

MICK HASSELL, B.COM.,M.PHIL.,LL.B.

HEATHER HUI-LITWIN, PH.D.,J.D., LL.M.

OVERVIEW OF A LAWSUIT

© Classroom for Self-Reps 2019

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Hon. Justice Lloyd Budzinski on Criminal Justice in Ontario



Thu May 02, 2019
 6:30 p.m. - 8:00 p.m.
 90 mins

Location

[Toronto Reference Library](#)
 Beeton Hall

Have you ever wondered what it's like to be a judge? How they are chosen? How does a judge decide on reliability, or determine a witness's credibility? How does a judge deal with the effect of bias on the witness? What is the best way to put your case forward?

The Toronto Reference Library is extremely pleased to welcome The Honourable Mr. Justice Lloyd Budzinski to speak in this very special seminar. Justice Budzinski has been a judge at the Ontario Court of Justice for over 25 years, presiding over

**MAY 2, 2019. BEETON HALL
 TORONTO REFERENCE LIBRARY**

WARNING

- ▶ Today's session is general legal information only, based on Ontario's Rules of Civil Procedure.
- ▶ For legal advice, please consult a lawyer or paralegal.



6 MAIN PHASES

- ▶ Pleadings
- ▶ Discovery
- ▶ Conferences
- ▶ Trial
- ▶ Appeal
- ▶ Enforcement

CONSIDER....

- ▶ How good is your case?
- ▶ Understand “costs consequences”
- ▶ Consider mediation and arbitration

1. PLEADINGS

Purpose:

- ▶ Give notice to the parties in the lawsuit
- ▶ Defines the dispute

2. DISCOVERY

Purpose:

- ▶ find out more about the other side's case
- ▶ impeachment

3A. CONFERENCES

- ▶ Purpose: get the parties to settle out of court
 - ▶ Pre-trial or Settlement Conference

3B. MOTIONS

- ▶ Mini-hearing on a procedural issue BEFORE trial
 - ▶ eg. ask the court to compel the other side to attend discoveries
- ▶ Motions can be brought at trial too
- ▶ Need to know: rules, case law, practice directions

4. TRIAL

Purpose: ask a judge to decide who “wins” in the litigation

- ▶ See Mick Hassell’s Trial Manual

<http://trialcounsel.ca/ontario-civil-trial-manual/>



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COSTS

- ▶ After the trial, the “loser” may be ordered to pay the “costs” to the “winner”
- ▶ Costs= not usually 100% of how much winner spent!
- ▶ Amount of cost award depends on factors: eg. Offer to settle

5. APPEAL

- ▶ What if you don't like the trial judge's decision?
 - ▶ Sue again in a second lawsuit? NO
 - ▶ You file an appeal
- ▶ Appeals are NOT re-trials.
- ▶ Appeals: How did the trial judge "err"?
- ▶ *note* Appeal procedures are very complicated. Please consult with a lawyer who is experienced with appeals.


6. ENFORCEMENT

- ▶ It's up to the winning party to collect the judgement.



FEEDBACK




- ▶ Want a TPL talk about family law procedures? Please email me hh@litigation-help.com
- ▶ Also check out our next talk at TPL:



Divorce and Separation: What are my Options?

Wed May 15, 2019
6:30 p.m. - 8:00 p.m.
90 mins

Location
[S. Walter Stewart](#)

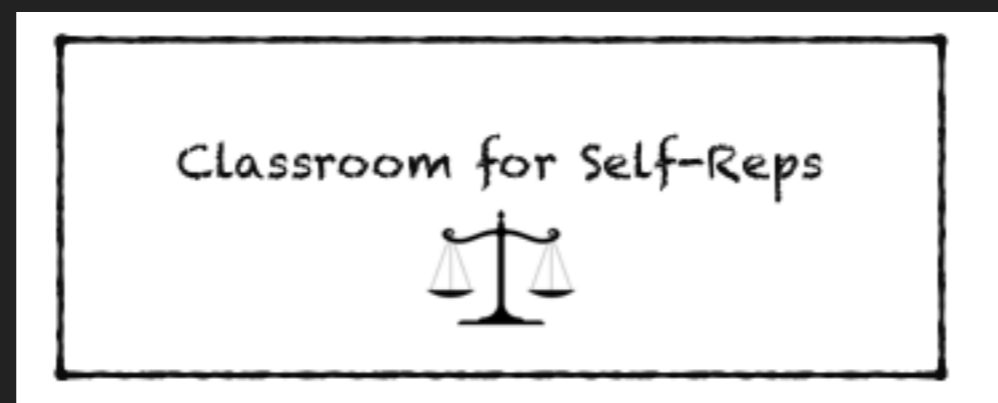
FOR MORE INFORMATION

- ▶ Superior Court: <http://trialcounsel.ca/steps-in-a-lawsuit/>
- ▶ Small Claims: <http://trialcounsel.ca/small-claims-court-overview-useful-links/>



MORE INFORMATION

- ▶ Resources for the public on litigation: <http://litigation-help.com/classroom-for-self-reps/>
- ▶ Check out my talks schedule: <http://litigation-help.com/library-talks/>



An aerial, high-angle photograph of a large stadium under construction. The stadium's roof is a complex, curved structure made of dark, textured panels. A single person is visible walking on a narrow path along the edge of the roof, providing a sense of scale. The lighting is dramatic, with strong shadows and highlights.

QUESTIONS?

MICK HASSELL, WWW.TRIALCOUNSEL.CA,

HEATHER HUI-LITWIN, WWW.LITIGATION-HELP.COM