SMALL CLAIMS COURT MOCK HEARING
ROLE PREPARATION

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ONTARIO JUSTICE EDUCATION NETWORK
RÉSEAU ONTARIEN D'ÉDUCATION JURIDIQUE

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- **Mock Hearing Scenario**
- **Role Preparation Package**
- **Justice Sector Volunteer Package**

Students need the **Scenario,** and **Role Preparation** packages.

Justice sector volunteers/ teachers/organizers need all three packages.

PREPARING FOR A SMALL CLAIMS COURT MOCK HEARING

Small Claims Court mock hearings are designed to help you learn more about the rules and procedures of Small Claims Court. Despite what you may have seen on television and movies, criminal trials involving the public prosecution of an individual by the government are not the only types of cases that come before a judge. Civil trials, involving a disagreement between individuals or corporations, are also common court proceedings heard before the Ontario Superior Court. Usually, lawyers are involved in such trials, making them time consuming and expensive.

Small Claims Court is a special branch of the civil justice system in Ontario that allows parties to resolve their problems in court where it would otherwise be too expensive and time consuming to hire a lawyer and engage in the traditional court process. This more

informal alternative seeks to enhance access to justice in Ontario by speeding up the court process and taking a "do-it-yourself" approach by allowing self-representation.

Now is your moment to try playing the role of a party in a Small Claims Court action. Get into character and have fun with it! Those of you who are playing the role of the plaintiff, defendant and witnesses will have a lot of work to do up front. Those who are playing the superior court judge and court staff will play important roles on the day of the trial.

WHAT IS UNIQUE ABOUT A SMALL CLAIMS COURT HEARING?

The informal nature of the small claims process is its most unique characteristic. By representing themselves, parties can save on costs associated with hiring a lawyer to argue their case. The process itself is sped up to allow for quick and efficient resolution of disputes. Further, as most parties attending Small Claims Court will not be aware of legal principles, the parties do not need to use case law or expressly point to legislation to prove their case (however, parties can do so and sometimes it is helpful to). Instead, the judge will apply the facts to the law they are aware of to try and reach a fair result.

Though parties are able to represent themselves at these trials, they also have the flexibility to hire legal representation. Parties have the option of hiring a lawyer or paralegal if they choose to do so.

SMALL CLAIMS COURT PROCESS

WHAT KIND OF CASES GO TO SMALL CLAIMS COURT?

Only civil monetary claims between individuals or corporations of $25,000 or less will go to Small Claims Court. A civil action arises where one party (the plaintiff) suffers a loss or injury due to the actions of another party (the defendant). The loss suffered must in some way have been caused by the failure of the defendant to honour their end of a bargain or to satisfy the reasonable expectations of the plaintiff.

A simple example is the recovery of a debt, such as a phone or dry cleaning bill that went unpaid, provided it is under $25,000. Other cases may be more complex, such as where a person slips in a grocery store and breaks their leg. The medical bills and potential loss of income under $25,000 may be recovered in Small Claims Court.

WHAT KIND OF RELIEF IS AVAILABLE IN SMALL CLAIMS COURT?

Small Claims Court judges will not order anything other than monetary damages or the recovery of possession of property. Where the plaintiff is seeking relief other than money or the return of property, s/he should proceed through a different court. For example, if the plaintiff wants a court order forcing a defendant company to stop advertising a product due to copyright infringement, it is inappropriate to proceed through a Small Claims Court action.

Similarly, a Small Claims Court judge will not order monetary damages or the return of property valued above the $25,000 limit. The cap on damages does not prevent plaintiffs who have suffered a loss above the $25,000 limit from proceeding through the Small Claims Court, provided they are willing to give up the amount in excess of $25,000. Thus, where the loss suffered equals $30,000, the injured party may still claim $25,000 in a Small Claims Court action and give up the additional $5,000. However, the two amounts cannot be split into two separate actions. Once a matter is dealt with and a judgement is made, it cannot be brought back before the court.

The $25,000 cap excludes interest, costs and court fees that may be payable. These amounts should be excluded from the total amount sought, in deciding whether to proceed through Small Claims Court or some other court.

There is a preference for all actions under the $25,000 limit to proceed through the Small Claims Court by default. Where an action is brought in Superior Court that is under the $25,000 limit and only monetary damages are sought, the judge may penalize the plaintiff for neglecting to go through the Small Claims Court route. It is therefore in the best interests of parties to be aware of the unique Small Claims Court process.

