

## Your First Civil Trial

*Civil Litigation / Young Lawyers Division*



Webcast

**Date:** Thursday, March 31, 2022 | 9:00 am to 12:30 pm

**Location:** Webinar

**Agenda:** 9:00 am Webinar Commences  
12:30 pm Webinar Concludes



**Professionalism Hours:** This program contains a total of 0 hours and 30 minutes

**Substantive Hours:** This program contains 3 hours and 00 minutes

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

Your first civil trial can be both exciting and frightening. Don't simply approach your first trial as a learning experience, hope for a good outcome, and expect better results next time around. Tackle it with the preparation, knowledge and advocacy skills you need to succeed. Understanding fundamental trial preparation and trial techniques is crucial. Attend this program and our faculty of prominent litigators will demystify the civil trial process and experience for you. Hear their time-tested strategies and practical advice on the core topics you need to know.

Tremendously popular in past years, this is a "must not miss" program for newer litigators and advocates. Register now to secure your spot and learn the essentials for mastering your first civil trial from the opening statement to the closing argument. We look forward to seeing you there!

**Program Chairs:** **Ranjan Das**, Berkow Youd Lev-Farrell Das LLP  
**Nancy Sarmento Barkhordari**, Gosai Law

9:00 am Welcome and Opening Remarks

9:05 am **Trial Preparation: Strategies and Tactics**

[Sara Erskine](#), [Weintraub Erskine Huang LLP](#)

[Tanya Walker](#), [Walker Law](#)

- Establishing a case theory
- Preparing your self and your client
- Preparing your witnesses: expert vs. lay witnesses
- Interacting with opposing counsel and opposing witnesses

9:40 am **Opening and Closing Statements**

[The Honourable Audrey P. Ramsay](#), Superior Court of Justice

[Todd McCarthy](#), [Flaherty McCarthy LLP](#)

- Jury vs. Non-Jury cases
- Insights on jury selection
- Road mapping - knowing your audience and setting the theme and tone
- Anticipating your opponent's opening and theme
- Implications of inconsistencies in your opening/closing and the actual evidence
- Use of written opening/closing arguments

10:05 am Health Break

10:20 am **Introducing Evidence at Trial**

[Erin Durant](#), [Durant Barristers](#)

[Kathryn Manning](#), [DMG Advocates LLP](#)

- Evidence required to support theory of case
- Ethical issues and professional responsibilities
- Issues of admissibility
- How to introduce exhibits, including during remote proceedings

10:50 am **The Art of Examination**

[Sarit Batner](#), [McCarthy Tétrault LLP](#)

[Hilary Book](#), [Book Law](#)

- Direct Examination versus Cross Examination
- Understanding the rule in *Browne v. Dunn*
- Effective use of exhibits
- Ethical implications of discussing testimony before cross-examination has been completed

11:30 am **Use of Discovery Transcripts and Appeal Proofing Your Case**

[Tom Curry](#), [Lenczner Slaght LLP](#)

[Barry Weintraub](#), [Weintraub Erskine Huang LLP](#)

- Checklist for using discovery evidence at trial
- How to use transcripts
- Making and responding to objections
- Setting up/protecting your case for an appeal through use of objections and other means

11:50 am **"What I Wish I Knew When" – Critical Issues for New Litigators**

[The Honourable Frederick L. Myers](#), Superior Court of Justice

- What you need in your brief/binder
- Best practices for virtual advocacy
- Impacts of the amendments to Rule 76 (simplified procedure)
- How to avoid common pitfalls encountered by trial lawyers

12:30 pm Program Concludes

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Questions? [pd@oba.org](mailto:pd@oba.org)