

When to get Legal Advice in a Judicial Review

	Step	What to bring
1	<p><u>When deciding whether or not to apply for judicial review</u>, ask for advice about:</p> <ul style="list-style-type: none"> (i) naming the proper respondents, (ii) naming and/or serving other interested parties, (iii) the correct style of proceedings, (the formal title of the court case), (iv) what legislation you need to rely on, and (v) your grounds for judicial review (this is very important) <p style="text-align: center;">Remember the 60 day filing deadline</p>	<ul style="list-style-type: none"> ● Clean copies of all documents that were before the Tribunal (no writing or underlining). Try to organize them in chronological order. ● If you give the lawyer a document that was not before the Tribunal, tell her or him that it was not before the Tribunal.
2	<p><u>Before you file for judicial review</u>, ask a lawyer to review your documents to see if you have everything required and that it is all correct. You may need to get the documents re-checked after you have made any changes the lawyer suggests.</p>	<ul style="list-style-type: none"> ● Drafts of all your court documents, including (at least) your petition and affidavit.
3	<p><u>Once you have filed your judicial review and you have received a response to petition, and possibly affidavits from the other side</u>, get advice about whether the other side has a good defense.</p>	<ul style="list-style-type: none"> ● Any court documents you have received from other parties.
4	<p><u>Before your hearing</u>, get advice on a draft of your written argument, and a draft of the petition record. You can also bring a copy of any authorities (cases and statutes) you want to rely on. You may need to get these re-checked after you have made any changes the lawyer suggests.</p>	<ul style="list-style-type: none"> ● Your draft written argument. ● A draft of your petition record. ● Any authorities (cases and statutes) you want to rely on at the hearing.
5	<p><u>Once you get the other side's written argument</u>, get advice on what they have argued and the final version of the petition record.</p>	<ul style="list-style-type: none"> ● The other side's written argument. ● A final copy of the petition record.
6	<p><u>After your court hearing and once you have got the court's decision</u>, get advice on what the decision means and how to prepare an order and a bill of costs if applicable.</p>	<ul style="list-style-type: none"> ● Your notes on what the judge decided. ● Any written reasons the judge issued. ● A draft of the order. ● A draft bill of costs if applicable.