

SCHEDULE "A" - RULES AND PROCEDURES FOR A HEARING BY VIDEO CONFERENCE

Exhibits

To the extent possible, an Agreed Exhibit Book will be provided to the Hearing Tribunal members and their independent legal counsel in advance of the hearing. If the parties do not want the Hearing Tribunal members and their independent legal counsel to access the Agreed Exhibit Book in advance of the start of the hearing, the Agreed Exhibit Book can be password protected and the password provided to the Hearing Tribunal members and their independent legal counsel at the outset of the hearing.

Exhibits will be in electronic form with pages numbered, and documents within the Agreed Exhibit Book bookmarked for ease of reference. Exhibits referenced during the hearing may be displayed on a shared screen. The Hearing Tribunal members and their independent legal counsel will be provided with electronic copies of the Exhibits.

Witnesses

At the request of either party or the Hearing Tribunal, a witness can be asked to show a piece of government issued photo identification prior to the oath being administered.

The court reporter will confirm with the witness the witness's full name and will affirm the witness. If the witness prefers to swear an oath, the witness must provide their own religious text.

The witness is to be alone in the room where they are providing evidence. However, at the request of either party, the Hearing Tribunal may allow the Patient Advocate of the College of Physicians and Surgeons of Alberta (the "College"), to be present in the room with the Complainant. In addition, the Hearing Tribunal may allow a representative from the College (the "Representative") to be present in the room with all witnesses for the sole purpose of facilitating remote access to the hearing by the witness.

The Chair will ask each witness to confirm:

1. there is no one in the room with the witness, other than the Patient Advocate attending with the Complainant, and a Representative to attend with all witnesses including the Complainant to facilitate remote access to the hearing;
2. the witness does not have any communication tools open on their electronic devices (such as email, telephone, text messaging) and all notifications on electronic devices have been turned off;
3. the witness does not have any electronic or paper documents, records or notes in front of them;
4. the witness will not communicate with anyone other than the person asking questions while they are giving evidence;

5. the witness will not discuss their evidence with anyone during any breaks, until the witness is done providing their evidence;
6. the witness is not recording or broadcasting the hearing.

At the request of either party or the Hearing Tribunal, the witness may be asked to show the room where they are sitting and the space in front of them, to confirm there is no one else present in the room with the witness and that the witness is not referring to any documents during the hearing. The witness may also be asked to place the camera so the witness's hands are visible during their testimony.

Exhibits can be shown to witnesses using the screen share function of the virtual platform used during the hearing.

If there are members of the public present as observers, either party may bring an application to the Hearing Tribunal to close a portion of the hearing, pursuant to section 78 of the *Health Professions Act*.

If either counsel has an objection while a witness is giving evidence, the counsel will state that they have an objection and the witness will be placed in a virtual waiting room while counsel make submissions on the objection and the Hearing Tribunal makes a decision. The witness will be brought back into the virtual hearing room once the Hearing Tribunal decision has been made.