference	414
Form 6-033	Letter to Adversary in Lieu of Cross – Notice Scheduling Deposition	416
Form 6-034	Letter to Adversary Changing Location of Deposition	417
Form 6-035	Letter Notifying Defendant that Plaintiff Requires Interpreter for Deposition	418
Form 6-036	Letter Serving Deposition Notice for Expert Witness	419
Form 6-037	Deposition Notice for an Expert Witness	420
Form 6-038	Letter to Client Regarding Deposition Corrections	424
Form 6-039	Subpoena to Witness for Deposition	425
Form 6-040	Deposition Notice to Witness (with Subpoena Duces Tecum)	429
Form 6-041	Letter Request for Records Obtained via Deposition by Written Question	431
Form 6-042	Unsworn Declaration for Interrogatory Answers	432
Form 6-043	Verification for Interrogatory Answers	433
Form 6-044	Cross-Questions for Billing Records	435
Form 6-045	Billing Records Affidavit	438
Form 6-046	Requests for Admission – Underinsured Motorist Case	440
Form 6-047	Interrogatories to Defendant – Underinsured Motorist Case	443
Form 6-048	Request for Production – Underinsured Motorist Case	452
Form 6-049	Deposition Notice for a Corporate Representative – Trucking Accident	464
Form 6-050	Discovery – Dog Bite Case	469
Form 6-051	Interrogatories to Defendant Driver – Trucking Accident	484
Form 6-052	Interrogatories to Defendant Employer/Owner – Trucking Accident	494
Form 6-053	Requests For Production to Defendant Driver – Trucking Accident	504
Form 6-054	Requests For Production to Defendant Employer/Owner – Trucking Accident	516
Form 6-055	Requests for Admission to Defendant Employer/Owner – Trucking Accident	533
Form 6-056	Medical Authorization to Produce in Response to a Discovery Request	537
Form 6-057	Letter Requesting Written Statements Prior to Deposition	539
Form 6-058	Testifying Expert Disclosures	540
Form 6-059	Plaintiff’s Pre-Trial Disclosures	543

# Contents

---

---

<b>CHAPTER 7—MOTIONS</b>	<b>547</b>
Form 7-001 Letter/E-Mail to Judge’s Clerk to Withdraw a Motion	548
Form 7-002 Motion for Default Judgment	549
Form 7-003 Motion to Substitute Counsel	553
Form 7-004 Motion to Compel Answers to Interrogatories	558
Form 7-005 Motion to Compel Defendant’s Deposition	568
Form 7-006 Motion to Quash	576
Form 7-007 Motion to Quash Subpoena for Psychiatric Records	581
Form 7-008 Notice of Hearing	592
Form 7-009 Motion to Extend Discovery Deadline	594
Form 7-010 Motion for Continuance	601
Form 7-011 Motion for Preferential Trial Setting	610
Form 7-012 Motion for Preferential Trial Setting – Jones Act	617
Form 7-013 Motion to Withdraw	625
Form 7-014 Application to Create a Special Needs Management Trust	637
Form 7-015 Motion to Appoint Guardian Ad Litem with Order to Court	652
Form 7-016 Motion to Retain	659
Form 7-017 Motion to Amend Style of Case	671
Form 7-018 TRO to Preserve Evidence and Application to Permit Inspection	677
Form 7-019 Motion for Substitute Service of Process	686
Form 7-020 Motion for Summary Judgment	694
Form 7-021 Motion for Continuance of Summary Judgment Motion	699
Form 7-022 Motion for Substituted Service on Corporation	705
Form 7-023 Motion to Exclude Expert	712
Form 7-024 Motion to Permit Premises Inspection	717
Form 7-025 Motion to Quash Apex Deposition	723
Form 7-026 Motion to Strike Expert as a Discovery Sanction	726
Form 7-027 Motion to Consolidate	729
Form 7-028 Objections to Notice of Intention to Take Deposition on Written Questions	733
Form 7-029 Agreed Order Regarding Medical and Employment Records	742
Form 7-030 Motion to Strike Controverting Affidavit	746
Form 7-031 Certificate of Conference	756
Form 7-032 Affidavit	757
Form 7-033 Verification	759
Form 7-034 Declaration	761
Form 7-035 Motion to Compel Production of Documents	762
Form 7-036 Motion to Compel the Deposition of the Corporate Representative of Defendant	772
Form 7-037 Motion to Reinstate	780
Form 7-038 Motion to Create Special Needs Trust	793

