



Heal & Co. LLP LAWYERS

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

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
cdimarco@healandco.com
Tel: 416-583-5902