ADJOURNMENT OF DISCIPLINE HEARINGS

Policy P-020
Discipline Committee
Approved by Council: October 28, 1995
Amended: November 15, 1996, November 30, 2012, April 16, 2024 (came into effect June 14, 2024)

Note to Readers: In the event of any inconsistency between this document and the legislation that affects chiropractic practice, the legislation governs.

STRICT ADJOURNMENT POLICY

The Discipline Committee is committed to using hearing and pre-hearing time efficiently and to avoiding the cost and wasted resources caused by unnecessary adjournments. Requests for adjournments, particularly at the last minute, are a significant impediment to fair and timely protection of the public and access to justice.

Once hearing dates are scheduled, parties are expected to be ready to proceed on those dates. Adjournment requests are discouraged except where necessary due to extenuating circumstances, especially on short notice before a scheduled hearing date. The timing of an adjournment request will be a factor to be considered.

The Registrar will advise all parties and representatives that:

- If, a party or their representative determines that they have a conflict with respect to a hearing date that has been set, they shall immediately contact the Chair of the Discipline Committee through Independent Legal Counsel (ILC) if appointed, to advise them of the conflict.

- Motions for an adjournment of discipline hearings will be refused except in extenuating circumstances. Examples of the types of extenuating circumstances that may persuade the Chair of the Discipline Committee (or designate) to exercise their discretion to grant an adjournment include:

    - death in the immediate family;

    - emergency health situation;

    - personal crises;

    - uncovering of new evidence that is critical and, despite reasonable efforts, was not available at an earlier point in time; and

- a party's representative is required to attend to another matter that was scheduled before receipt of the Notice of Hearing and about which the representative immediately advised the Chair of the Discipline Committee.

Requests for Adjournment

All motions for adjournments must:

- be made in accordance with the Rules of Procedure of the Discipline Committee respecting motions;
- be made at the earliest opportunity following the moving party becoming aware that an adjournment is required; and
- provide sworn direct evidence of the extenuating circumstances which necessitate an adjournment, or other evidence acceptable to the Chair of the Discipline Committee or designate.

If the motion is dismissed, legal costs may be awarded pursuant to section 17.1 of the *Statutory Powers Procedures Act*. In any event, costs of the motion may be reserved to be decided at the conclusion of the proceeding.