

Nuts and Bolts of Judicial Review

Administrative Law



In Person



Webcast

Date: Monday, April 3, 2023 | 9:00 am to 12:00 pm

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

Co-Chairs: **David Jacobs**, Watson Jacobs McCreary LLP
Edgar-Andre Montigny, Montigny Law



This program is eligible for up to **2.5 hours** of
Substantive Content and **0.5 hours** of
Professionalism Content

Join our panel of seasoned judges and experienced lawyers for a comprehensive examination of how to navigate a judicial review proceeding, including an overview of the applicable legal principles, procedural considerations, and a discussion of important recent cases. Sharpen your understanding of when and how to bring, or respond to, an application for judicial review and gain key insights for persuasive written and oral advocacy. Register now to secure your spot in this valuable program.

9:00 am Welcome and Opening Remarks

9:05 am **Overview of the Judicial Review Process and Initial Considerations**

Andrea Gonsalves, Stockwoods LLP

Erin Pleet, Ross Nasser LLP

- What types of decisions can be reviewed?
- When to apply for judicial review vs. statutory appeal?
- Limitation periods: key considerations
- What remedies are available?
- Managing client expectations

9:40 am **Understanding the Substantive Legal Framework**

Mannu Chowdhury, Paliare Roland Rosenberg
Rothstein LLP

Professor Paul Daly, University Research Chair in
Administrative Law and Governance, University of Ottawa

- Overview of the JRPA and applicable legal principles
- Standard of review: *Vavilov* and beyond
- Jurisdiction and competency of the courts
- Court intervention for breaches of procedural fairness
- Hot topics and emerging issues

10:20 am Refreshment Break

10:35 am **Practical Advice for Bringing and Responding to Applications for Judicial Review**

Asiya Hirji, Downtown Legal Services, University of
Toronto Faculty of Law

John Mather, DMG Advocates LLP

- Drafting an effective notice of application
- Putting together the application record and dealing with documentary evidence
- Effective use of affidavit evidence and considerations for whether “fresh evidence” is required
- Scheduling dates and urgent applications
- Provincial versus federal perspectives

11:15 am **Views from the Bench: Persuasive Written and Oral Advocacy**

The Honourable Justice David L. Corbett, Superior Court of Justice

The Honourable Justice Sally A. Gomery, Superior Court of Justice

Moderator: Marion Sandilands, Conway Baxter Wilson LLP (Ottawa)

- Tips for writing persuasive factums
- Effective oral advocacy in a virtual world
- Costs and without prejudice submissions
- Dealing with self-represented applicants or respondents

11:55 am Concluding Remarks

12:00pm Program Concludes

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd

Questions? pd@oba.org