

## 5th Annual Current Topics in Ethics & Professionalism

Wednesday, October 7, 2015

4:30 p.m. – 8:00 p.m. (Registration at 4:00 p.m.)

TLA Lawyers Lounge, 2<sup>nd</sup> Floor, 361 University Avenue Court House

In its 5<sup>th</sup> year, the TLA has organized a thought-provoking program on Ethics and Professionalism with dynamic speakers and three accredited topics that satisfy your annual Professionalism Hours. **Registration is limited, so sign up now!**

### 1. HOW TO BE DILIGENT WITH THE SELF-REPRESENTED LITIGANT

The number of self-represented litigants can be as high as 80% in some courts.<sup>1</sup> Yet very little empirical research has been done on their experiences until recently. In May 2013, Dr. Julie MacFarlane, professor of law at the University of Windsor, completed such a study for the LSUC entitled, *The National Self-Represented Litigants Project: Identifying And Meeting the Needs of Self-Represented Litigants*.

Join **Dr. Julie Macfarlane** to learn about:

- How to prepare your client for the tribulations of dealing with a self-represented litigant
- How not to underestimate the self-represented litigant
- How to practice offensively and defensively with a self represented litigant
- What is the role of the lawyer when the opposing side is self-represented
- What is the role of the judge when one of the parties is self-represented
- What do self-represented litigants say about judges and lawyers

### 2. OBLIGATIONS OF ETHICAL NEGOTIATIONS

Negotiation may be the most significant and most used skill a lawyer has, and yet the *Rules of Professional Conduct* are essentially silent on the topic. **Join a panel of experienced mediators and practitioners** who will discuss ethical negotiation obligations and strategies in both the litigation and corporate contexts

Panelists:

**Gordon Raman**, Borden Ladner Gervais LLP

Moderator: Dr. Julie Macfarlane, Professor of Law, University of Windsor

### 3. WHEN APPELLATE ADVOCACY GOES AWRY

Losing a motion or trial is not easy. You have spent countless hours and sleepless nights building your client's case, and then in one document, it is all over. A recent decision of the Québec Court of Appeal (*Dunkin' Brands Canada Ltd. Bertico Inc.*, 2015 QCCA 624 (CanLII)) has highlighted the need to be careful in how counsel approach and argue an appeal. This program will give you the tools you need to advocate fearlessly on behalf of your clients in the Court of Appeal while meeting ethical obligations and upholding respect for the administration of justice.

Learn from respected appeal lawyers, and Court of Appeal for Ontario judges on topics including:

- Full disclosure obligations in the context of appellate submissions
- Dealing with recent legal developments both prior to, and following, the appeal
- Dealing with developments on the record between the trial and appeal
- Dealing with improper strategic decisions or incompetence on the part of trial counsel
- Raising new issues and arguments on appeal

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<sup>1</sup> (Dr. Julie Macfarlane, *The National Self-Represented Litigants Project: Identifying And Meeting the Needs of Self-Represented Litigants*, p.15).

Panelists:

**The Honourable Gloria Epstein**, Court of Appeal for Ontario  
**The Honourable Dennis O'Connor, QC**, Borden Ladner Gervais LLP  
**Joseph Di Luca**, Di Luca Barristers  
**Paul Pape**, Pape Barristers Professional Corporation

**Registration Fee:**  
**Members \$125.00 + HST (\$16.25) = \$141.25; Non-Members \$150 + HST (\$19.50) = \$169.50**

No refunds after Wednesday September 30, 2015.  
An administrative fee of \$25.00 will be applied to all cancellations.  
Snacks and refreshments will be provided. Space is limited, no walk-ins.

## Registration Form: 5th Annual Current Topics in Ethics & Professionalism

HST # R106989569

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

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Email: \_\_\_\_\_ Phone: (\_\_\_\_) \_\_\_\_\_

### Payment

I am enclosing a cheque for:  \$ 141.25 (TLA members) or  \$169.50 (Non members)

Or please charge my credit card:  **Visa**  **Master Card** Total amount: \_\_\_\_\_

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