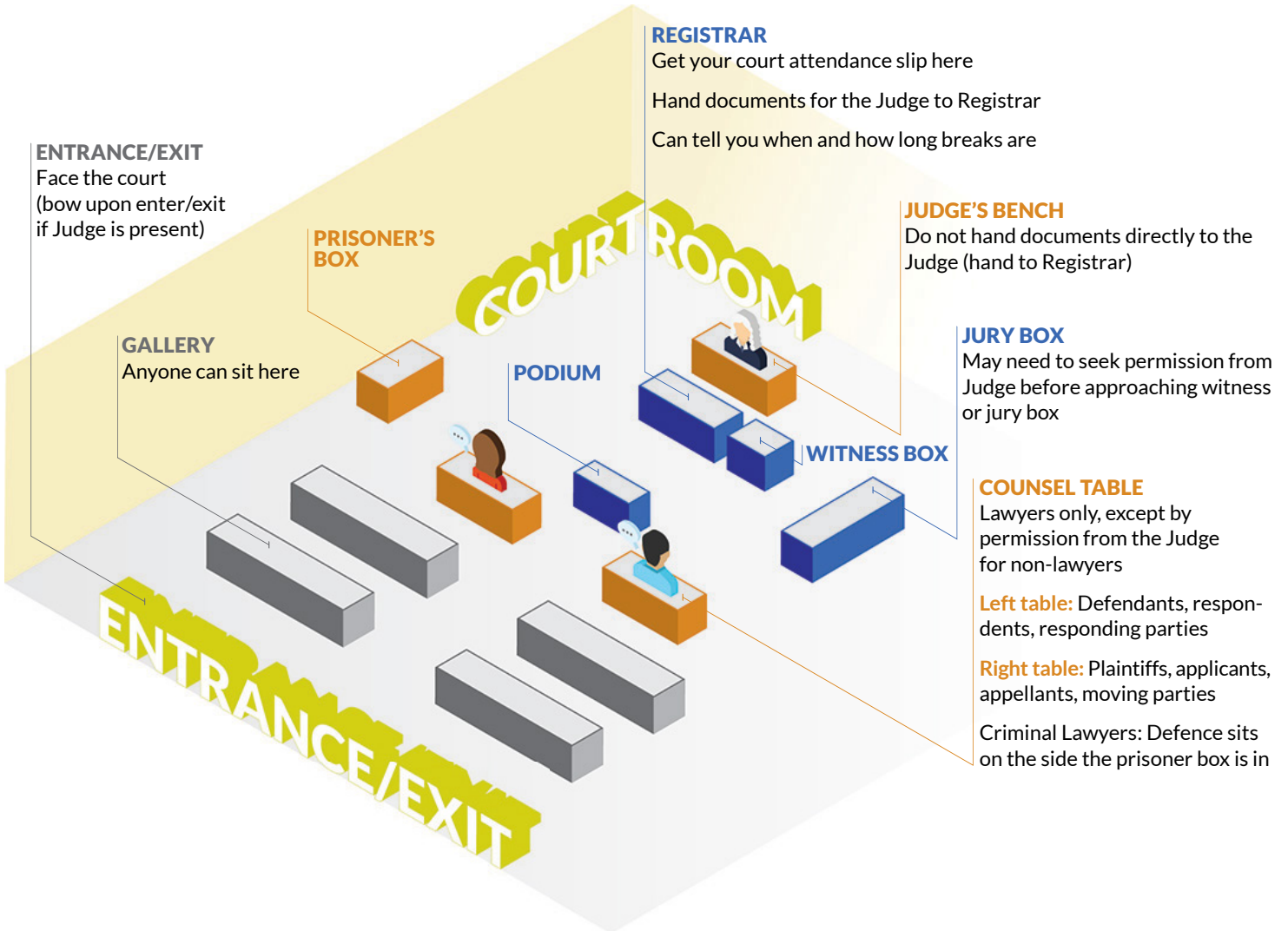


The First Timer's Going to Court Cheat Sheet



WHAT TO DO WHEN ENTERING THE COURTROOM

1. Arrive on time. Even better, arrive early
2. Approach registrar and find your matter(s) on the matter list and keep track of your matter number(s)
3. Introduce yourself to opposing counsel
4. Fill out counsel slips, available from registrar, for each matter you are appearing for
5. Take a seat at counsel table or gallery
6. Wait until your matter is called

WHAT TO DO WHEN IT'S YOUR TURN

1. When called, approach the podium or front-most counsel table
2. Moving party/plaintiff typically goes first
3. Identify yourself and the party(ies) you represent. Spell your last name
4. Make submissions
5. **One speaker at a time:** Stand when making submissions, sit when not. If opposing counsel begins to speak, sit down
6. Stand and bow when Judge enters and leaves



What to wear

GOWN

When you attend a trial, motion, or appeal at Superior Court, Court of Appeal, Federal Court, and Supreme Court.

Gowning tips

The gown includes waistcoat, barrister's robe, winged collar shirt, tabs, black or charcoal pants/skirt with nylons, black shoes. Change into Gown in the washroom/locker room. Do not change while in court.

The gown is a uniform, not a fashion statement. No accoutrements. Shirt tucked in. Waistcoat buttoned up.

When out of court, remove gown.

Pregnant? Modify as you see fit.



SUIT

When you attend an assignment, trial scheduling court, settlement conference, trial management conference (can vary: check region-specific practice direction), pre-trial conference, the Ontario Court of Justice, and small claims court.

Suiting tips

Traditional business attire. Keep your suit jacket/blazer on, shirts tucked in and buttoned up, and ties on.

Court tips

Tips for motions

- Confirmation of Motion form – First thing Judge sees and relies on
- Bring all materials before the court, including a draft Order and a draft Costs Outline
- If the motion is resolved, provide Judge with draft order to sign and return to you. Then file with Registrar (Don't forget to obtain copy of signed order for your own file.)

Courtroom decorum

- During opposing counsel's submissions, stay seated. Do not interrupt. You can reply when it's your turn
- Keep a poker face when you disagree with a submission
- Do not address witnesses by first name. Use formal name, unless witness says otherwise
- Do not eat in the courtroom
- Turn off cell phones, ringers and notifications
- Do not socialize and laugh with colleagues in the gallery during a hearing

Treat everybody professionally. Court staff are eyes and ears of the Judge.

How to make an objection during witness testimony

1. Stand up immediately
2. Say "Objection, Your Honour"
3. Explain what you are objecting to
4. Explain the basis of your objection

Terms of art

"My friend" = Opposing counsel

"Your Honour" = Judge, Master

"I submit" = I argue that...

"Good morning/afternoon, Your Honour" = A nice way to start your submission

"Thank you" = A nice way to end your submission

Claims prevention tips

- Get instructions from client and DOCUMENT
- Give recommendations and DOCUMENT
- Explain possible outcomes, and with each outcome, discuss: timelines, risks, legal consequences, and costs consequences. Calculate dollar amounts (costs, fees, HST, etc.) as necessary

New Lawyers Resources practicepro.ca/newlawyers

Check out our New Lawyers Resources on our website. We have interviewing tips, booklets to help you manage the lawyer-client relationship, resources for going solo, and articles to help you succeed. ■

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