

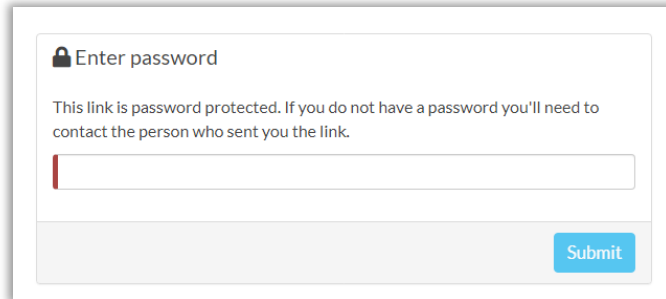
# GUIDE TO USING SYNC PLATFORM

# Maintaining confidentiality in Zoom hearings

- In order to maintain solicitor-client privilege and client confidentiality, the LSBC Tribunal does not “share documents” on a publically viewed video conference screen (Zoom hearings) nor does it permit the parties to do so.
- Instead, shortly before the hearing, the Tribunal Office will provide the parties and adjudicators with a link and password to a secure file storage and document collaboration platform called Sync.
- A party can upload into subfolders copies of the evidence that they intend to present at the hearing and their submissions and authorities, which can then be viewed and downloaded by the other party and the adjudicators during the course of the hearing.
- You can upload virtually any type of file to Sync, including documents, emails, videos, photos, and more.
- Parties and adjudicators have access to all subfolders and files uploaded into the Sync hearing folder. If needed, a witness will be given a separate link and password by the Tribunal Office that will give them access only to the specific subfolder or files identified by the parties.
- This Guide outlines how to access, upload, preview and download subfolders and files to Sync.

# Accessing a Sync hearing folder

- Sync.com is a cloud-based storage service that makes it easy to store, share and access documents and other types of evidence.
- About one week prior to the commencement of a video conference or hybrid hearing, the Tribunal Office will provide the parties and adjudicators with a link and password to a Sync hearing folder. **DO NOT SHARE THE LINK OR PASSWORD.**
- Click on the Sync link and you will be asked for the password.

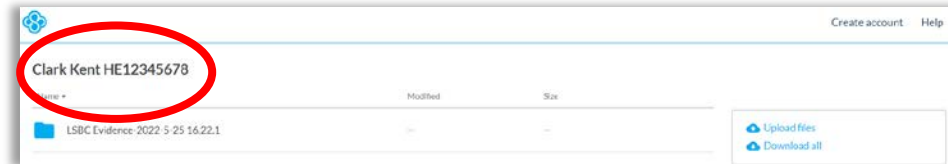


Enter password

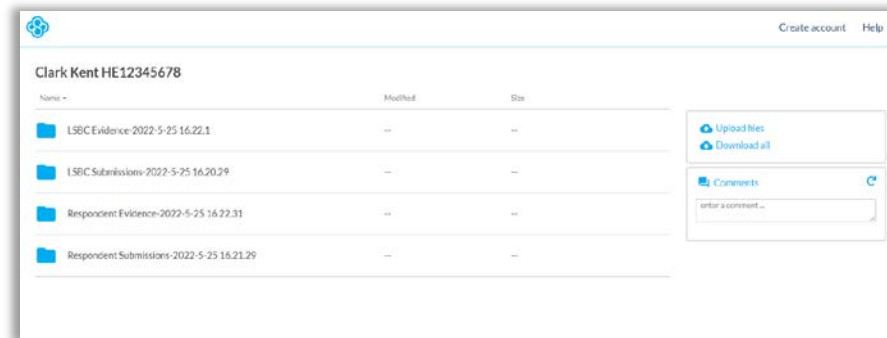
This link is password protected. If you do not have a password you'll need to contact the person who sent you the link.

Submit

- Enter the password provided and you will be given access to the Sync hearing folder created for your matter.
- Check the name and hearing file number to ensure you have the correct link.



- For your convenience, the Tribunal Office may have already created some subfolders for your use.

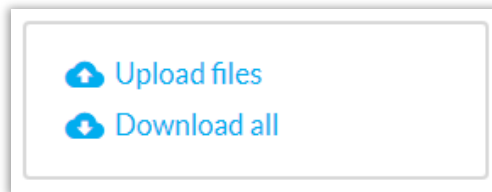


# Uploading Documents and other types of evidence to Sync

- The Tribunal Office controls the Sync hearing folders. It sets external controls allowing the parties and adjudicators only to upload and download subfolders and files.
- You can upload virtually any type of file to Sync, including documents, emails, videos, photos, and more. For convenience, this Guide will refer to all types of files as Documents.
- A party cannot delete or rename a subfolder or Document once it has been uploaded. Nor can a party move a Document between subfolders within a Sync hearing folder once uploaded. If an error has been made, contact the Tribunal Office.
- Parties are encouraged to identify subfolders or Documents that may be viewed by the adjudicators or the other side in advance of the hearing.
- Rule 5-6.1(3) of the Law Society Rules allows adjudicators to receive and consider the citation, an agreed statement of facts, evidence that has been admitted or deemed admitted in a Notice to Admit, a respondent's admission of a discipline violation and joint submission as to sanction and any other document or evidence by agreement of the parties.
- Permission to view the Documents in advance of the hearing does not preclude a party from objecting to its admission into evidence.

