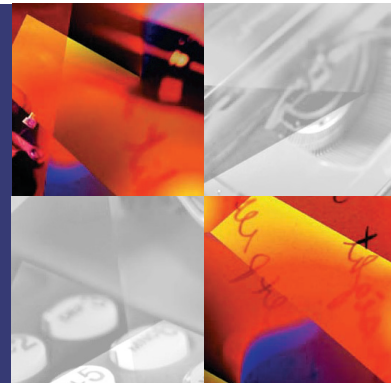


National Administrative Law/Labour and Employment Law CLE Conference

THROUGH THE FROSTED GLASS: PRACTICAL ADVICE AND TRENDS TOWARDS TRANSPARENCY IN THE LAW



Presented by the National Administrative Law Section, the Labour and Employment Law Section, and the Continuing Legal Education Committee

November 24-25, 2006
The Westin Ottawa
Ottawa, Ontario

SPONSOR

**STEWART
MCKELVEY**



This program has been accredited by the Labour Law Specialty Committee of the Law Society of Upper Canada for 5.5 hours towards the professional development requirement for certification.

The premier CLE event returns for administrative law lawyers and labour and employment law practitioners.

The only conference in Canada to balance practical hands-on guidance with broad overviews, this year's event features the return of prominent and well-received speakers, such as leading administrative law author David Phillip Jones, Q.C., Canada's Chief Legislative Counsel John Mark Keyes, and the authoritative James Sprague. On the Labour Law side, registrants will immediately recognize key authors and practitioners, such as Robert Bonhomme, Richard J. Charney, and Eric Durnford, Q.C.

Featuring best-selling author and renowned journalist Stevie Cameron, the CLE's line-up also includes human rights lawyer Julius Grey and a panel of judges drawn from across the country, candidly discussing how the courts handle both practice issues and hard legal questions in administrative law and labour and employment law.

Presented at downtown Ottawa's Westin Hotel, this CLE event is a must for lawyers, judges, and tribunal members who want to improve their skills and understanding of these areas of the law.

CONFERENCE ORGANIZERS

Pierre Moreau
Nancy Barteaux

Susan Trylinski
Robert Dawson



Program Agenda

FRIDAY, NOVEMBER 24, 2006

8:00 – 8:45 REGISTRATION

8:45 – 8:55 WELCOME

- **David Corry**, *Chair, CBA Labour and Employment Law Section*
- **Robert Dawson**, *Chair, CBA Administrative Law Section*

8:55 - 10:40 PLENARY SESSION

Update on Administrative Law and Labour and Employment Law

Introduction: **Nancy Forbes**, *Treasurer, CBA Administrative Law Section*

- Speakers:*
- **David Phillip Jones, Q.C.**, *de Villars Jones, Edmonton*. Co-author of *Jones & de Villars' Principles of Administrative Law*.
 - **Robert Bonhomme**, *Heenan Blaikie LLP, Montreal*. Co-author of *Le congédiement en droit québécois*.
 - **Claire Vachon**, *Heenan Blaikie LLP, Toronto*

10:40 - 10:55 REFRESHMENT BREAK

CONCURRENT SESSIONS

10:55 - 12:00 ADMINISTRATIVE LAW

Practical Tips: Practice and Procedure

Introduction: **Carole Prest**, *Workplace Safety and Insurance Appeals Tribunal, Toronto*

- Speakers:*
- **Gordon H. Maynard**, *Maynard Kischer Stojicevic, Vancouver*
Evidence Before Administrative Tribunals
 - **Sara Blake**, *Crown Law Office – Civil, Ministry of Attorney General, Toronto*. Author of *Administrative Law in Canada*.
Disclosure Before Administrative Tribunals

10:55 - 12:00 LABOUR AND EMPLOYMENT LAW

Too Many Fronts: Parallel Proceedings and Choice of Forum

Introduction: **James F. LeMesurier**, *Stewart McKelvey, Saint John*

- Speakers:*
- **Eric Durnford, Q.C.**, *McInnes Cooper, Halifax*
 - **Richard J. Charney**, *Ogilvy Renault LLP, Toronto*. Co-author of *Judicial Review in Labour Law*.

