## Checklist: Counsel Preparation in Advance of Meeting with Adjudicator

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Matter** | **Follow up/Issues/Solutions** | **Responsible Party** | **Done** |
| **Hearing Format and General Issues** |
| 1. | Method: video or teleconference for oral submissions |  |  |  |
| 2. | Practice Directions identified and consulted |  |  |  |
| 3. | Local court capabilities identified |  |  |  |
| 4. | Identify training needs for counsel and parties |  |  |  |
| 5. | Identify the need for any language interpretation, court reporting, or other services during the hearing |  |  |  |
| 6. | Identify issues for oral submissions |  |  |  |
| 7. | Identify issues for written submissions |  |  |  |
| **Documents** |
| 8. | Ensure that all transcripts, evidence and documents necessary for the hearing are available electronically |  |  |  |
| 9. | Method of document exchange (email, cloud, etc.) |  |  |  |
| 10. | Document format to be used | Searchable PDF that is bookmarked for records and briefsWord for written submissions |  |  |
| 11. | Naming and numbering convention – Consider Practice Directions, if any  | <https://www.ontariocourts.ca/scj/practice/practice-directions/edelivery-scj/>.  |  |  |
| 12. | Timetable for document exchange |  |  |  |
| 13. | Joint Brief of documents brief prepared | ContentDue date |  |  |
| 14. | Hyperlinked authorities in written submissions |  |  |  |
| 15. | Software for viewing and marking of documents in oral argument | Minimum required: PDF software and Word |  |  |
| 16. | Prepare compendium with table of concordance to JBD |  |  |  |
| 17. | How will sensitive docs be dealt with |  |  |  |
| **Hearing Protocol** |
| 18. | How will technical difficulties be dealt with |  |  |  |
| 19. | Exchange of email addresses and phone numbers by all participants |  |  |  |
| 20. | Review list of issues in section 5 of the *Best Practices for Remote Hearings* and create a tailored list of issues adapted to the case |  |  |  |
| 21. | Discuss list of issues with other parties and agree on a way to proceed (subject to the court’s discretion) |  |  |  |
| **Test Run** |
| 22. | Schedule in advance among counsel |  |  |  |
| 23. | All counsel and parties to participate |  |  |  |
| 24. | If appropriate, inquire whether the judge or registrar/judicial assistant wishes to participate in the test run |  |  |  |
| 25. | Test quality of connections, video and audio |  |  |  |
| 26. | Try out the software |  |  |  |
| 27. | Test likely functions to be used, switch screens |  |  |  |
| 28. | Confirm all protocols/judicial direction/how tech issues to be dealt with/all materials are in hand |  |  |  |
| **Client Preparation**  |
| 29. | Will client attend |  |  |  |
| 30. | Will client speak at the hearing and, if so, how and when |  |  |  |
| 31. | Review etiquette, conduct and judicial directions |  |  |  |
| 32. | Review process and technology to be used |  |  |  |
| 33. | What to do if tech issues encountered |  |  |  |
| 34. | How to communicate during the hearing and ethical issues |  |  |  |
| 35. | How to access documents |  |  |  |
| 36. | Appropriate location |  |  |  |
| 37. | Ensure that client has functioning and appropriate hardware and software |  |  |  |