





ASSISTING CLIENTS IN THE BUILT ENVIRONMENT

# Coming Out of COVID — Litigation in the New Normal

May 1, 2020

Catherine DiMarco, Partner, Heal & Co LLP Rahul Shastri, Partner, Kagan Shastri Peter Vetsch – Partner, Rose LLP

© Heal & Co LLP, Suite 1604 250 Yonge Street Toronto Canada M5B 2L7 Phone: 416.583.5900 www.healandco.com

### Introduction

- How we can leverage the technological imperatives resulting from the COVID-19 pandemic to encourage further and better use of technology
- The contractual path forward
- Updating and improving site safety practices driven by COVID-19

## The Technology Path Forward

#### Generally

- Huge uptick in technological momentum
- Moving from the old paper-based system is long overdue

### The Technology Path Forward

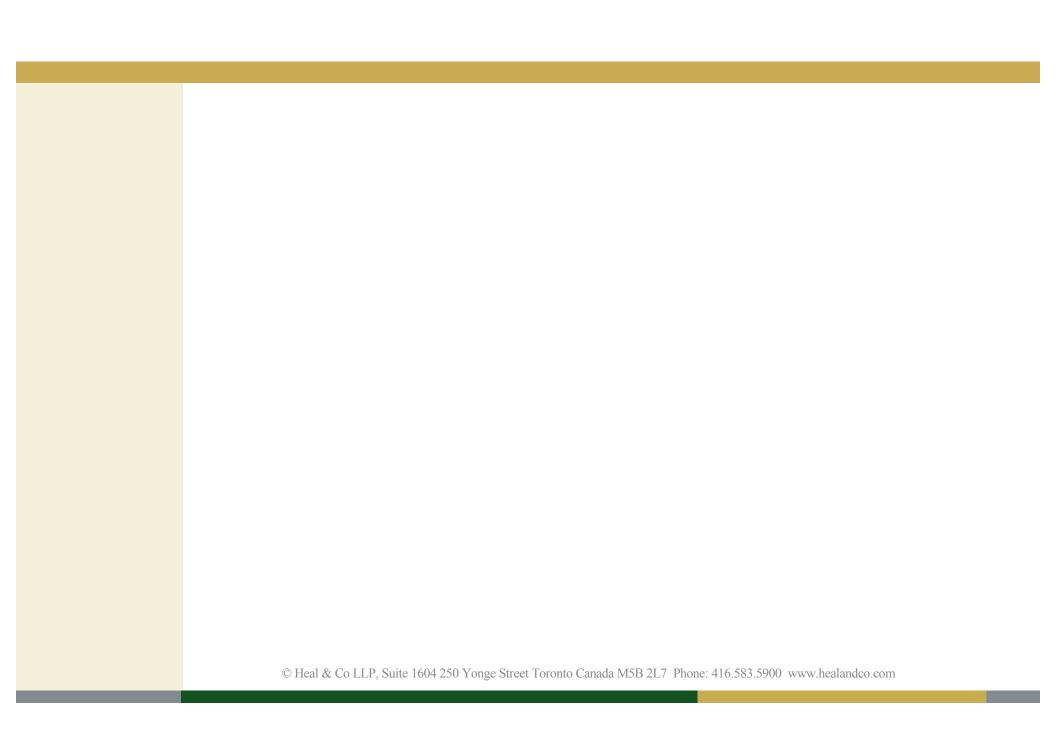
#### Among Counsel:

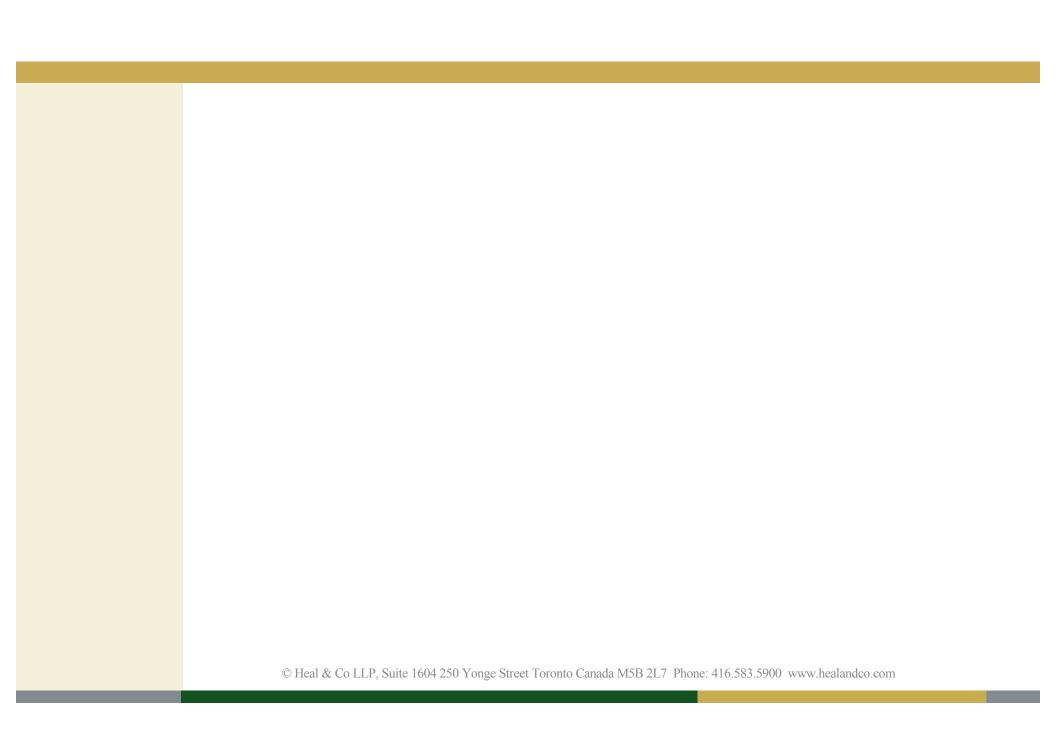
- Document exchange (summation and other older programs, now E-Clipse, Relativity, and others).
- Remote commissioning of affidavits
- Service
- Examinations for Discovery via webinar
- Some lawyers are still hesitant to embrace technology

### The Technology Path Forward

#### With the Court

- Huge uptick in technological momentum
- Moving from the old paper-based system is long overdue
- Ontario Notice to Profession [urgent matters, Divisional Court, Judicial Pre-Trials, Construction matters ex parte or on consent]
- Court Call
- The Chief Justices' Working Groups are studying the process of system changes with an eye towards what will be sustainable in the long run (post COVID-19)
- Justice Morawetz: paper-based system is not going to exist anymore





## **Conclusions / Questions**

• Any Questions?

## **Are there any Questions?**



Catherine DiMarco <a href="mailto:cdimarco@healandco.com">cdimarco@healandco.com</a>

Tel: 416-583-5902