

# CBA-FLSC ANNUAL ETHICS FORUM

MARCH 3, 2017 | TORONTO (ON)

*Presented jointly by the CBA, the Federation of Law Societies of Canada and the  
Canadian Association for Legal Ethics*

## Friday, March 3, 2017

**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)*

**9:05 – 10:30**      **Self-Regulation and Self-Interest – Real Challenges and Possible Solutions**

Through self-regulation, lawyers are able to guarantee independence from the state while drawing on the expertise of the legal profession. Although the public interest and professional interests are commonly aligned, there are notable exceptions. In an interactive session, the Forum will examine the conflict between professional self-interest and self-regulation in Canada.

**Speakers:**      **Janet Leiper**, *Barrister (Toronto)*

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

**Amy Salczyn**, *Assistant Professor, University of Ottawa, Faculty of Law (Ottawa)*

**Noel Semple**, *Assistant Professor, University of Windsor, Faculty of Law (Windsor)*

**10:30 – 10:45**      **Health Break**



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**10:45 – 12:15 Prosecutorial Conduct – Ethics and Regulation for Lawyers Without Clients but with a Special Role**

Legal ethics largely focuses on a lawyer's duty to their client. Prosecutors are unique in that they "act for the public and the administration of justice" rather than a client. Unlike their defence counterparts, prosecutors rarely have their conduct scrutinized by law societies. Prosecutorial misconduct is more often addressed by the Attorney General. The Forum will examine important issues raised by these differences and discuss what changes might be considered.

**Moderator:** **Danielle Robitaille**, *Partner, Henein Hutchinson* (Toronto)

**Speakers:** **Robert Frater Q.C.**, *Chief General Counsel, Department of Justice* (Ottawa)  
**David Layton Q.C.**, *Criminal Appeals Prosecutor, BC Ministry of Justice* (Vancouver)  
**Alice Woolley**, *Professor, University of Calgary, Faculty of Law* (Calgary)

**12:15 - 13:15 Lunch and Keynote Speaker**

Christie Blatchford is one of Canada's leading journalists and writes about victims, the accused, judges, lawyers, and the law. Ms. Blatchford offers a different perspective, well grounded in deep and thoughtful examination.

**Speaker:** **Christie Blatchford**, *Columnist, National Post* (Toronto)

**13:15– 14:45 Judicial Conduct and Consequences – A time of Reconsideration and Reform**

Issues of alleged judicial misconduct have recently caught the nation's attention. The Forum will discuss conduct deserving of sanction, the nature of the disciplinary process, as well as appropriate remedies. We will hear perspectives from the bench, the bar, and academia.

**Moderator:** **The Honourable Gloria Epstein Q.C.**, *Justice, Court of Appeal for Ontario* (Toronto)

**Speakers:** **Richard Devlin**, *Professor, Schulich School of Law, Dalhousie University* (Halifax)  
**The Honourable David Jenkins**, *Chief Justice, Prince Edward Island Court of Appeal* (Charlottetown)



**Stephen Pitel**, *Professor, Western University, Faculty of Law* (London)  
**Frederica Wilson**, *Senior Director, Regulatory and Public Affairs,*  
*Federation of Law Societies* (Ottawa)

**14:45 – 15:00 Health Break**

**15:00 – 16:30 Modern Law Firms – Stability, Governance, Innovation and Regulatory Risk**

In one generation, many law firms have evolved from relatively small localized traditional partnerships to large multi-jurisdictional businesses. While there have been many successes, there have been notable failures (such as Heenan Blaikie). The Forum will examine the stability of modern law firms, their ability to govern themselves, as well as their ability to ensure ethical compliance while tackling the challenges of innovation, merger, and expansion.

Speakers: **Adam Dodek**, *Professor, University of Ottawa, Faculty of Law* (Ottawa)  
**Scott Jolliffe**, *Head of International Development, Gowlings WLG* (Toronto)  
**Julie Paquin**, *Associate Professor, University of Ottawa, Faculty of Law* (Ottawa)  
**Darrel Pink**, *Executive Director, Nova Scotia Barristers Society* (Nova Scotia)

**We are grateful for the contributions of the Law  
Society of Upper Canada in hosting this event**



*\*\*Topics and speakers subject to change*



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