

Ethics, Civility and Zealous Advocacy: How Do They Co-Exist?

Insurance, Civil Litigation and Administrative Law

Date: Monday, December 11, 2017 | 9:00 am to 12:00 pm
Location: Twenty Toronto Street Conferences and Events
 20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Christopher R. Martyr**, Dutton Brock LLP
Christopher H. Wirth, Keel Cottrelle LLP



In-Person



Webcast



This program contains 3 Professionalism Hours.
 The OBA has been approved as an Accredited Provider of
 Professionalism Content by The Law Society of Upper Canada.

Lawyers have the professional obligation to honour the rules of ethics and civility. However, there is a fine line between advocating zealously for your client and possibly violating these rules. Do you know where to draw the line? How can you advocate for your client without overstepping this line? This is a quagmire that all lawyers face, so join us to learn how to uphold the rules of civility and still ensure that your client's interest comes first.

Register now to discuss and deliberate this thorny issue with a stellar faculty from both the bench and the bar.

8:30 am Registration and Networking

9:00 am Welcome and Opening Remarks

9:05 am **The Law Society of Upper Canada and LAWPRO: What Do They See?**
Paul B. Schabas, Treasurer, Law Society of Upper Canada
Dan E. Pinnington, Vice President, Claims Prevention and Stakeholder Relations, LAWPRO

- The ethical issues facing lawyers daily
- What recurring complaints and concerns are filed with these organizations
- The "do's and don'ts"

9:30 am **Costs Awarded against Lawyers in Civil and Criminal Matters**
Stephen Aylward, Stockwoods LLP Barristers
Marc Kestenberg, Kestenberg Siegal Lipkus LLP

- Review of the cost decision in *Canadian National Railway Company v Holmes*
- Discuss the Supreme Court of Canada's decision on costs in *Jodoin*
- How might these cases affect how lawyers represent their clients in the future?
- Are the courts or the law societies better designed to deal with costs sought personally against a lawyer?

10:05 am Networking Break

10:20 am **Civility in Administrative Law**
Andrea Gonsalves, Stockwoods LLP Barristers

- What special considerations apply?
- How to deal with unrepresented parties and non-lawyer representatives
- Interacting with non-judicial decision-makers

- Costs and consequences of crossing the line in an administrative setting

10:40 am **Ethics, Civility and Zealous Advocacy – The Groia Case**
Thomas M. Curry, Lenczner Slaght LLP
Samara Selter, Addario Law Group LLP

- Hear from counsel on this case after it is argued before the Supreme Court of Canada in November 2017
- Will this case change how lawyers conduct themselves in court?
- What can we learn from this case and where do we draw the line between zealous advocacy and possibly violating the rules of professional conduct?

11:15 am **View from the Bench – Civility Standards**
 Moderator: **Christopher H. Wirth**, Keel Cottrelle LLP
The Honourable Chief Justice George R. Strathy, Ontario Court of Appeal
The Honourable Madam Justice Mary J.L. Gleason, Federal Court of Appeal (Ottawa)
Master P. Tamara Sugunasiri, Superior Court of Justice (Ontario)

- Examine the most common ethical issues arising in the courtroom
- How to treat your friends and others in the courtroom and beyond while still representing your client
- What the bench would like to see improve

11:50 am Questions and Closing Remarks

12:00 pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org