

Professionalism in Motions

Civil Litigation



In-Person



Webcast

Date: Monday, December 12, 2022 | 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



This program contains:
3hr 00m of Professionalism Content

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

Being the Moving Party or the Respondent on any motion can be an intense process with tight timelines, high client expectations and uncertain outcomes. These can be further amplified when you are dealing with difficult or unreasonable opposing counsel and/or self-represented litigants. It is critical for counsel to maintain the highest degree of professionalism, while still providing the best possible level of representation for their clients during the preparation and appearance for a motion.

Join this expert faculty to hear some of the key professionalism tips as well as potential pitfalls to avoid when you are preparing for a motion. Whether it is dealing with the last-minute piece of case law or unreasonable actions by the opposing party, this discussion will ensure that you can confidently respond while representing your client and protecting your professional reputation.

Program Chairs: **Ranjan Das**, Berkow Youd Lev-Farrell Das LLP (Toronto)
Hilary Brown, Corman Feiner LLP (Toronto)

8:30 am	Registration and Coffee	10:50 am	Dealing with Difficult Opposing Counsel Hilary Book , Book Law Asher Honickman , Jordan Honickman Barristers <ul style="list-style-type: none">Dealing with difficult counsel generally (responding to rude/uncooperative/sexist/racist/insulting counsel in correspondence and calls)Responding to sharp practice (noting in default, bringing a motion on short notice, serving material short)Common issues with unprofessional counsel (breaches of Rule 1.09 of Rules of Civil Procedure re: communicating with court, speaking to witnesses under examination)Addressing unprofessional conduct in cost submissions
9:00 am	Welcome and Opening Remarks		
9:05 am	Deciding whether to bring a motion Hilary Book , Book Law Wojtek Jaskiewicz , Weirfoulds LLP <ul style="list-style-type: none">Curtailing “motions culture”Use of case conference instead of motionWhen to consent and when to opposeNarrowing and resolving issues in advance		
9:35 am	Key Professionalism Concepts Asher Honickman , Jordan Honickman Barristers Wojtek Jaskiewicz , Weirfoulds LLP <ul style="list-style-type: none">Communicating transparently with opposing counselWhen you are required to provide notice to opposing counsel and what to do if you haven’t given noticePreparing your recordEvidence on motionsTechnical competence and CaselinesDeveloping and sticking to timetables (and what to do if you or opposing counsel can’t do so)Considerations when writing to the Court	11:20 am	The Judge Session The Honourable Cory A. Gilmore , Ontario Superior Court of Justice Q&A with Justice Gilmore on common professionalism issues in motions and the Do’s and Don’ts of motions
10:05 am	Dealing with Self-Represented Litigants Samantha Eisen , Gillian Hnatiw & Co. <ul style="list-style-type: none">General considerations when dealing with self-represented litigantsHow to be ‘helpful’ while still representing your clientService challenges with self-represented litigantsSelf-represented litigants in the court roomTips (including asking the Court to dispense with the need for consent on the form/content of an order)Enforcement of court orders		
10:35 am	Health Break		