

**CHECK THE PROGRESS OF YOUR CASE**

Are you unsure of where your case stands? Has your lawyer not been keeping you up-to-date? You should know exactly where your case stands at all times. There are 12 steps that are necessary for a personal injury case to move through the legal system. Ask your lawyer the questions below. You will learn where your case stands and knows what lies ahead. For further information about how you can learn where your case stands, please feel free to call us for a free consultation.

Step:	Question:	Answer:	Comments:
1	Have you issued a statement of claim? Answer 'yes' or 'no'.		When?
A Statement of Claim starts a lawsuit.			
2	Have you served the Statement of Claim? Answer 'yes' or 'no'.		When?
Service of the Statement of Claim requires the insurance company to respond.			
3	Have you received a Statement of Defence from the lawyer for the insurance company?		When?
A Statement of Defence is the response to the Statement of Claim the lawyer for the insurance company delivers.			
4	Have you delivered an Affidavit of Documents (a list of all relevant documents) on my behalf?		When?
Your Affidavit of Documents contains a list of documents like medical records, financial documents, photos and other relevant documents.			
5	Have you received an Affidavit of Documents from the lawyer for the insurance company?		When?
An Affidavit of Documents for the defence contains a list of documents like an insurance policy, photos of the vehicles, & other relevant documents.			
6	Have you arranged examinations for discovery?		When?
An examination for discovery is where we ask the defendant questions and the opposing lawyer asks you questions relevant to the case.			

Step	Question	Answer	Comments:
7	Have you got a date for a mediation? (mandatory in Toronto and voluntary outside of Toronto)?		When?
A mediation is an informal process attended by all parties whereby a mediator attempts to settle the case.			
8	Have you delivered a Trial Record?		When?
A Trial Record is a simple court document that must be delivered in order to move a case forward after examinations for discovery.			
9	Have you completed a Pretrial Certificate (or an equivalent court document)?		When?
A Pretrial Certificate is a form sent by the court to counsel, wherein all counsel are required to estimate the length of the trial provide their witness list.			
10	Have you got a date from the court for a pretrial conference?		When?
A Pretrial Conference is where lawyers without clients see a judge in chambers to try to settle the case.			
11	Have you attended Trial Scheduling Court to set a date for trial?		When?
Trial Scheduling Court is where counsel attend to obtain a date for trial or for trial sittings.			
12	Have you got a date for a trial?		When?
When a trial date is set, this is often causes the case to settle. Less than 1 in 100 cases actually go to trial.			
This chart has been prepared so that you will understand the steps involved in a personal injury case. Sometimes additional steps may be required. For example, we may need to bring a motion to obtain a court Order to compel the other side to produce documents they refuse to produce, or we may need to bring a motion to obtain an Order compelling someone who is not a party to the lawsuit to produce documents. In the majority of cases, it is not necessary to go through all 12 steps before a case is resolved. This is because the vast majority of cases are settled during the course of their claim.			