



# Practice Direction: Case Management Forms

Practice Directions are instructions from the Discipline and Fitness to Practise Committees about how to use and apply the [Rules of Procedure of the Discipline Committee and of the Fitness to Practise Committee](#). They give more details to participants in a discipline or fitness to practise proceeding about **what to do** when they are preparing for or attending a proceeding.

Practice Directions should be read together with the [Rules](#).

## About this Practice Direction

This Practice Direction tells the RECE and the Prosecutor (the lawyer who represents the College) what forms they must use during Case Management. Case Management is described in Rule 3 of the [Rules](#).

## Instructions to Case Management participants

The forms are available as either Word Documents or fillable Acrobat/PDF files. Add your information in the spaces or fields provided. Do not delete or change the text in the form.

Each form must be completed and submitted according to the instructions provided on that form.

Each form can be found on the [Hearings Office's website](#) or by clicking the links below.

## Case Management forms

### Prosecutor's Worksheet – see Rule 3.05

The Prosecutor will use this form before the Case Conference for Understanding. In it, they will outline the information they have about the case and how they are thinking about that information.

The Prosecutor will describe

- a list of documents that have been or will be disclosed to (shared with) the RECE about the case
- their theory of the case (their idea or understanding of what happened in the case)
- their view about what would be appropriate for the panel to order (require) if the RECE were found guilty of the allegations against them

This form is shared with the RECE, because the information in it will help the RECE to understand the case from the Prosecutor's point of view. It will help the RECE understand and make informed decisions about how to respond to the allegations against them.



## **RECE's Worksheet**

The RECE can use this worksheet to break down their thoughts about the case.

The RECE is never required to share this form or any information they add to it with anyone. However, it is highly recommended that the RECE fill out this form for themselves.

During Case Management, the RECE can ask Duty Counsel (the lawyer available at Case Conferences to support the RECE) for advice about what information they might or might not want to share.

## **Proposed Resolution: Discipline Resolution Process – see Rule 3.09(5)(a)**

The RECE and the Prosecutor will use this form to give information about their agreement to the Case Management Facilitator. This could include agreement about facts, agreement about allegations to be withdrawn, and/or agreement about what would be appropriate for the Panel to do or order in the case. The Facilitator will use this information in their report to the Discipline Committee Panel that is completing the Discipline Resolution Process.

## **Consent to Participate in the Discipline Resolution Process – see Rule 3.09(5)(a)**

The RECE and the Prosecutor are required to sign this form stating that they are informed about what is involved in the Discipline Resolution Process, including any legal rights they give up, or waive, and that they freely and voluntarily consent to participating in the Discipline Resolution Process.

## **Plea Inquiry – see Rule 3.09(6)(b)**

If an RECE plans to plead guilty to the allegations against them and a hearing is required, this form is completed during the Case Conference to Plan for Finalization with guidance from the Case Management Facilitator.

It confirms that the RECE's admission was voluntary and unequivocal (clear), and that they understand the consequences of admitting to the allegations.

## **Case Conference Memorandum – see Rules 3.09(7)(a) and (b)**

This form is used before the Case Conference to Plan for Finalization in cases where the RECE and the Prosecutor do not agree about all of the facts **and** about what would be appropriate for the Panel to do or order in the case. This means that there It helps to plan for a fully or partially contested hearing.

In those cases, the Prosecutor must complete this form. The RECE may also complete this form, but they are not required to do so.