

V2 Appendix C - Evidence Management Checklist

Evidence Management Checklist

SECTION 1 - Preliminary Evidence Review

Initial Evidence Assessment

Have the issues requiring evidentiary determination been identified, clarified, and documented?

Yes / No

Comments:

Has the likely scope of evidence been assessed, including documents, witness testimony, electronic records, financial records, photographs, recordings, or expert materials?

Yes / No

Comments:

Have participants received disclosure expectations, timelines, and evidentiary instructions?

Yes / No

Comments:

Have evidentiary procedures been explained in understandable, practical, and procedurally clear language?

Yes / No

Comments:

SECTION 2 - Disclosure Management

Document Exchange and Disclosure

Have disclosure deadlines been established, communicated, and confirmed?

Yes / No

Comments:

Have participants exchanged relevant documents, records, and evidentiary materials appropriately?

Yes / No

Comments:

Have disclosure disputes, objections, or incomplete productions been identified?

Yes / No

Comments:

Have procedural directions regarding disclosure scope, timelines, or supplementary production been documented appropriately?

Yes / No

Comments:

SECTION 3 - Exhibit Organization

Exhibit Preparation

Have exhibits been organized, labelled, numbered, and indexed consistently?

Yes / No

Comments:

Has a master exhibit list been prepared?

Yes / No

Comments:

Have duplicate, irrelevant, or procedurally problematic materials been addressed appropriately?

Yes / No

Comments:

Can exhibits be located, referenced, and reviewed efficiently during hearing?

Yes / No

Comments:

SECTION 4 - Mediation and Confidentiality Separation

Confidentiality and Evidentiary Boundaries

Have confidential mediation discussions been separated appropriately from arbitration evidence?

Yes / No

Comments:

Has caucus information been protected appropriately?

Yes / No

Comments:

Have participants been reminded that mediation communication does not automatically become hearing evidence?

Yes / No

Comments:

Has the arbitrator reviewed mediation notes, confidential information, and arbitration materials carefully to avoid improper evidentiary crossover?

Yes / No

Comments:

SECTION 5 - Witness Evidence Management

Witness Evidence Preparation

Have witnesses been identified, scheduled, and organized appropriately?

Yes / No

Comments:

Have witness-related documents been exchanged, reviewed, and linked to relevant exhibits where appropriate?

Yes / No

Comments:

Have participants been informed regarding witness procedure, questioning expectations, and evidentiary structure?

Yes / No

Comments:

Have credibility concerns, procedural limitations, or witness management issues been identified in advance where possible?

Yes / No

Comments:

SECTION 6 - Electronic and Digital Evidence

Digital Evidence Management

Will digital evidence be introduced during the hearing?

Yes / No

Comments:

Have procedures been established regarding electronic files, emails, screenshots, recordings, or digital communication evidence?

Yes / No

Comments:

Can digital evidence be displayed, reviewed, and referenced reliably during the hearing?

Yes / No

Comments:

Have confidentiality, storage, and technological security considerations been addressed appropriately?

Yes / No

Comments:

SECTION 7 - Evidentiary Objections and Procedural Issues

Procedural Review

Have anticipated evidentiary objections been identified?

Yes / No

Comments:

Have procedural rulings regarding admissibility, relevance, disclosure, or procedural fairness been documented appropriately?

Yes / No

Comments:

Has the arbitrator maintained neutrality, consistency, and balanced hearing management regarding evidentiary decisions?

Yes / No

Comments:

Have participants been given meaningful opportunity to address evidentiary concerns?

Yes / No

Comments:

SECTION 8 - Hearing Record Management

Official Record Control

Has the hearing record been organized, secured, and maintained consistently throughout the hearing?

Yes / No

Comments:

Have all admitted exhibits been identified, tracked, and preserved appropriately?

Yes / No

Comments:

Have procedural rulings, submissions, and hearing developments been documented appropriately?

Yes / No

Comments:

Can the hearing record be reviewed clearly during deliberation, award drafting, or post-hearing review?

Yes / No

Comments:

SECTION 9 - Post-Hearing Evidence Review

Deliberation Preparation

Has the evidentiary record been reviewed for completeness, organization, and clarity before deliberation begins?

Yes / No

Comments:

Have unresolved evidentiary issues been addressed, clarified, or ruled upon appropriately?

Yes / No

Comments:

Has the arbitrator ensured that decision-making would rely only upon properly admitted, procedurally appropriate evidence?

Yes / No

Comments:

Final Evidence Management Status

- Disclosure Complete
- Exhibits Organized
- Hearing Record Complete
- Additional Evidence Required
- Procedural Directions Outstanding

Arbitrator Signature:

Date: