

Ethics, Civility and Professional Responsibility in the Courtroom, Mediation and Beyond

Civil Litigation | Insurance Law



In-Person



Webcast

Date: Friday, November 22, 2019 | 9:00 am to 12:00 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Agenda: 8:30 am Registration
9:00 am Program Commences
12:00 pm Program Concludes



Professionalism Hours : This program contains a total of 3 hours of Professionalism content

Lawyers acting for clients in litigation face increasingly difficult ethical, civility and professional responsibility challenges. Issues can arise before and during litigation, in court, during mediations and negotiations, and elsewhere. These issues can arise between opposing lawyers, between a lawyer and an unrepresented litigant, and between a lawyer and their own client. Lawyers need to know how to identify and navigate these issues in order to meet their ethical and civility obligations, and their professional responsibility to their clients.

Register now to secure your spot for this engaging and insightful program.

Program Chairs: Adam Kuciej, Levy & Associates
Andrew McCoomb, Norton Rose Fulbright Canada LLP

8:30 am Registration and Coffee

9:00 am Welcome and Opening Remarks

9:10 am **Self-represented Litigants**

The Honourable Clayton J. Conlan, Superior Court of Justice

Dr. Julie Macfarlane, University of Windsor

- Self-represented litigants and the justice system
- Managing duties to the Court, a self-represented litigant and your client

9:35 am **Litigants with Capacity Issues**

Kimberly A. Whaley, Whaley Estate Litigation

Dr. Richard Shulman, Trillium Health Partners

- Discuss the ethical issues that face lawyers when dealing with litigants with capacity issues
- What a lawyer should look for when concerned his or her client might not have capacity
- Counselling clients with known or suspected capacity issues

10:00 am **Avoiding Ethical Pitfalls and Malpractice Consequences**

Juda Strawczynski, LawPro

Kelly Gerra, Law Society of Ontario

- Ethical issues facing litigation lawyers
- Common malpractice errors in litigation
- An ethical decision-making framework
- Strategies to avoid pitfalls and claims

10:30 am **Ethical Duties in Mediation and Negotiation**

Christine Kilby, Kilby Mediation

Stephen Morrison, Stephen Richard Morrison ADR Inc.

- Recurring ethical issues in mediation
- Participating in mandatory mediation with a reluctant client

10:55 am **Issues in the Drafting of Correspondence, Pleadings and Other Documents**

Moderator: Adam Kuciej, Levy & Associates

The Honourable Paul M. Perell, Superior Court of Justice

Chris Paliare, Paliare Roland Rosenberg Rothstein LLP

- Ethical issues in preparing and submitting legal documents such as correspondence between counsel and clients, and pleadings, affidavits, facta

Choose an item. www.oba.org/pd
Questions? pd@oba.org

11:25 am **View from the Bench – Civility in the Courtroom**

The Honourable Benjamin Zarnett, Court of Appeal for
Ontario

Master P. Tamara Sugunasiri, Superior Court of Justice

- How to treat your friends and others in the Court?
- Recurring ethical, civility and professional conduct issues that the bench sees in legal documents
- What the Bench would like to see in court?

12:00 pm Questions & Concluding Remarks