



## **Guideline: Hearing Time Management**

Guidelines support the Assessment Review Board (ARB) Rules of Practice and Procedure and provide guidance about what the ARB expects of the parties and, in turn, what the parties can expect from the ARB. The guidelines assist in understanding the Rules.

### **Purpose of this Guideline:**

This guideline applies to all appeals to be heard by General proceeding.

The purpose of this guideline is to provide direction to all parties regarding the amount of hearing time allowed for opening remarks, the testimony of witnesses including experts, and closing arguments. Compliance with this guideline will ensure effective and efficient use of the Board's hearing time.

### **Time Chart:**

The following chart provides the time that will be allowed for each party to present evidence, call witnesses, and make closing arguments. Pursuant to the Board's Rules of Practice and Procedure, all evidence that is to be relied upon at the hearing is submitted in written format, before the scheduled commencement date for the hearing. The Hearing Member will review these documents in advance of the hearing. For this reason, hearing time will not be required for each witness to orally recite the evidence in the written document. Instead, the written document will be entered into evidence as an Exhibit.

<b>Hearing Item</b>	<b>Time Allotted</b>	<b>Additional Information</b>
Open the hearing	15 minutes	Chair opens hearing and confirms attendance
Attendance	15 minutes	Chair opens hearing and confirms attendance
MPAC presents/opening remarks	Maximum 15 minutes	N/A
Appellant presents/opening remarks	Maximum 15 minutes	N/A
Municipality presents	Maximum 15 minutes	*If in attendance
Witness – challenge to a request to qualify to give opinion evidence	Maximum 30 minutes in total including examination in chief, cross examination, and submissions	*If needed



Witness – Examination in Chief	Maximum 45 minutes	MPAC, Appellant, Municipality – process repeats for each witness
Witness – Cross Examination	Maximum of 75 minutes, in total, for all other parties	MPAC, Appellant, Municipality – process repeats for each witness
Witness – Reply	Maximum 15 minutes	MPAC, Appellant, Municipality – process repeats for each witness
Closing Arguments:  Where total hearing time required is one day or less          Where total hearing time required is more than one day	Oral closing submissions, maximum 30 minutes, in total for all parties, unless the Hearing Member directs that closing arguments be submitted in writing          Closing arguments are to be submitted in writing	          See Guideline: Requirements for Written Submissions

**Settlement Conference:**

As part of a settlement conference brief, each party must provide its list of witnesses and the amount of time requested for the examination in chief of each witness and for cross-examination of each witness, subject to the time limits set out in the chart above.

At the settlement conference, if a hearing is required, the Settlement Conference Member will canvass the parties' positions on the amount of time required for the testimony of each witness and the order in which the witnesses will be called. The parties may request that a witness be allowed more time for examination-in-chief or cross-examination of a witness than the maximum set out above. However, they must provide clear reasons why more time is required.

The Settlement Conference Member will then confirm the hearing plan, which will be reported in the Case Management Report and Order ("CMRO"). Any request to vary the hearing plan must be made by filing an EBD. Absent exceptional circumstances, such requests must be submitted no later than 30 days prior to the commencement date of the hearing.