

SUPERIOR COURT TRIAL PROCEEDINGS - TRIAL INFORMATION

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Background

The purpose of this memo is to explain some of the complexities and difficulties in a matter proceeding through a trial.

Trial Lists

The trial coordinators block off a certain period of time (usually 2 or 3 weeks), during which they have a number of judges and courtrooms assigned to them. Thus the matters may proceed before these judges and hopefully many of the matters will be completed during this time period.

Each of the matters that could proceed during that time period are placed onto a list. They are prioritized according to the court's interest and other factors. Thus being placed on a trial list for a certain start date does not mean that we are guaranteed to start on the earliest day. For example there might be 40 matters on a trial list scheduled to take place during a 3 week period. There may be judges assigned. However some of the matters may not be able to proceed because of complexities out of the hands of the court officials. For example a type of complexities could be that a complainant or witness is ill; a lawyer is ill or is no longer representing the person; there is some other legal reason why there should be an adjournment or postponement of that hearing. The parties are also at liberty to resolve the matter so that no trial is required. For any of these reasons one of the earliest matters scheduled on the list might not proceed. Thus the Trial Coordinator would then be looking down the list and seeking a replacement proceeding. There is also the question of how long a proceeding will take. Sometimes they take a much shorter time than anticipated (parties can actually reach an agreement during a trial and that is the end of it) or it could take much longer. Therefore the concept is one where many of the cases that do not start on the first day are on "stand by". It could be that the case is called within a very short period of time, such as only 2 hours notice if you are on the Stand By List.

Calling Our Office

It is essential that our office be called twice daily to see whether you are required. We also need your phone number where you can be reached on very short notice. For example it could occur that at 12 noon we are told that our matter is scheduled to start at 2:30. We would all have to hurry up and get ready to go to court.

It could be that we are told at the end of the day that we are required at 10 am (or some other time) the following morning. Again we would have to get ready.

In these circumstances we would ask that you double check with us by phoning our office at the following times :

1. 12:30 pm (so that we can confirm whether you are needed for 2:15 pm or so); and
2. 4:45 pm (so that we can confirm with you whether there is a requirement that we would be needed in court the next day).

Our office will give you as much advance warning as possible. However in some circumstances this is a small amount of warning.

In Conclusion

We thank you for the assistance and patience that you are giving to us in agreeing to be a witness in this proceeding.