# Contents

---

---

<b>CHAPTER 8—ARBITRATION AND MEDIATION</b>	<b>835</b>
Form 8-001 Letter to Client for Arbitration	836
Form 8-002 Letter to Client for Re-Scheduled Arbitration	837
Form 8-003 Letter to Client Regarding Arbitration Award	838
Form 8-004 Letter to Counsel Regarding ADR Deadline	839
Form 8-005 Letter to Court Regarding ADR Deadline	840
Form 8-006 Letter to Court Regarding ADR Deadline – No Response from Defendant	841
Form 8-007 Letter to Client Regarding Mediation Date	842
Form 8-008 Mediation Memorandum	843
Form 8-009 Certificate of Non-Appearance to Mediation	845
Form 8-010 Letter to Mediator Confirming Mediation Date and Providing Counsel of Record Information	847
<b>CHAPTER 9—TRIAL</b>	<b>849</b>
Form 9-001 Letter to Client Regarding Trial Date	850
Form 9-002 Letter to Medical Expert Regarding Trial Date	851
Form 9-003 Letter to Liability Expert Regarding Trial Date	852
Form 9-004 Letter to Medical Expert Regarding New Trial Date	853
Form 9-005 Trial Checklist – 90 Days Out	854
Form 9-006 Trial Checklist – 60 Days Out	855
Form 9-007 Trial Checklist – 30 Days Out	856
Form 9-008 Letter to Client Regarding Trial Date – One Month Reminder	858
Form 9-009 Trial Checklist – 7 Days Out	859
Form 9-010 Pre-Trial Order	860
Form 9-011 Trial Subpoena	863
Form 9-012 Letter to Police Officer Enclosing Subpoena for Trial	866
Form 9-013 Subpoena to Police Office for Trial	867
Form 9-014 Trial Notebook Outline	870
Form 9-015 Exhibit List	872
Form 9-016 Voir Dire Questions	875
Form 9-017 Additional Juror Voir Dire Questions – Medical Malpractice Case	877
Form 9-018 Vacation Letter to the Court	879
Form 9-019 Motion in Limine	880
<b>CHAPTER 10—SETTLEMENT AND POST-TRIAL</b>	<b>905</b>
Form 10-001 Settlement Letter to Client	906
Form 10-002 General Release	907
Form 10-003 Settlement Closing Statement	909

# Contents

---

---

Form 10-004 Settlement Closing Statement with One Protect	910
Form 10-005 Settlement Closing Statement with Two Protects	912
Form 10-006 Alternative Settlement Closing Statement	914
Form 10-007 Letter Notifying Court that Case Settled	916
Form 10-008 Letter to Adversary Confirming Settlement	917
Form 10-009 Letter to Medical Witness that Case Settled	918
Form 10-010 Letter to Expert Witness that Case Settled	919
Form 10-011 Letter to Medical Provider Requesting Compromise of a Bill	920
Form 10-012 Letter Forwarding Release to Adversary	921
Form 10-013 Motion to Dismiss with Prejudice	922
Form 10-014 Chart for Verifying Outstanding Medical Balances	926
Form 10-015 Letter Forwarding Settlement Check to Client	928
Form 10-016 Letter Forwarding Referral Fee to Referring Attorney	929
Form 10-017 Letter Paying Medical Provider's Outstanding Bill from Settlement Proceeds	930
Form 10-018 Letter Paying Workers' Compensation Lien from Settlement Proceeds	931
Form 10-019 Letter to Court to Schedule Minor Settlement Hearing	932
Form 10-020 Letter to Client for Minor Settlement Hearing	933
Form 10-021 Order Entering Judgment and Directing Deposit of Funds Into Registry of the Court for a Minor	934
Form 10-022 Letter to Deposit Funds in Registry of the Court	937
Form 10-023 Complaint Seeking to Schedule Minor Settlement Hearing When a Minor's Case Settles Prior to the Filing of a Lawsuit	938
Form 10-024 Final Judgment for Plaintiff	941
Form 10-025 Letter Advising Referring Attorney that Case Settled	943
Form 10-026 Letter Forwarding Bill to Client	944
Form 10-027 Letter to Healthcare Provider to Reduce Lien	945
Form 10-028 Letter to Subrogation Carrier for Reduction of Lien	946
Form 10-029 Notice of Appeal	947
Form 10-030 Stowers Demand Letter	949
Form 10-031 Appellant's Request for Clerk's Record	951
Form 10-032 Appellant's Request to Prepare Reporter's Record	953
Form 10-033 Appellee's Request for Additional Items to Be Included in Clerk's Record	955
Form 10-034 Request to Prepare a Supplemental Clerk's Record	957
Form 10-035 Letter to Client Regarding Settlement Structure	958