

6th Annual Professionalism Issues for Business Lawyers

Date: Tuesday, October 23, 2018 | 9:00 am to 12:30 pm

Location: Twenty Toronto Street Conferences and Events
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **Matthew Kindree**, Pallett Valo LLP
Professor Cynthia Williams, Osgoode Hall Law School



Live



Webcast



Professionalism Hours: This program contains **3h 0m**

Substantive Hours: This program is eligible for up to **0h 30m**

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.

What are the most pressing professionalism issues facing business lawyers today? Join your colleagues as our expert panelists delve into emerging trends, key cases and developments on important ethical and practice management issues, and the resulting impacts for your practice. Gain all of your Professionalism Hours for the year at this popular annual program, specifically suited to your role as a business lawyer. Register now!

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks from the Program Chair

9:05 am **Groia Development**

Donald Bayne, Bayne, Sellar, Ertel, Carter

John Birch, Cassels Brock & Blackwell LLP

The Supreme Court of Canada set the standard for when a lawyers' incivility in court becomes professional misconduct. Learn about its implications for the limits of "zealous advocacy" and when it crosses the line in to incivility in the courtroom.

- What are the broader implications with respect to the jurisdiction of law societies, and other issues relevant to you as a business lawyer?
- How to deal with counsel who may be personally involved in getting the deal closed or in raising or addressing an issue on behalf of their client
- Maintaining professional distance while advocating effectively for a client in the solicitor's world
- Effective negotiation techniques for a civil bar and strategies for dealing with an aggressive negotiation

9:55 am **In-house Professionalism Issues**

Angela Lin, Knowledge First Financial Inc.

Gain insights on important issues for in-house counsel, including communication issues with non-lawyer internal clients, tips on maintaining privilege and instructing, and best practices for working with external counsel

10:20 am **Ethical Issues and Risks when Advising Boards of Directors**

Alan P. Gardner, Bennett Jones LLP

- Best practices for being clear about who you are advising and being clear with the Board, company, shareholders, or client about who it is you are representing
- Conflicts that may arise when advising a board comprised of investor nominees
- Understanding whether all directors have the same interests
- Determining whether you need conflict waivers when advising all of the directors

10:45 am Networking Break

11:00 am **Ethical Issues when Buying or Selling a Business**

Melanie Cole, Aird & Berlis LLP

Reena Kotecha, Aird & Berlis LLP

- Complex transactions with private or public corporations
- Circumstances where a couple is prepared to use the matrimonial home or other jointly accumulated earnings to finance a small business that is owned, operated and run by only one of them
- Challenges associated with a shareholder who is also a director giving instructions
- Knowing when to refer a client or the spouse of a client for independent legal advice on special issues
- Deciding what to disclose to the other lawyer when selling a business
- Tips on advising a client on how to meet its disclosure obligations when selling its business and preparing disclosure schedules for the benefit of the purchaser

11:40 am **Your Firm's Ethical Infrastructure: Retainer Agreements and Conflicts of Interest**

Omar Ha-Redeye, Fleet Street Law

Martine Morin, Senior Claims Counsel, LAWPRO

Learn tips and tools for addressing the various ways in which conflicts of interest and other ethical issues arise in small and larger transactions, including:

- What is Ethical Infrastructure and why is it important?
- Strategies for building and implementing effective procedures and protocols for:
 - Retainer agreements
 - Reviewing and revising your firm's existing agreements
 - Guidance on joint retainers
- Conflicts of interest
- Billing and hiring practices

12:25 pm **Closing Remarks**

12:30 pm **Program Concludes**

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org

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