COMMENCING AN ACTION IN SMALL CLAIMS COURT

Where an injured party (the plaintiff) wishes to commence a Small Claims Court action, s/he must file a written document called a Plaintiff's Claim which contains a story of the events surrounding the case, along with any relevant physical written evidence (known as documentary evidence) that proves his/her case. Once the document is filed with the court, arrangements are made to send a copy of the Plaintiff's Claim to the defendant(s).

Where starting a Small Claims Court action, civil limitation periods apply. A limitation period is a timeframe in which a plaintiff must bring an action. Generally, the limitation period starts once the harmful action complained of occurs, and lasts for a period of 2 years from that date. If, for example, the wrongful action of the defendant(s) occurred on January 1, 2013, the plaintiff has until January 1, 2015 to file their claim.

WHAT EVIDENCE SHOULD BE INCLUDED TO PROVE THE PLAINTIFF'S CLAIM?

The documentary evidence the plaintiff will need to include with the claim depends on the specific circumstances of the case. For instance, where the plaintiff alleges that the defendant(s) failed to pay a debt, the plaintiff should include a copy of the loan agreement, proof of previous payment, and any evidence showing the failure to make subsequent payments (like a cheque returned due to insufficient funds in the defendant's account). If damage to property is alleged, the plaintiff should include an invoice for the cost of repairs along with his/her written statement.

Plaintiffs may also need to file affidavits that support their case where they wish to submit witness testimony. An affidavit is a sworn statement made by the plaintiff or a witness setting out the story they wish to tell. The story need only cover the facts, and does not need to touch on legal principles.

Where the parties have made a verbal agreement, the plaintiff may not have witnesses or the documentary evidence to prove their case. This makes proving

the claim more difficult, though not impossible, as it becomes a "your word against mine" dispute.

RESPONDING TO AN ACTION IN SMALL CLAIMS COURT

Once given notice of the claim, a defendant has 20 days to respond by filing their Statement of Defence with the court. This is then sent to the plaintiff. Where a defendant fails to respond, the plaintiff may be awarded judgement in the defendant's absence as if an actual trial had taken place. It is therefore in the best interests of the defendant to respond rather than ignore a Plaintiff's Claim.

Like the Plaintiff's Claim, a Statement of Defence sets out the defendant's side of the story, along with any documentary evidence necessary to prove their case. The defence sets out those facts from the Plaintiff's Claim that the defendant agrees to, and those that the defendant disputes.

Where a defendant feels that the plaintiff has committed a wrong against them, the defendant may indicate that in the defence form and file a Defendant's Claim. Alternatively, if the defendant feels the wrong committed by the plaintiff was due to the actions of a third party, s/he may also file a Defendant's Claim and bring the third party into the action as well. The Defendant's Claim, like the Plaintiff's Claim, must include the defendant's written story against the plaintiff or third party, as well as any documentary evidence the defendant is relying on. When you fill out a Defendant's Claim, you are the plaintiff since you are now the one making a claim. This is referred to as being "A Plaintiff by Defendant's Claim." In your Defendant's Claim, it is important to correctly identify who you are suing.

WHAT IS A LIST OF PROPOSED WITNESSES?

The parties will need to identify the names and positions of any proposed witnesses they wish to take the stand at trial. This List of Proposed Witnesses is disclosed in order to give the other side an idea of what to expect at trial, and which witnesses to prepare questions for. The List of Proposed Witnesses does not need to be included in the original Plaintiff's Claim or Statement of Defence, but must be filed up to 14 days before the date of the Settlement Conference.

WHAT IS A SETTLEMENT CONFERENCE?

A trial is not immediately scheduled after both parties have filed their stories with the court. Instead, the court gives the parties notice of the date on which a mandatory Settlement Conference will be held. A Settlement Conference

is a private, informal meeting between the parties and a judge that is held at the courthouse before trial. The judge will go over the cases of both parties, attempting to get them to recognize their strengths and weaknesses in order to find a middle ground and resolve the case before trial. Any recommendations made by the judge will be "non-binding" on the parties, meaning they are not legally obligated to follow the judge's decision.

At times, the parties may agree to resolve all or some elements of the dispute at the Settlement Conference. Where the parties are unable to reach a full resolution, a trial will be scheduled to cover the remaining matters still in dispute.

WHAT HAPPENS LEADING UP TO TRIAL?

The parties may choose to continue to negotiate even after a trial date is set to avoid the costs and court fees of holding a trial. Negotiations may take place informally through verbal or written communication, or more formally through the Offer to Settle format. Either party can make a written Offer to Settle to the other party at any time until a judge disposes of the case.

Where an Offer to Settle is made and rejected by the opposing party, it may have consequences on the costs awarded by the judge. Specifically, where a judgement is made at trial that is equally or less favourable to the party that rejected the Offer to Settle, the rejecting party will be penalized by having to pay the other party's costs.

If the other party wishes to accept an Offer to Settle, s/he must do so in writing and serve an acceptance of the offer. Where the parties agree to resolve the matter before trial, a mutual Terms of Settlement form is filled out and signed by both parties. The parties must then file the Terms of Settlement form to notify the court that the action has settled. An agreed upon Terms of Settlement will be binding on the parties. Where the defendant fails to fulfill their part of the settlement, the plaintiff can either ask the court to enforce the Terms of Settlement, or re-open the case by going to trial as if there was no settlement.

WHAT HAPPENS AT TRIAL?

Where the parties fail to negotiate a settlement, the trial will go on as scheduled. A different judge than the one present at the Settlement Conference will preside at trial. The purpose of having a new judge is to make sure the dispute is resolved independently and fairly without any preconceived biases.

At no point in time should the parties mention any of the discussions that took place at the private Settlement Conference. Any Offers to Accept should also not be disclosed until the judge has made his/her judgement and is deciding upon the amount to award the successful party.

At trial, the plaintiff addresses the court first and presents his/her case. To succeed, the plaintiff must satisfy the court that the defendant's wrongful actions caused the plaintiff's loss on a balance of probabilities. In other words, the plaintiff must prove that it was more likely than not that the defendant's actions caused the loss.

The plaintiff begins by identifying the agreed upon facts not in dispute, telling their version of the events and then calling their witnesses to give further evidence. Any physical or documentary evidence the plaintiff wishes to rely upon must be presented and submitted to the court through verbal testimony during direct examination. For example, where the plaintiff has suffered a physical injury and wishes to recover medical costs, s/he will need to refer to the medical bill while giving evidence, and submit it as an exhibit to the case. Any photographs taken of the injury or damage should also be referred to and submitted as exhibits. Only physical and documentary evidence submitted as an exhibit will be considered by the judge in deciding the case, regardless of whether it was included along with the original Plaintiff's Claim or not.

The defendant(s) will then be given an opportunity to cross-examine, or question both the plaintiff and the plaintiff's witnesses that take the stand. The plaintiff can make a reply after the defendant's cross-examination by re-questioning any witness, but only where the defendant's questioning has raised new issues that weren't previously dealt with by the plaintiff.

Once the plaintiff has made their case, the defendant(s) will be able to tell their version of the case, call witnesses and submit any exhibits s/he wishes to rely upon. The defendant should attempt to counter or disprove the evidence of the plaintiff in order to prove their case. Just like the defendant, the plaintiff will then be given an opportunity to cross-examine the defendant(s) and his/her witnesses after they have given their testimony. The defendant then has an opportunity to reply, if necessary.

Once the defendant(s) closes their case, both parties will be given an opportunity to provide their closing arguments, starting with the plaintiff. The court will then break and the parties will wait for the judge to return with their decision.

When the judge returns with a decision, the successful party can ask that the other side pay for their costs and court fees.

WHAT HAPPENS AFTER TRIAL? WHAT IF ONE SIDE IS UNHAPPY WITH THE DECISION?

If the plaintiff is successful at trial, the defendant may have to pay damages as determined by the judge. Where the defendant fails to pay, the plaintiff has different choices available to enforce the judgement. For example, the plaintiff can apply to the court to have a percentage of the defendant's wages automatically provided to the plaintiff, or have the defendant's bank account "frozen" to pay for the debt.

The unsuccessful party, if unhappy with the result, can appeal amounts over $2500, not including courts costs, to the Divisional Court. An appeal is based upon your belief that a judge made a significant mistake. It is not an opportunity to retell your story. The Divisional Court is the final court of appeal for Small Claims Court actions. The reason the parties are only given one opportunity to appeal the case is because the amounts involved in such cases are so minimal that it would be inefficient and too costly to hear the matters further.

