

DISCIPLINE COMMITTEE PRACTICE DIRECTION: ELECTRONIC HEARINGS
Made Under the Rules of Practice Before the Discipline Committee and the Appeals Committee

INTRODUCTION

The Discipline Committee is dedicated to ensuring Hearings are open, accessible, and efficient for all parties, as well as for the public. Due to the COVID-19 pandemic, all in-person disciplinary proceedings have been discontinued for the foreseeable future.

Discipline hearings will be conducted instead using Zoom videoconferencing and will be administered by a third party. The Discipline Committee's Hearings Officer ("H.O.") will be available to provide administrative assistance to the parties throughout the process. Remote Hearings will ensure that the Committee fulfills its public protection mandate by moving matters forward expeditiously, while ensuring compliance with public health guidelines.

ELECTRONIC HEARINGS

How to Prepare for a Videoconference

Parties will be provided with a Zoom link at least 48 hours in advance of the Hearing. Participants must ensure that they have access to all related documents and tools before the proceeding.

Parties are responsible for providing the link to their witnesses and informing them that they must join the Zoom meeting at the prescribed time. Once the Hearing commences, witnesses may be instructed by the Panel Chair to leave the Hearing and return when they are required to give their evidence.

Hearing Etiquette

All individuals participating in electronic hearings are expected to be respectful of the other participants and the procedure by adhering to the following guidelines:

- Please use your full name as your profile name when you join the meeting.
- Mute computer microphones and telephone when not speaking.
- Wait for direction from the Panel Chair to speak.
- During the proceeding the participants must keep their video function on.
- Use the "hand raise" function in videoconferences if you need to speak out of turn.
- Log into Zoom 15 minutes in advance of the hearing and return promptly from any scheduled break.
- Dress code for hearings conducted via videoconference is business attire.

- Although the usual norms of an in-person hearing, such as standing when the Panel enters, cannot be respected during an electronic hearing, all participants shall maintain a high level of professionalism and respect for the process throughout.

Panel Deliberations and Breakout Sessions

- The Panel will be given a private breakout room within Zoom to deliberate during the hearing.
- A separate breakout room can be provided to the parties if needed.
- Parties will be given information in advance on how to dial into the videoconference for their breakout room to ensure complete audio and visual privacy

Electronic Copies of Documents

During the hearing, the H.O. or the third party administering the videoconference will display documents; if requested, throughout the Hearing. As such, the parties are directed to file the electronic copies of all the documents that they intend to rely upon at least 3 business days before the hearing by email at discipline@omvic.on.ca

Court Reporter and Transcript

- A court reporter will make an audio recording of hearings held by videoconference. The transcript can be ordered in the usual course.
- Recordings by the parties in video, audio or any other form are strictly prohibited.

Observers of the Hearing

Observers of a proceeding will be expected to cooperate with the instructions of the Panel while on the call:

- Observers will be expected to be present from the start of the hearing and will not be admitted from the virtual waiting room unless there is a break in the hearing.
- Observers will be asked to state their name and the purpose for attending the Hearing.
- Observers should remain silent and mute their microphone throughout the Hearing.