

Confirmation of Appeal and Hearing Ready Letter

1.0 This Practice Direction:

- explains the purpose of the Confirmation of Appeal (COA) form
- outlines the time expectations for filing the COA form.

2.0 Purpose of Confirmation of Appeal Form

- to confirm the issues on appeal
- to identify the length of hearing time needed
- to file evidence in support of the appeal
- to advise the Tribunal and other party about witnesses
- to express interest in ADR services

3.0 Disclosure

3.1 Parties must send any documents they want to use at the hearing with the COA form.

3.2 Parties must send copies of the completed form and any attachments to the Tribunal and to any party participating in the appeal.

3.3 Parties must notify the Tribunal of any related issue or appeals that they are pursuing at the WSIB.

4.0 Time to file – Appellant

4.1 Appellants must file the COA form no later than 24 months from the time they first wrote to the Tribunal.

4.2 The Tribunal will remind appellants and their representatives to send the form twice during the 24 month period.

4.3 If the COA form is not filed within 24 months, the Tribunal may close the appeal. (See *Practice Direction: Closing Appeals by the Tribunal*)

4.4 Appellants must provide a completed COA form within 24 months even if they do not receive case materials from the Tribunal.

5.0 Time to file – Respondent

5.1 The respondent must complete and file a COA form within 2 weeks after it receives the appellant's completed COA form.

6.0 Hearing Ready Letter

6.1 In most appeals, Tribunal staff will prepare a hearing ready letter that identifies the issues that will be considered at the hearing, and the witnesses that will testify.

6.2 When parties receive the letter, they must review it and advise the Tribunal of any concerns (especially if they believe the issues are not correctly identified).

6.3 Parties must advise the Tribunal promptly of any concerns to avoid delaying the appeal.

7.0 Related Practice Directions

- Disclosure, Witnesses and the Three-Week Rule
- Closing Appeals by the Tribunal.

Dated at Toronto, Ontario this first day of October, 2007
Workplace Safety and Insurance Appeals Tribunal
I.J. Strachan, Tribunal Chair