COURTROOM ETIQUETTE FOR A SMALL CLAIMS COURT MOCK HEARING

REMEMBER TO:

» Speak clearly

» Use an appropriate volume

» Try not to say "um", "ah" or "okay"

» Do not go too fast

- The courtroom is a formal setting, and there are some specific etiquette rules to follow that may not be familiar to you. Here are some pointers:
- When facing the judge, the plaintiff usually sits at the table to the left and the defendant sits at the table to the right.
- When the judge enters, both parties and everyone else in the courtroom must stand. The parties then bow as a sign of respect to the judge. Sit down when the clerk instructs everyone to do so.
- When you are getting ready to address the judge, either stand at your table or by the podium (if there is one). Wait until the judge seems ready to proceed. They may nod or may say that you can proceed. If you are not sure, ask if you may proceed.
- The first party to address the court should introduce themselves. For example, you might say: "Good morning/afternoon, Your Honour. My name is _____ and I am the named plaintiff in this action (or (one of) the named defendant(s)).
- Every other party should introduce themselves again before starting to address the court.
- If it is not your turn to address the judge, pay attention to what is happening. Take notes that you can use during your submissions or closing statements.
- Try not to distract the judge. If you need to talk with your witnesses, write a note.
- Stand every time you are addressing or being addressed by the judge. You must also stand when questioning your witnesses.
- Refer to the other party and witnesses respectfully. For example, where referring to the plaintiff, state "Mr./Mrs./Ms. [position or name of the party]".
- Address the judge formally: "Your/ His/ Her Honour"
- Do not interrupt the judge, and if s/he interrupts you, stop and wait until they are finished before replying. Never interrupt or object while the other side is addressing the court. Wait until you are specifically asked by the judge to respond to a point argued by the opposing party.

- If the judge asks you a question, take your time to think before replying. If you did not hear the question, or are confused by it, ask them to repeat or restate the question. If you do not know the answer, say so. Once a question has been answered, pick up from where you were before the question.

SMALL CLAIMS COURT MOCK HEARING TIME CHART

ORDER	ACTION	TIME LIMIT
1	Plaintiff and defendant take their seats and judge enters	1 min
2	Clerk calls court to order	2 min
3	Plaintiff and defendant stand and introduce themselves	1 min
PLAINTIFF'S CASE		
4	Plaintiff's opening statement	3 min
5	Plaintiff takes the stand (direct examination by plaintiff's lawyer or paralegal, if applicable)*	4 min
6	Defendant's cross-examination of the plaintiff	4 min
7	Plaintiff's direct examination of plaintiff witness #1	4 min
8	Defendant's cross-examination of plaintiff witness #1	4 min
DEFENDANT'S CASE		
9	Defendant's open statement	3 min
10	Defendant takes the stand (direct examination by defendant's lawyer or paralegal, if applicable)*	4 min
11	Plaintiff's cross-examination of defendant	4 min
12	Defendant's direct examination of defendant witness #1	4 min
13	Plaintiff's cross-examination of defendant witness #1	4 min
CLOSING STATEMENTS		
14	Plaintiff's closing statement	4 min
15	Defendant's closing statement	4 min
DECISION		
16	Judge leaves. Court is adjourned by clerk to await the judge's return	5 min
17	Judge returns and clerk calls court back to order. Judge explains the decision and discusses next steps if applicable.	5 min
TOTAL		60 min

* If the roles of paralegals or lawyers are being included, the direct and cross examinations will be completed by the lawyer or paralegal, rather than the plaintiff and defendant. Steps 7-8 and 12-13 can be repeated to accommodate multiple witnesses.

ROLE PREPARATION FOR THE PLAINTIFF

The role of the plaintiff is to argue that the defendant's wrongful actions have resulted in injury or loss to the plaintiff.

- Once both parties have been introduced and all parties are ready to proceed:
- Read the agreed upon facts and provide a summary of any facts currently in dispute.
- Provide evidence as to your version of the events and submit any physical or documentary evidence necessary to prove your case.
- You must show two things: (1) the defendant did something wrong to you for which you should compensated and (2) you have to prove your damages, or what it will cost to "fix" this wrong.

Additionally, you...

- May call witnesses to give testimony to confirm your version of the events. If more than one witness is to be called, remember that others must be excused from the courtroom when not being examined.
- May consider making a reply to a defendant's cross-examination where they have brought forward issues not originally dealt with in your first submissions or questioning of the witness. This does not mean you can use a reply to simply repeat what was said during direct examination.
- Will cross examine witnesses called by the defendant (if any).
- Will prepare and deliver a closing statement.

Please consult pages 13–16 for guidelines on preparing an opening statement, direct examination, cross-examination and closing statements.

