

# Practical Law Canada – Transcript

## Trial Preparation – Corporate & Commercial Litigation

Welcome to the Practical Law Canada tutorial on preparing for trial. The purpose of this tutorial is to show you how you can use Practical Law Canada resources to help you with this task.

When you access our site you can see a list of all Practical Law Canada’s practice areas. Practical Law Canada covers a wide variety of subjects all of which can be accessed from this page.

At the bottom of the page you will see a section containing legal updates. Our editors will promptly highlight important developments in the law relating to their area of practice.

Let’s start by selecting the Corporate & Commercial Litigation heading. This brings you to the landing page for the Corporate & Commercial Litigation Practice Area. Resources are classified in two ways, by topic and by resource type. You can also access Practical Law Canada’s trial preparation resources by conducting a keyword search.

For the purpose of this tutorial, let’s imagine a senior associate who is going to be second chair on a three week trial.

She has been working closely with the partner on this case for several years and is intimately familiar with the file. She has been to trial on other matters in a supporting role, but not with the same level of responsibility.

Dates for the pre-trial and trial have been set, and the partner has told her it is time to start gearing up.

Let’s see what Practical Law Canada resources are available to help the associate with her task.

The associate could begin by searching the phrase “prepare for trial” in quotes to help her easily access the most relevant resources.

The 5th resource in the results list is the *Preparing for Trial Toolkit (ON)*. Toolkits aggregate a number of relevant resources on a particular topic. A toolkit is an easy way to find all relevant resources quickly.

If we select the *Preparing for Trial Toolkit (ON)*, you can see a brief introduction to the topic, then a list of Practical Law Canada resources, categorized by type. Let's select the *Preparing for Trial* practice note.

Practice Notes include overviews of areas of law and practice as well as straightforward how-to guides. Most Practice Notes have detailed tables of contents. Here you can see the table of contents which hyperlinks to the various topics listed.

You can see from the table of contents that the Practice Note describes many of the steps involved in preparing for trial, including Reviewing Post-Discovery Dates and Deadlines, Making Logistical Arrangements, Marshalling the Evidence, and Preparing a Joint Document Book.

The Practice Note contains embedded hyperlinks to the most recent and leading authorities on key practice points. Practical Law's editors review new case law daily to ensure that these references are current.

Having read through this practice note, the associate will now appreciate what is involved in getting the file ready for trial. But how will she keep track of all of those moving pieces?

Practical Law can help with this as well. The Practice Note has links to related documents, including the Trial Preparation Checklist. This checklist is an excellent tool for helping the associate track the different tasks she will be responsible for. The checklist breaks down the trial preparation process into discreet steps. The associate can print off the checklist and highlight those items outstanding or check off items as they are completed.

Let's and look at some of the other resources that can assist the associate.

Perhaps the biggest task in preparing for trial is organizing the evidence. The rules of evidence are very complex. Trial Evidence Basics: Overview (ON) provides as excellent overview of this area of the law.

It also links out to other related documents like the Trial Objections Cheat Sheet, a great resource to have on the counsel desk for quick reference at trial.

The Fact Matrix is a tool for organizing and analyzing the evidence to make sure you can prove everything you need to prove in order to succeed at trial. Like all Practical Law Standard Documents, the Fact Matrix contains detailed drafting notes. These drafting notes provide helpful tips on how to prepare a Fact Matrix and customize it for your case, all written in clear, concise language.

Standard Documents can be accessed and used in a number of ways. You can view and print the document with all drafting notes open to use as a guide while you work from your firm's template or precedent, if one exists.

You can also open a fully customizable version and adapt it to suit your file.

Every Practical Law Standard Document is available in Word and can be saved directly to your system. Standard Documents include precedent letters, agreements and court documents.

Using the Fact Matrix, the associate can organise the evidence, cull unnecessary documents, identify gaps or inconsistencies, and determine any further steps that need to be taken before pre-trial and trial.

The toolkit also contains resources to assist in understanding trial procedure, organising an Electronic Trial, and preparing witnesses among others.

With Practical Law Canada's help, the associate is able to get up to speed quickly and find numerous resources to assist in preparing for trial. We hope you have found this tutorial helpful.

Of course we have resources to assist lawyers of all levels, from recent calls to seasoned veterans, with many other projects. We encourage you to take a few minutes to search our site and see how helpful Practical Law Canada can be to you. Thanks for joining us today.