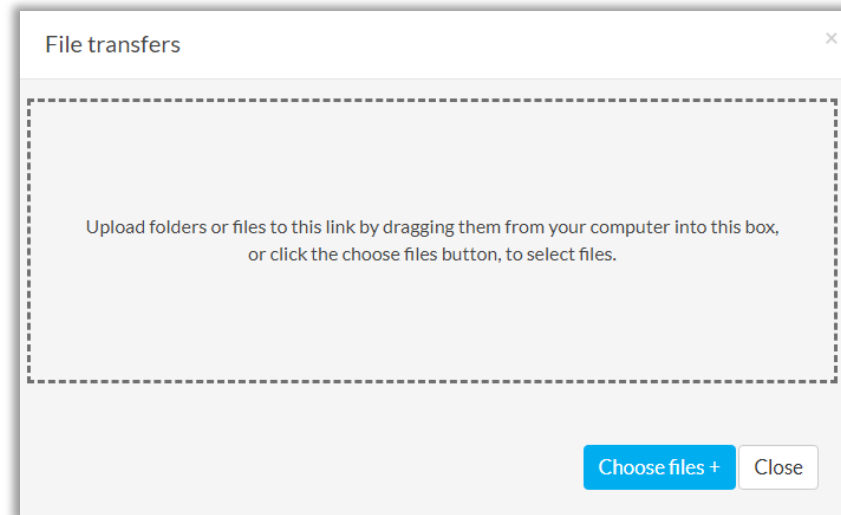
# Once you are ready to upload a Document

- Don't forget to name your Documents and subfolders before you upload. See the next page for guidance on naming Documents.
- Once you are ready:
  - Navigate to the subfolder you want to upload the Document into and click **Upload files** from the file menu.



- Alternatively, create your own subfolder on your desktop, move a Document into that subfolder and then upload the new subfolder (with at least one Document) into the Sync hearing folder. Subsequent Documents can be uploaded to the newly created subfolder as set out above.

- After clicking on the 'Upload files' button, you will be invited to choose or drag subfolders or Documents from your computer into a file transfer box. The Documents will then upload automatically into the Sync hearing folder or selected subfolder.



# Naming Documents

- Parties are encouraged to describe their uploaded Documents in a manner that allows the other participants to identify and quickly locate the Document in the Sync folders.
- Parties are encouraged to include the following information in the description (if applicable):
  - **Type** – what type of Document is it? eg. letter, email, memo, agreed statement of facts, audio tape
  - **Date** – when was the Document created? month - day – year (eg May 23, 2022)
  - **Author** – who wrote or created the Document?
  - **Addressee** – to whom was the Document addressed?
- **Examples:**
  - Citation issued November 17, 2021 against John Smith
  - Letter dated May 23, 2022 from Law Society (Gurprit Singh) to John Smith
  - Email exchange dated May 23, 2022 between Law Society (Gurprit Singh) and John Smith
  - Agreed Statement of Facts dated May 23, 2022 between John Smith and the Law Society
  - Notice to Admit dated May 23, 2022 from the Law Society to Jane Doe
  - Response to Notice to Admit dated June 15, 2022 from Jane Doe to the Law Society
  - CIBC bank statement for period June 1 to June 30, 2020 with respect to trust account number 000-999999 held in the name of Jane Doe.

# Previewing and downloading documents

- If you click on an uploaded Document in the Sync folder, it will open a preview window and give you the option of scrolling through the Document, opening the Document, or downloading the Document.
- Large Documents are difficult to view in the preview window and should be opened or downloaded for use at the hearing.
- If you download Documents, remember your obligation to maintain privilege and confidentiality.
- Opened or downloaded Documents should not be saved to your home computer.
- Any downloaded Document and information on how they can be accessed should be deleted once the hearing is complete.

 Open

 Download

# Witness Documents

- A witness should be given access to only those Documents which the parties intend to put to them. **Do not share the Sync link and password to the Sync hearing folder with a witness.**
- Documents to be put to a witness should be uploaded to a subfolder clearly labelled with the witness's name.
- Each witness should have their own subfolder.
- Prior to the date of the scheduled video conference hearing, the parties should contact the Tribunal Office with a list of the witnesses they intend to call together with the witness's email contact information.
- **A separate Sync link and password will be provided to the witness by the Hearing Clerk** upon the request of the party calling the witness.
- The witness will only be able to view, open or download the Documents in their specified subfolder and will not be able to see or access any other documents uploaded to the general Sync hearing folder.
- Additional Documents can be uploaded or moved into the witness subfolder during the course of the hearing and will still be accessible by the witness and other hearing participants.



# Exhibits to the hearing

- If the Documents are entered as exhibits to the hearing, the Hearing Clerk will download the Document, add an electronic exhibit stamp, update the Document description to reflect the exhibit number and then upload the exhibit to an exhibit subfolder.
- Only the Hearing Clerk may upload or move documents to an exhibit subfolder.

# After the hearing

- At the end of the facts and determination hearing (F&D), Documents entered as exhibits or marked for identification will be moved into a hearing exhibits subfolder.
- Written submissions, aides memoires, and authorities will be moved into a F&D submissions subfolder.
- Copies of the Documents in the hearing exhibit subfolder and F&D submissions subfolder will be also be saved to the internal LSBC Tribunal hearing file.
- All other Documents and subfolders uploaded to the Sync hearing folder will be deleted. The LSBC Tribunal will not keep a copy of those Documents in the LSBC Tribunal hearing file.
- If an adverse determination is made, the exhibit subfolder and F&D submissions subfolder will be available to the participants for the disciplinary action hearing.
- At the end of the disciplinary action hearing (DA), any additional Documents entered as exhibits or marked for identification will be moved into the hearing exhibits subfolder.
- Written submissions, aides memoires, and authorities will be moved into a DA submissions subfolder.
- Copies of any DA submissions and any new exhibits will also be saved to the Tribunal hearing file.
- All other Documents and subfolders uploaded to the Sync hearing folder will be deleted.
- Once a disciplinary action decision is issued, the Sync hearing folder will be deleted from the Sync platform.