

Fundamentals of Civil Sexual Assault Claims

Insurance Law



In Person



Webcast

Date: Thursday, November 21, 2024 | 9:00 am to 1:00 pm

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

Agenda: 8:30 am Registration
9:00 am Program Commences
1:00 pm Program Concludes

Planning Committee: **Anna Matas**, St. Lawrence Barristers
Linda Phillips-Smith, Stieber Berlach LLP



This program is eligible for up to **1 hr** of
Professionalism Content
This program is eligible for up to **3 hrs** of
Substantive Content

Join our expert faculty for a deep dive into the nuances and unique elements of civil sexual assault claims. Unravel the applicable causes of action and defences, as well as the ins-and-outs of assessing damages. You'll gather practical advice and helpful strategies for assessing the file, and handling evidentiary issues in a trauma-informed manner.

Don't miss this opportunity to gain valuable insights to help you represent your clients effectively and tackle your most challenging cases with confidence. Register now to secure your spot!

8:30 am **Registration and Coffee**

9:00 am **Opening Remarks**

9:05 am **Unpacking Causes of Action and Defences**
Giovanna Asaro, Blaney McMurty LLP
Elizabeth Grace, Lerner LLP
Alex Smith, Henein Hutchison Robitaille LLP

- What constitutes physical, sexual, emotional/psychological assault or battery?
- Are harassment and stalking recognized at law?
- What forms of online misconduct are recognized?
- What you need to know about limitation periods
- How are civil actions impacted by concurrent criminal proceedings?
- Vicarious liability – when does it apply?
- What is non-delegable duty?

10:15 am **Assembling Your Case Using Trauma-Informed Techniques**
Erin Ellis, Gluckstein Lawyers
Deepa Mattoo, Barbra Schlifer Commemorative Clinic
Michael Wilchesky, Rochon Genova LLP

- Early assessment of the action
- Managing client expectations regarding the process
- Tools of effective advocacy – special considerations in abuse cases
- How to conduct discoveries in a respectful, trauma-informed manner while getting evidence

11:30 am **Health Break**

11:45 am **Making Sense of Causation and Damages**
The Honourable Justice Susan Vella, Superior Court of Justice
Jessica DiFederico, Stieber Berlach LLP
Alexi Wood, St. Lawrence Barristers

- How do you determine the harms caused by the abuse?

1:00 pm **Program Concludes**

PROGRAM REGISTRATION IS ONLINE www.oba.org/pd
Questions? pd@oba.org