



## Practice Direction

# Case Management Forms: Fitness to Practise

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 College's lawyer what forms they must use during Case Management for fitness to practise cases. 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
- why they think the RECE is incapacitated (cannot practise safely because of a health condition)
- their view about what would be appropriate for the panel to order (require) if the RECE were found to be incapacitated



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 accusation that they are incapacitated.

## **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.

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

If an RECE plans to agree at the hearing that they **are** incapacitated, this form is completed before the Case Conference to Plan for Finalization and then reviewed with the Case Management Facilitator during the meeting.

It confirms that the RECE's admission was voluntary and clear and that they understand the consequences of admitting that they are incapacitated.

## **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 College's lawyer do not agree about all of the facts **and** about what would be appropriate for the Panel to do or order in the case. It helps to plan for a fully or partially contested hearing.

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