

**Criminal Lawyers' Association
Recent Call Committee: 4th Annual Conference**

Conducting a Trial in the Ontario Court of Justice

Junior criminal defence counsel invariably begin their careers litigating trials in the Ontario Court of Justice. Those trials can be simple and yet they provide a gateway to understanding and litigating complex issues. Those trials also become the main way in which junior counsel sharpen and develop their skills as advocates, including recognizing and working through ethical issues that come up in the course of trial. Judges and senior members of our bar will speak on how to litigate the most common offences that young lawyers take in the early years of their career. Discussion will include recognizing ethical dilemmas that arise and the Rules of Professional Conduct to be considered. This conference will better equip junior counsel with the tools and understanding they need to litigate the cases they will most often see in their early years.

**SATURDAY, MARCH 29, 2014
Donald Lamont Learning Centre
Osgoode Hall, Toronto ON**

Time:	Title	Speaker
8:45-9:25am	Registration and Continental Breakfast (Donald Lamont)	
9:25-9:30am	Welcome and Introductions	
9:30-10:15am	<p>Robbery Session will focus on common issues facing counsel litigating robbery cases, including elements of the offence, identification issues, preparation for cases involving firearms, calling your client to testify, and sentencing considerations.</p> <p>Rules of Professional Conduct Covered: 2.01 Competence 2.02 Quality of Service 2.03 Confidentiality 4.01 Lawyer as an Advocate 4.03 Interviewing Witnesses 4.04 Communication with Witnesses Giving Evidence 4.06 Encouraging respect for the Administration of Justice 6.01 Integrity</p>	<p>The Honourable Justice Shaun Nakatsuru Scott Cowan Adam Newman Heather Pringle</p> <p>Moderator: Zachary Kerbel</p>
10:15-11:00am	<p>Domestics: Assaults and Threats Session will consist of a discussion of common issues that arise in domestic assault cases. Topics include interviewing a complainant, preparing your client to testify, <i>K.G.B.</i> and s. 9(2) issues, admissibility of prior acts, and self-defence considerations.</p> <p>Rules of Professional Conduct Covered: 2.01 Competence 2.02 Quality of Service 2.03 Confidentiality 4.01 Lawyer as an Advocate 4.03 Interviewing Witnesses 4.04 Communication with Witnesses Giving Evidence 4.06 Encouraging respect for the Administration of Justice 6.01 Integrity 6.03 Communications with a Represented Person</p>	<p>TBD</p> <p>Moderator: Will McNair</p>

11:00-11:15 am	Coffee Break	
11:15 am -11:55 am	<p>Compliance Offences A discussion of allegations of breach of bail and/or probation, and important defences available to counsel. Topics include commonly-charged offences (including residence and curfew conditions), elements of compliance offences, statutory defences, documentary evidence necessary for the Crown, and advice to clients on interpreting bail/probation conditions.</p> <p>Rules of Professional Conduct Covered: 2.01 Competence 2.02 Quality of Service 2.03 Confidentiality 4.01 Lawyer as an Advocate 4.03 Interviewing Witnesses 4.04 Communication with Witnesses Giving Evidence 4.06 Encouraging respect for the Administration of Justice 6.01 Integrity</p>	<p>Daniel Brown James Foord Sean Robichaud Moderator: Rebecca McConchie</p>
11:55- 12:15	Pick up Lunches	
12:15-12:45pm	<p>Lunch Lecture – Handling YCJA Cases An overview of the major differences between representing youths charged under the YCJA and representing adults. Topics include procedural protections available to youths that counsel must know, understanding “serious violent offences”, and sentencing considerations</p> <p>Rules of Professional Conduct Covered: 2.01 Competence 2.02 Quality of Service 2.03 Confidentiality 4.01 Lawyer as an Advocate 4.03 Interviewing Witnesses 4.04 Communication with Witnesses Giving Evidence 4.06 Encouraging respect for the Administration of Justice 6.01 Integrity</p>	<p>The Honourable Justice Andrea Tuck-Jackson</p> <p>Moderator: Shannon O’Connor</p>
12:45-1:30pm	<p>Fraud A discussion on defending clients charged with credit card fraud, fraud against employer and other common fraud charges litigated in the Ontario Court of Justice. Topics include elements of the offence, documents necessary for the Crown to prove the case, handling documentary disclosure, preparing the client, and ethical considerations in taking documents from client in preparing the case.</p> <p>Rules of Professional Conduct Covered: 2.01 Competence 2.02 Quality of Service 2.03 Confidentiality 4.01 Lawyer as an Advocate 4.03 Interviewing Witnesses 4.04 Communication with Witnesses Giving Evidence 4.06 Encouraging respect for the Administration of Justice 6.01 Integrity</p>	<p>TBD</p> <p>Moderator: Anthony Marchetti</p>
1:30-2:15pm	<p>Drug Cases Session will canvass the many issues surrounding drug cases.</p>	<p>The Honourable Justice Melvyn</p>

	<p>Topics include <i>Charter</i> considerations (especially search and detention cases), understanding the law of possession, special defences in drug cases, dealing with experts, and mandatory minimums in sentencing.</p> <p>Rules of Professional Conduct Covered:</p> <ul style="list-style-type: none"> 2.01 Competence 2.02 Quality of Service 2.03 Confidentiality 4.01 Lawyer as an Advocate 4.03 Interviewing Witnesses 4.04 Communication with Witnesses Giving Evidence 4.06 Encouraging respect for the Administration of Justice 6.01 Integrity 	<p>Green Adam Boni Michael Davies Kim Schofield</p> <p>Moderator: Gerald Chan</p>
2:15pm	Closing Remarks	