ROLE PREPARATION FOR THE DEFENDANT

The role of the defendant is to convince the court that the plaintiff is mistaken in their evidence, or that the defendant was not the true cause of the injury or loss suffered by the plaintiff. In order to do this, you will need to refer to documentary and verbal evidence from witnesses.

Where making a Defendant's Claim, the defendant must show that the plaintiff or third party has committed a wrongful act that has caused the defendant's injury or loss.

Additionally, you...

- Will cross-examine the plaintiff on their version of the events that took place.
- Will cross examine witnesses called by the plaintiff (if any).
- Will provide your version of the events once the plaintiff has closed their case.
- May call witnesses to give testimony about why the plaintiff is mistaken or another party should be held responsible.
- Will prepare and deliver a closing statement.

Please consult pages 13–16 for guidelines on preparing an opening statement, direct examination, cross-examination and closing statements.

ROLE PREPARATION FOR THE PLAINTIFF AND DEFENDANT

WHAT IS AN OPENING STATEMENT?

The opening statement gives a brief overview of your case.

HOW TO PREPARE AN OPENING STATEMENT

Thoroughly review what happened and your witnesses' fact sheets.

Select which facts should be included in the opening statement. Include the central facts to your case that are not likely to be challenged by the other side.

Stick to facts. The facts are what will paint the picture for the judge.

The purpose of an opening statement is to tell the judge what they will hear in the course of the trial. It is best to stick to uncontested facts.

When giving the opening arguments, try to speak in short, clear sentences. Be brief and to the point.

Have notes handy to refresh your memory.

PREPARING FOR DIRECT AND CROSS EXAMINATION

Both the plaintiff and defendant try to make their case by asking questions of witnesses that they hope will persuade the court to decide in their favour. Direct examination is a party's opportunity to ask questions of a witness for their side

of the case, while cross examination is a party's opportunity to challenge the testimony of a witness called by the other side.

Plaintiffs have a duty to show that the defendant's action caused the injury. In contrast, defendants have a duty to disprove the plaintiff's evidence and, where making a Defendant's Claim, show that the plaintiff or third party have committed a wrongful act causing injury or loss to the defendant. When cross-examining a plaintiff's witness, the aim should be to attack the credibility of that witness, or to disprove the statements made by that witness through other evidence. To challenge a witness' credibility, the defendant may point to the fact that the witness has an ulterior motive in agreeing with the plaintiff, or stands to profit from the success of the plaintiff.

HOW TO PREPARE FOR DIRECT EXAMINATION

- Write down all the things that your side is trying to prove.
- Read the witness' fact sheets carefully, several times over.
- Make a list of all the facts that help your case.
- Put a star beside the most important facts that you must make sure that your witness talks about.
- Create questions to ask the witness that will help the witness tell a story:
  - Start with questions that will let the witness tell the court who s/he is ("What is your name? What do you do? How long have you worked in that job?").
  - Move to the events in question ("What was your involvement here? Where were you? When did you first hear there was a problem?").
  - Move to more specific questions ("What did you see? What did you do after that happened?).

But remember:

- Keep your questions short.
- Use simple language.

It is okay to go over the questions ahead of time with your witnesses, but you cannot tell them how to respond.

Remember not to ask leading questions. A leading question is a question that suggests the answer. A quick rule of thumb is: a leading question usually produces a "yes" or "no" answer.

- An example of a leading question is "Was the man six feet tall and about 25 years old?"
- Instead you might ask: "Please describe what the man looked like." Or, "How old was he? How tall?"

When your witness is in the witness box, do not be afraid to ask a question twice, using different words, if you do not get the answer you were expecting.

HOW TO PREPARE FOR CROSS-EXAMINATION

Make a list of all the facts in the witness' testimony that help your case.

If there are a lot of facts that don't help your case, can you find a way to challenge the witness' credibility? For example, can you show that the witness made a mistake, did not see things clearly, or has a reason for not telling the truth?

All of your questions should be leading. You don't want to give the witness a chance to explain. You just want the witnesses to answer "yes" or "no."

Depending on what the witnesses say, you might need to come up with different questions on the spot during the trial to make sure you cover everything.

WHAT IS A CLOSING STATEMENT?

This is your last opportunity to communicate to the judge. The closing statement should logically and forcefully summarize your side's position and the reasons why you are entitled to win.

HOW TO PREPARE CLOSING STATEMENTS

Write down your key arguments and summarize the important facts that you want to stick in the mind of the judge.

