

## Preparing a Chronology for Litigation



E: info@clslegal.com.au  
T: 02 9279 0919 F: 02 9279 2768  
Level 5, 30-32 Carrington Street, Sydney NSW 2000

There are two sides to every dispute. There would not be a dispute if there was a simple set of indisputable facts. The strength of each party's case is the evidence. Your solicitor's advice is based on the information and instructions you provide to him or her. Only **you** know the facts surrounding the circumstances that have caused you to seek legal advice.

The best way to instruct your solicitor is by preparing a chronology of the events, documents and important conversations that took place.

As law firms charge by time, putting effort into organising your evidence and preparing an initial chronology should save you significant legal costs. You may have boxes of documents and many emails and text messages so the task may seem daunting. If you follow the steps below the task will become easier and you will be surprised at what you do remember and the information you have.

### Steps to creating a chronology:

1. You will need "sticky" notes to flag important items and number your documents for future referencing. You will also need a notebook or computer to set out the chronology.
2. Collect all the documentary evidence you have – letters, contracts, mortgages, emails, text messages, and/or advertising material - whatever it is. This includes printing off relevant emails. Be careful of email trails that contain repetitive copies of the same email. If your emails are arranged this way it is better to cut the "trail" into separate emails.
3. Separate the legal documents, such as agreements, mortgages and contracts, into one pile and the other documents and correspondence into another. Put the documents in chronological order with the oldest at the bottom and the most recent on top.
4. Organise all correspondence in the same way – oldest at the bottom and most recent at the top.
5. If there are documents, advertising or other material which is not dated, keep those in a separate pile.
6. It is a good idea to then number each of the items in each pile with the oldest document being "1". Use a different reference system for the correspondence, for example, starting with the oldest document as "A".
7. Start your chronology by recording the earliest relevant date. It may be the date you met the other party to the dispute. A sample of how best to set out a chronology is at the end of this document.
8. Enter the dates of significant events into the chronology. The contents of some of the documents may jog your memory. For example a letter may say: "We refer to our meeting last week." From that you will have the date of a meeting to add to the chronology. Often you will remember things that happened because of the significance of a date. You may recall that a meeting took place on Melbourne Cup day in a particular year.
9. Once you have all the dates that are readily remembered by you and from the documents, you add in bullet points of what you remember of conversations and what was agreed or took place at a meeting.

## Sample Chronology

Your chronology should be in this form, which has been based on a fictional family law dispute:

Date	Event	Evidence	Reference
4/5/1995	I bought a property at 1 Smith Street, Smithville for \$500,000.00 with a mortgage to the ABC Bank of \$350,000.00 and the balance from my savings.		
2/3/1997	First met John.		
1/1/2000	John and I moved into a property owned by John at 3 Jones Street, Harbourtown which he had inherited from his grandfather. It was worth \$650,000.00.	Probate	1
4/12/2001	John and I married.	Marriage certificate	2
26/6/2003	John and I incorporated Smithville Building Corporation Pty Ltd ("SBC").	Certificate of Incorporation	3
12/1/2004	I sold my house at Smithville for \$750,000.00.	Contract	4
8/2/2004	John sold the property at Harbourtown for \$850,000.00.	Contract	5
7/3/2004	John and I purchased a house at 5 Main Street, Harbourtown for \$1.5m with a mortgage to XYZ Bank for \$300,000.00.		
4/6/2009	John Alexander born.		
5/11/2014	John and I separated.		
1/3/2015	Meeting with John and his accountants arranged to discuss property settlement.	Email	A
8/3/2015	Meeting at John's account's office: 1. John offered to purchase my shares in SBC for \$1m; and 2. John agreed to me retaining Harbourtown home.		

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