

ATTENDING A HEARING

Who can attend a hearing?

- The LSBC Tribunal welcomes people who want to watch what happens in its hearing rooms.
- Public access to regulatory hearings is an important principle in Canada. Public access guarantees the integrity of administrative processes as the transparency that flows from that access ensures that justice is rendered in a manner that is not arbitrary but is in accordance with the rule of law.
- LSBC Tribunal hearings before panels and review boards are open to the public, subject to limited exceptions primarily to preserve confidentiality between lawyers and clients.
- All decisions of panels and review boards are published by posting on the website, although in some cases the Law Society Rules require that the name of the applicant or respondent not be published.

How do I know when a hearing is scheduled?

- You can find out the cases scheduled to be heard on any given day by looking at the Hearing Schedule posted on the LSBC Tribunal website.
- The Hearing Schedule lists all cases that are scheduled for prehearing, hearing or review.
- If you click on any of the cases listed, you can then review the publically filed documents connected with that case to learn what the matter is about.
- A few days before attending the hearing, contact the Tribunal Office to ensure that the hearing format has not changed and, if applicable, to request the log in information for a video conference hearing.

How do I know whether the hearing is in-person or by video conference?

- All prehearing, hearings and reviews are scheduled to be conducted by way of video conferences (see the [Zoom Guide for Hearing Participants](#) for more information)
- The parties may however agree or one of the parties may bring an application to conduct the hearing or review as an in-person hearing at the LSBC Tribunal offices. Whether such an application will be granted will depend on a number of factors including whether facts are in dispute, whether credibility of a witness is in issue and the need for witness accommodation.
- Contact the Tribunal Office a few days before the hearing is scheduled to commence to confirm the hearing format.

Where do I go?

- If the hearing is held by way of a Zoom video-conference, you can watch the hearing from any location on your own electronic device.
- In-person hearings are normally held in one of two hearing rooms located on the 9th floor of the Law Society Building at 845 Cambie Street, Vancouver, V6B 4Z9 (near BC Place on Cambie between Robson and Smythe Streets).
- When you arrive at the building go to the 8th floor reception and a hearing clerk will escort you to the correct hearing room.

What time does the Hearing start?

- Pre-hearing video conferences start at 9:00 am and applications will be heard in the order they were filed with the Tribunal Office or by the estimated time they will take to be heard.
- Hearings on the merits and reviews start at 9:30 am.
- Public and hearing participants are encourage to join the Zoom video-conference or arrive at the hearing room at least 15 minutes before the start of the proceeding.

Electronic Devices

- Members of the public may not use electronic devices of any sort (including smartphones, cell phones, computers, laptops, tablets, notebooks, personal digital assistants, Google glasses and similar devices) to transmit or receive text, audio or video, or to record, photograph or digitally transcribe while in a hearing room.
- No one is permitted to record, photograph or digitally transcribe virtual proceedings.
- A court reporter is in attendance to record the proceedings and, subject to an order from the LSBC Tribunal, is the only person permitted to photograph or record the proceeding.

What to wear

- People attending an in-person do not have to wear anything special, but if you own culturally appropriate business-like clothing, it's a good idea to wear it when you come to a hearing. This is a way to show you respect the hearing process and understand that a tribunal is a more formal setting.
- Hats or head coverings are not permitted in the hearing room, except for religious reasons.
- The audio and visual screens for non-participants is turned off during video conferences, so you can wear anything if watching a hearing on-line.

How should I behave in the hearing room?

- Be courteous and respectful.
- Obey instructions from the panel or review board.
- Failure to treat the proceedings with due respect can result in your being removed from the hearing.
- Refrain from speaking to or otherwise distracting the people participating in the hearing.
- No talking once the hearing starts.
- Please arrive before the start of the hearing, as entering and leaving the hearing room can be distracting.
- Please turn off your cell phone or other electronic devices before entering the hearing room.
- No eating or drinking in the hearing room except for water.
- Sunglasses are not permitted except for medical reasons

What will happen in a hearing on the merits?

- The hearing room will be occupied by Law Society counsel, the licensee or licensee applicant, who may or may not have counsel, and a court reporter.
- There may be other visitors sitting at the back of the room (the gallery).
- The hearing clerk assigned to the hearing may also be present for some or all of the hearing. On occasion, security may also be present.
- The hearing panel will enter the room at the scheduled hearing time.
- Witnesses will normally wait outside the hearing room until they are called to give their testimony.
- As in the courts, the party requesting the hearing starts first (in discipline matters this is the Law Society). The responding party then presents their case.
- Occasionally, the public or a witness may be asked to leave the room during testimony or legal argument. It usually means that privileged or confidential information is being discussed. A staff member will let you know when you can return.
- For Zoom hearings, you will be able to see the hearing participants on your computer or electronic device.

- A morning, lunch and afternoon break will be ordered by the panel. The timing and length of these breaks varies. Usually there is a 15 minute break in the morning, a one hour to one and a half hour lunch and a fifteen minute break in the afternoon.
- The hearing normally ends for the day at 4:30 but again the timing may vary. A panel may start a hearing early or sit late into the evening if that is needed to ensure that the hearing progresses in a timely manner.



If I can't attend a hearing

- Another way to monitor what the LSBC Tribunal does is to read the decisions posted on the LSBCTribunal.ca website or on CanLII.org (a free website that provides access to court judgments from all Canadian courts and many disciplinary and other tribunals including the LSBC Tribunal).
- Reviewing these decisions and the panels' reasons will provide a broad perspective on what the LSBC Tribunal does on a daily basis.