When delivering the closing arguments, try to speak in short, clear sentences. Be brief and to the point.

You can only refer to evidence that actually was given during the trial. This may mean you have to re-write your closing statement to some degree during the trial if evidence you were expecting to come out did not actually do so. It also means that you can re-write your closing statement to include anything "incriminating" said by the other side, or their witnesses that helps your case.

Where a witness for the other side admitted something important to your case, point that out in your closing statement.

PLAINTIFFS:

- Summarize the evidence that shows why your evidence is true.
- Summarize the evidence that demonstrates why any arguments made by the defendant should be considered false.

DEFENDANTS:

- Summarize the evidence that shows why the plaintiff's evidence could be mistaken.
- Summarize the evidence that shows why the defendant's alternative facts are more reasonable and likely to have happened.

ROLE PREPARATION FOR THE JUDGE

The role of a judge is to preside over the hearing and make a decision on the particular case being heard. When this role is filled by a volunteer justice sector professional, judges are also asked to provide comments to each of the parties and witnesses after reaching a decision (positive feedback and constructive criticism).

The judge's role is to:

- Be a referee – preside over the Small Claims Court mock hearing.
- If one of the parties objects to a question by the other side, decide whether or not the witness must answer the question.
- At the end of the trial, summarize what the law and evidence is relating to this case.
- Decide, based on arguments and evidence introduced during the trial, whether to rule in favour of the plaintiff or the defendant.

Explain your decision. You can rely on the oral testimony, the credibility of witnesses, documentary evidence, the case law and legislation.

ROLE PREPARATION FOR THE COURT CLERK

Your role is to help the judge make sure that the trial runs smoothly.

YOU WILL:

- Open the court.
- Swear in the witnesses.
- Mark (number) and deliver the exhibits to the judge.
- Announce adjournments.
- Close the court.

HOW TO OPEN THE COURT:

When all participants are in their places, the judge will enter the courtroom. At this point, you will stand up and say:

> *"Order in the court, all rise. The Honourable Justice _____ (last name of judge) presiding."*

After the judge has sat down, you say:

> *"Ontario Superior Court is now in session, please be seated."*

HOW TO SWEAR IN WITNESSES:

When a witness takes a seat in the witness box, you will swear them in by saying:

> *"Will you please state your name for the court? Please spell your first and last name."*

Ask the witness:

> *"Do you wish to affirm or swear on a holy book?*

If the witness chooses to **affirm**, you ask:

> *"Do you solemnly affirm that the evidence you are about to give, shall be the truth, the whole truth and nothing but the truth?"*

If the witness chooses to **swear** on a holy book, you ask:

> *"Do you swear that the evidence you are about to give, shall be the truth, the whole truth and nothing but the truth, so help you God?"*

MARKING EXHIBITS:

Once a party introduces an exhibit during the trial, they will hand it to you. You will number the exhibit in the chronological order in which it was introduced, and hand it over to the judge. Parties should not hand any documents directly to the judge; they must go through the clerk.

ANNOUNCING ADJOURNMENTS:

After the parties have made their closing arguments and the judge needs to take a short break (in order to come to a decision), you will stand and say:

> *"All rise please. Court will now recess for five minutes. "*

CLOSING THE COURT:

When the judge is ready to return to the courtroom, you will call the courtroom back to order and ask everyone to rise:

> *"Court is now resumed, please be seated."*

The judge will announce their decision (for the plaintiff or defendant) and provide an explanation of this decision. When they have finished, you will stand and say:

> *"All rise. Court is adjourned."*

ROLE PREPARATION FOR COURT ARTIST

In Canadian courts, cameras are not allowed in the trial level courtroom. Your job is to sketch what is taking place in the courtroom for record keeping and for reporting to the public. Perhaps your sketches might appear in the newspaper or on TV news.

Divide up the roles so that one of you is:

- Sketching the witnesses.
- Sketching the plaintiff and defendant lawyers in action.

ROLE PREPARATION FOR MEMBERS OF THE PRESS

THINGS FOR YOU TO THINK ABOUT REPORTING ON:

- What is the name of the case?
- Who are the people involved?
- Which court is the hearing taking place in?
- Why is the trial taking place?
- What is the plaintiff arguing the defendant did?
- What are the key facts?
- What is the outcome/decision?
- Is there anything you want to ask the plaintiff or defendant about after the case?
- Are there any other things you want to say in general in your article about these particular types of cases?