

## Proactive Mindset and Checklist

Maintaining a "proactive mindset" is an absolute MUST when it comes to protecting your own due process rights. Being "reactive" is better, of course, than doing nothing, but it will not win your case or cause.

Being proactive dramatically increases your odds of success in any legal battle.

Therefore, no matter what legal issue you are facing, be proactive, take charge, and make sure you understand exactly what you are doing. Use the checklist below to be confident you are adequately prepared to obtain the best possible outcome.

Make sure you understand:

- The exact complaint (civil) or charges (criminal) that have been filed against you;
- The exact consequences of losing your case;
- The alternatives to litigation and/or trial (i.e. out-of-court settlement, mediation, plea bargain, other, etc.);
- The facts that you have to prove to win (or successfully defend) your case;
- The exact documents, testimony, admissions, interrogatories, or other evidence that you will use to prove your facts;
- The applicable law that will be applied to the facts of your case;
- The exact "findings of fact" and "conclusions of law" you need to win your case;
- The anticipated amount of time and money you have to invest in order to win your case (including the cost, if any, of legal representation);
- Your final assessment of the likelihood that you can win your case; and
- Other contingencies and circumstances that must be weighed into your decision about how to proceed.

If you take the initiative to address each item on the above checklist, you will be way ahead of a vast majority of defendants (literally thousands that head to court every day in the United States) that are totally blind-sided as they enter into the legal arena.

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