12:00 – 1:45 LUNCH WITH THE SPEAKERS

1:45 - 3:00 PLENARY SESSION

Transparency, the Law and the Public Eye

Moderator: **Michel Décary, Q.C.**, *Stikeman Elliott LLP, Montreal*

- Panelists:*
- **Stevie Cameron**, renowned journalist. Author of *Ottawa Inside Out*, *On the Take: Crime Corruption and Greed in the Mulroney Years*, *Blue Trust*, and *The Last Amigo: Karlheinz Schreiber and the Anatomy of a Scandal*.
 - **Julius H. Grey**, *Grey Casgrain, Montreal*. Leading human rights advocate and winning lawyer in such Supreme Court of Canada cases as *Amselem v. Syndicat Northcrest*, *R. v. Advance Cutting and Coring Ltd*, and *Multani v. Commission scolaire Marguerite-Bourgeoys*.

3:00 - 3:15 REFRESHMENT BREAK



CONCURRENT SESSIONS

3:15 - 4:30

ADMINISTRATIVE LAW

Practical Tips: Remedies, Damages, and Legislation

Introduction: **Maureen Baird**, Vice-Chair, CBA Administrative Law Section

- Speakers:*
- **Mathieu Bouchard**, *Davies Ward Phillips & Vineberg LLP, Montreal*
Alternative Remedies in Administrative Law
 - **Kathleen McManus**, *Department of Justice (Canada), Halifax*
Judicial Review as a Prerequisite to an Action for Damages
 - **John Mark Keyes**, *Acting Chief Legislative Counsel, Department of Justice (Canada), Ottawa.*
*Author of **Executive Legislation: Delegated Law Making by the Executive Branch***
Unproclaimed Legislation: Forcing the Government's Hand or Killing the Initiative?

3:15 - 4:30

LABOUR AND EMPLOYMENT LAW

"Off the Beaten Path" Damage Claims in Employment Law: How to Stay on the Trail

Introduction: **David Corry**, Chair, CBA Labour and Employment Law Section

- Speakers:*
- **Michael P. Fitzgibbon**, *Borden Ladner Gervais LLP, Toronto*
 - **Philippe C. Vachon**, *Borden Ladner Gervais LLP, Montreal*

4:30 - 6:00

RECEPTION

SPONSORED by **Stewart McKelvey**

SATURDAY, NOVEMBER 25, 2006

8:30 - 9:10

REGISTRATION

9:10 - 10:15

PLENARY SESSION

Evolutionary Trends in Administrative Law or How to Make the Pirate's Code Work For You

Introduction: **Michèle Hurteau**, Secretary, CBA Administrative Law Section

- Speaker:* **James L.H. Sprague**, Senior General Counsel, Elections Canada, Ottawa. Co-author of *Hearings before Administrative Tribunals* and *Practice and Procedure before Administrative Tribunals*.

10:15 - 10:30

REFRESHMENT BREAK

10:30 - 12:00

A FORUM OF JURISTS

Moderator: **Pierre Moreau**, Vice-Chair, CBA Labour and Employment Law Section

- Panelists:*
- **Mr. Justice Leo D. Barry**, Newfoundland and Labrador Supreme Court (Trial Division)
 - **Madam Justice Sheila J. Greckol**, Alberta Court of Queen's Bench
 - **Mr. Justice Paul S. Rouleau**, Ontario Court of Appeal
 - **Mr. Justice W.J. Vancise**, Saskatchewan Court of Appeal

CLOSING REMARKS

- **Malcolm Boyle**, Past Chair, CBA Labour and Employment Law Section
- **Susan Trylinski**, Past Chair, CBA Administrative Law Section

Speakers are confirmed, but may change due to unforeseen circumstance

Registration Form

MEETING VENUE

The Westin Ottawa
11 Colonel By Drive
Telephone: 1-800-937-8461
Website: The Westin Ottawa

HOTEL RESERVATION

Please contact the hotel directly and refer to the CBA **Administrative Labour Law** conference to obtain the preferred rate. Special room rate available until **October 24, 2006**.

