

CBA-FLSC ETHICS FORUM

MARCH 2, 2018 | TORONTO (ON)

Friday, March 2, 2018

8:30 – 9:00 **Registration & Breakfast**

9:00 – 9:05 **Conference Co-Chairs Opening Remarks**

Malcolm Mercer, *Partner, McCarthy Tétrault* (Toronto)

Alice Woolley, *Professor, University of Calgary, Faculty of Law* (Calgary)

Welcome from Paul Schabas, *Treasurer of the Law Society of Ontario* (Toronto)

9:05 – 10:30 **Putting Trials on Trial: Sexual Assault and the Failure of the Legal Profession**

(1.5 hours – Ethics, Professionalism, Practice Management content)

Elaine Craig's recently published book evaluates how we prosecute, defend and adjudicate sexual assault cases. It considers law beyond the books: what happens in Canadian courtrooms during sexual assault cases. This panel considers Craig's assessment and the ethical challenges it identifies for Canadian lawyers and judges.

Moderator: **Alice Woolley**, *Professor, University of Calgary, Faculty of Law* (Calgary)

Speakers: **Dr. Elaine Craig**, *Professor, Dalhousie University Schulich School of Law* (Halifax)

Jonathan Dawe, *Criminal Defence Counsel, Dawe & Dineen* (Toronto)

Teresa Donnelly, *West Region Sexual Violence Crown, Ministry of the Attorney General* (Toronto)

Alice Woolley, *Professor, University of Calgary, Faculty of Law* (Calgary)

10:30 – 10:45 **Health Break**



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10:45 – 12:15 Reconciliation in Practice: How lawyers and the legal system can achieve reconciliation with Indigenous Peoples.

(1.5 hours – Ethics, Professionalism, Practice Management content¹)

The 2015 Report of Canada’s Truth and Reconciliation Commission identified specific objectives for Canadian lawyers, law schools and the legal system as a whole to address the historic and current deficiencies in the law’s treatment of Indigenous Peoples. How can individual lawyers and legal organizations work toward accomplishment of those objectives? This panel offers perspectives on the issue from a variety of practice contexts

Moderator: **Paul Schabas**, *Treasurer of the Law Society of Ontario* (Toronto)

Speakers: **Koren Lightning Earle**, *Indigenous Initiatives Liaison, Law Society of Alberta* (Calgary)

Katherine Hensel, *Hensel Barristers* (Toronto)

Kirsten Manley-Casimir, *Acting Legal Director, Indigenous Justice Division, Ministry of the Attorney General, Ontario* (Toronto)

Kelsey Sitar, *Sitar & Milczarek* (Calgary)

12:15 - 13:15 Lunch and Presentation of the CALE Lifetime Achievement Award to the Honourable Stephen T. Goudge for his sustained accomplishments in the field of legal ethics and professionalism.

13:15– 14:45 Legal services regulation and disruption

(1.5 hours – Ethics, Professionalism, Practice Management content)

Technology and social change, as well as evolving legal needs and challenges, have disrupted the legal profession. Those disruptions are likely to continue. How should regulators respond? What does regulation in the public interest look like in a radically evolving legal profession?

Moderator: **Malcolm Mercer**, *Partner, McCarthy Tétrault* (Toronto)

¹ **Members of the Law Society of Ontario:** This session includes 1.5 professionalism hours that focus on advancing [equality and inclusion](#) in the lawyer and paralegal professions.



Speakers: **Jordan Furlong**, *Strategic Analyst of the Global Legal Market, Law21* (Ottawa)
Diana Miles, *Acting CEO, The Law Society of Ontario* (Toronto)
Noel Semple, *Assistant Professor, University of Windsor Faculty of Law* (Windsor)
Deanne Sowter, *Instructor, University of Calgary Faculty of Law, and Research Fellow, Winkler Institute for Dispute Resolution* (Calgary)

14:45 – 15:00 Health Break

15:00 – 16:30 Expanding legal regulation

(1.5 hours – Ethics, Professionalism, Practice Management content²)

Everyone agrees that law societies can and should regulate lawyer’s duties of competence, confidentiality and the avoidance of conflicts. But should they do more? Should they regulate access to justice? Should they require lawyers to promote equality and diversity in the legal profession? How should the Conduct Rules support the administration of and access to justice? This panel considers those difficult and contentious issues.

Moderator: **Kristin Dangerfield**, *CEO, Law Society of Manitoba* (Winnipeg)

Speakers: **Barbra Bailey**, *Director of Governance, Strategy & Innovation, Law Society of Saskatchewan* (Regina)
Trevor Farrow, *Professor, Osgoode Hall Law School* (Toronto)
Janet Leiper, *Bencher and Co-Chair Challenges for Racialized Licensees Task Force, Law Society of Ontario* (Toronto)
Darrel Pink, *Past CEO, Barristers Society* (Halifax)

*** To obtain accreditation information for the entire conference in each Canadian jurisdiction, please visit the [conference webpage](#).***

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