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## Institute 2008 - Program Descriptions

### **ABORIGINAL LAW - Moving Forward, Sideways & Backward: Reflections on Aboriginal Law in 2007**

Often annual recaps of the year that was in an area of law refer to “developments” in the law. The question that is typically not asked is whether the area of law is really “developing”, or simply changing? Our distinguished panel discuss and assess some of the biggest news-making items of 2007, with a view to where we have been, where we are and where we are going.

### **ADMINISTRATIVE LAW - Practice before Administrative Tribunals: What Works?**

This publication will provide you with a practical guide to what works and what does not when you argue your case before a variety of different administrative tribunals and boards. This publication is essential if you want to build on your experience and to put your client's best case forward.

### **ALTERNATIVE DISPUTE RESOLUTION - Mediation and Pre-Trial: Practical Tips and Strategies**

Several experienced mediators, counsel and judges discuss what they have learned that can help counsel from large and small firms, as well as sole practitioners to make their pre-trial/mediation a win-win situation for themselves and their clients. The key issues reviewed should be of immense benefit to many different branches of the profession.

### **BUSINESS LAW - Keeping Afloat in a Sea of Change**

The publication examines some trends and issues surrounding public corporations, such as income trust going private and increased shareholder activism and will review the taxation of employee stock options. Major legislative and regulatory changes, including significant corporate and personal property security changes that went into effect in Ontario on August 1, 2007 and other recent changes in areas such as consumer protection, advertising and promotion law will be addressed.

### **CITIZENSHIP AND IMMIGRATION - Maintaining Permanent Residence Status and Citizenship Applications**

This practical publication provides practitioners with knowledge and tools needed to protect their client's status as permanent residents and to assist their clients in obtaining Canadian citizenship. This publication provides information pertaining to Permanent Resident Card applications and strategies for addressing refusals; strategies for successful citizenship applications; how to deal with loss of status caused by misrepresentation and criminality; and other issues arising from the introduction of the IRPA and its impact on clients.

### **CIVIL LITIGATION - Current Issues in Civil Litigation: Keys to Victory**

This publication covers a broad range of litigation issues and provides you with cutting-edge knowledge in key areas of practice. It will provide you with valuable insights, tactics and strategies for trials, appeals, applications and arbitrations to hone your skills and advance your clients' cases. Injunctive relief, essential caselaw, the oppression remedy, opinion evidence and appellate advocacy are but some of the topics provided.

### **CORPORATE COUNSEL - Managing Litigation: The 12 Step Program To Put In-House Counsel in Control of Electronic Discovery**

The emerging electronic discovery rules create enormous challenges for in-house counsel. This publication will guide you through the Sedona Principles, which introduce a new approach that brings reason and order to the wild world of electronic discovery. Insiders from the team in the groundbreaking case *Air Canada v. WestJet* will share how they managed disclosure of electronic records. Leading counsel who have been through the process will give you practical tips on gaining buy-in from IT to break through and achieve the best results.

### **CRIMINAL - Five Shades of Cross-Examination**

Cross-examination is the most important tool in the criminal lawyer's arsenal but different witnesses require different strategies, preparation and techniques. Materials cover the practical and legal sides of this complex area - Five Different Witnesses.... Five Different Approaches.....Five Shades of Cross-Examination.

### **ENVIRONMENTAL - Staying Aloft Amid a Flurry of New Developments**

The past year has seen an unprecedented number of legislative amendments, new regulations and other developments in environmental law. Learn what is new, what has changed and to obtain the necessary tools to keep your practice up to date. This publication will provide useful insight for environmental, real estate, business, municipal and planning lawyers.

### **FAMILY - The Changing World of Family Law: Substantive Law and Practice Tips**

This publication explores practical solutions for the new realities of family law. As well as providing a year in review of substantive case law and legislative changes, it will cover the practical consequences arising from the changing face of family law including the explosion in self-representation and the increased reliance on dispute resolution outside the court process including mediation, arbitration and collaborative law.

### **HEALTH - Coroners Inquests in the Health Care Sector and Beyond**

This publication provides presentations from the Deputy Chief Coroner - Inquests and lawyers with significant experience at inquests and learn more about the key legal issues arising in the health care sector and beyond concerning the work of the coroner, the Coroners Act, and the inquest process.

