Developed by Barbara Legate, Legate Injury Lawyers.

Updated\* & Distributed by TARAN VIRTUAL ASSOCIATES INC., Toll free: 1-877-262-7762

Updated as of March 2025

Court File No .:

# ONTARIO SUPERIOR COURT OF JUSTICE

**BETWEEN:** 

**Plaintiff** 

- and -

Defendant

#### PLAINTIFF'S STATEMENT OF LAW

## VOLUME 7 USE OF DEMONSTRATIVE EVIDENCE IN THE OPENING

### PART I - OVERVIEW

- Counsel may use demonstrative evidence in an opening address. While not a rule, it
  is nonetheless traditional to request permission of the Court before using
  demonstrative evidence in opening if it is expected to be contentious.
- Demonstrative evidence, like other evidence referred to in an opening address, may
  be used if it is expected to be relevant and admissible, and where it is likely to assist
  the judge or jury to understand the case.

© 2025, Barbara Legate, Legate Injury Lawyers and Taran Virtual Associates Inc.

All rights reserved. No part of this publication may be reproduced, stored in a retrieval system, or transmitted, in any form or by any means, electronic, mechanical, photocopying, recording, or otherwise, except that the purchaser of this publication (who for the purposes of copyright only, shall be deemed to be the individual(s) named on the invoice and/or the CD(s)) shall be entitled to copy, modify and use this publication solely for his or her own legal practice. This publication is designed to provide accurate and authoritative information for use as a precedent by lawyers. This publication is not intended to render legal advice. If legal advice or other expert assistance is required, the services of a competent professional should be sought.

<sup>\*</sup> As of the November, 2017 release date, this Statement of Law has been updated by TVA

 The Court will not disallow demonstrative evidence that is expected to be relevant, admissible, and of assistance to a jury unless the demonstrative evidence is unusually prejudicial.

### \*\* END OF SAMPLE \*\*

The remainder of this statement of law contains written submission on this issue and is written like the law portion of a factum.

How to order: Call us toll-free 1-877-262-7762 E-mail Stephen Taran taran@virtualassociates.ca Ask about our payment plans.

Release: Spring, 2025