TRAVEL

Air Canada is the official carrier for all our CBA meetings. For travel assistance, please call the CBA's travel agent, Algonquin Travel, at 1-866-216-1251, or contact Air Canada directly at 1-800-361-7585, and quote CBA Account #CV061765. By ensuring that this special CBA account number appears on your ticket, regardless of the fare purchased, you will help support your organization financially, and we thank you.

CAR RENTAL

AVIS, the official rental car supplier of the CBA, offers several special rates. Call 1-800-331-160 or visit www.avis.com to reserve your car. You must quote discount number **C136498**.

TO REGISTER

Pay by credit card (Visa or MasterCard **only**), or send cheque or money order made payable to the Canadian Bar Association together with this registration form to:

Kim MacDonald
Acting CLE Program Coordinator
Canadian Bar Association
865 Carling Ave., Suite 500
Ottawa, ON, K1S 5S8 or
Fax information to 613-237-0185

PAYMENT MUST BE RECEIVED PRIOR TO THE ACTUAL CONFERENCE TOGETHER WITH A COMPLETED REGISTRATION FORM

REFUND POLICY:

There will be a 20% administrative charge for any cancellation received in writing prior to **October 24, 2006**. No refund will be given after **October 24, 2006**.

There will be no refunds for "no-show" registrants. The program material will be shipped to registrants unable to attend the program within 15 days of the program.

INFORMATION

For further information about this program, please contact **Kim MacDonald** at the CBA National Office by telephone at **613-237-2925** or **1-800-267-8860 ext. 161**, or by e-mail at kimm@cba.org.

We encourage limited use of scented product during the conference in consideration of scent-sensitive participants. Thank you.

For updates on the program please visit our web-site at www.cba.org/CBA/CLE

NATIONAL ADMINISTRATIVE LAW/LABOUR AND EMPLOYMENT LAW CLE CONFERENCE

November 24-25, 2006 - The Westin Ottawa

	FEE	GST (6%)	TOTAL
<input type="checkbox"/> CBA Members	\$575.00	\$34.50	\$609.50
<input type="checkbox"/> Students (CBA Members)	\$290.00	\$17.40	\$307.40
<input type="checkbox"/> Non-Members	\$730.00	\$43.80	\$773.80

Payment due with registration application.

Friday, November 24 - 10:55 - 12:00

- Yes**, I will attend the **Administrative Law** session.
 Yes, I will attend the **Labour and Employment Law** session.

Friday, November 24 - 3:15 - 4:30

- Yes**, I will attend the **Administrative Law** session.
 Yes, I will attend the **Labour and Employment Law** session.
 Yes, I would like to attend the Friday night reception.
 Yes, I would like to join the CBA now and pay the member fee to attend this program. I understand that a membership representative will be contacting me.
 No, I cannot attend but would like to purchase the course material. The publication coordinator will contact me after the conference to discuss cost and shipping.

CBA Membership No.

Mr. Ms.

Surname

Given Names

Firm or Organization

Address

City

Province

Postal Code

Office Phone No.

Fax No.

Email

Please indicate special needs (dietary, wheelchair access, etc.)

Method of Payment (payment due with registration application)

Cheque Visa Mastercard

Card No.

Expiry Date

Authorized Signature

PERSONAL INFORMATION CONSENT

The CBA's programs are supported by preferred suppliers, sponsors and exhibitors. Subject to the following paragraph, I understand that the provision of contact information on this form constitutes my consent to such information being disclosed to the preferred suppliers, sponsors and exhibitors of this program. For further information about the CBA's treatment of personal information, see members Privacy Policy at www.cba.org.

By checking this box I do not wish my contact information disclosed to the preferred suppliers, sponsors and exhibitors of this program. I understand my name will not appear on the delegates list.