### **INTERNATIONAL LAW - International Legal Issues for Today's Business Lawyer: Challenges and Solutions**

This publication delivers critical “need-to-know” solutions for many of the international legal issues facing business lawyers, in-house counsel and sole practitioners who deal with commercial contracts and mergers and acquisitions. Topics covered will include managing corruption risk, internationalizing licensing and confidentiality agreements, crafting effective arbitration clauses, ensuring compliance with customs and export control rules, and using trade and investment treaties to address adverse government measures.

### **LABOUR RELATIONS - Critical and Emerging Issues in a Labour and Employment Practice**

This publication examines several challenging areas in labour and employment law: Discrimination in the workplace on the basis of family status and accommodation of employees who have care-giving and other familial obligations; Issues in the hiring process, including what is permissible in a background check or an interview, and how to create contractual obligations and avoid misunderstandings; Damages - the tax, employment insurance and other benefit implications of a damage award; The impact of class actions being increasingly used as a tool to enforce obligations arising during and post employment.

### **MUNICIPAL LAW - Navigating a Rapidly Changing Municipal and Planning Law Landscape**

Part I - Planning Law and Part II - Municipal Law

There has been a veritable avalanche of new legislation in the past year, including the new Municipal Act and City of Toronto Act, as well as significant amendments to the Planning Act. This publication will examine how the new statutes are being applied, and how the legislation, as well as some recent developments and groundbreaking case law, will affect your practice.

### **PENSIONS AND BENEFITS - Pensions at Work**

Pension benefits generate a significant dynamic in workplace compensation. This publication is intended for practitioners who advise on pension related issues in the context of the labour and employment relationship as well as corporate and insolvency practitioners seeking to acquire greater knowledge in this complex and evolving area of law.

### **PRIVACY LAW - Current Themes and Trends**

This publication will focus on all areas in which privacy is regulated, including health, public and private sector. It is a must for any lawyer who provides advice to entities that are regulated by privacy legislation.

### **PUBLIC SECTOR - Litigating in the Public Sector - Cases, Challenges and Values**

What are the key cases currently facing government bodies, what are the upcoming trends, and how can you identify and manage legal risks? Is the role of litigation counsel different if you work for a government client vs. a private sector client? Senior counsel from all levels of government as well as representatives of the judiciary will share valuable information and advice, giving you practical insights into the important area of public sector litigation.

### **REAL PROPERTY - Aligning Lawyers and Clients on Land Use Issues**

Rigorous training has ensured that every title you opine on is pristine. But what does your client really care about? Your clients may assume title is good and be more interested in ensuring the intended use of the property, exactly as they want, no matter how idiosyncratic their interests and needs. Is that your job? Learn what happens when the lawyer and client disconnect over the issue of use and how a clientcentric real estate practice has issues of use at its core.

### **TAXATION LAW - Non-Resident Tax Primer for the Generalist**

This publication will provide a general overview of the taxation of investments by non-residents in Canadian businesses and entities, and discuss tax compliance and planning issues relating to such investments. Topics include: Tax considerations of carrying on business in Canada; Canadian taxation of non-residents investing in Canadian entities including an update on withholding tax issues and treaty considerations; Canadian taxation of non-residents investing in Canadian real estate including an update on tax compliance issues; Update on recent cases, legislation and Canada Revenue Agency technical interpretations and advance income tax rulings relating to inbound investments.

### **TRUSTS AND ESTATES - The Estate Plan: Dynamic or Dynamited?**

This year's Trusts & Estates publication looks at how planning can work or not work (and how litigation may arise), depending on the steps taken by the players involved and especially by those who might end up thwarting it. Topics include the changing dynamic of the family and its effect on the estate; support claims in broken and reconstituted families; administering the family company through a trust or estate or as an attorney; dealing with clients with diminished capacity; estate planning and protection for disabled persons; DNA in estate matters; organ and tissue donation; when charities are part of the plan; income splitting and attribution; the latest on joint assets and secret trusts; and other planning for “secret” friends and relations. This publication is a must-have for estate planners and estate litigators.