

**The Advanced Certificate in  
ADJUDICATION  
for Administrative Agencies, Boards & Tribunals**

**AGENDA  
ADVANCED ADMINISTRATIVE & REGULATORY  
DECISION-MAKING**

**February 12, 2018**

*Moderator: Pamela Chapman*

- 8:30**            **REGISTRATION AND CONTINENTAL BREAKFAST**
- 9:00**            **INTRODUCTION TO PROGRAM & ICEBREAKER**  
Pamela Chapman, Legal Educator & Consultant, Program Director
- 9:15**            **THINKING FAST AND SLOW FOR ADJUDICATORS**  
Aaron Barth, Ph.D., Dialectic  
*Presentation, exercises, discussion*
- Intuitive processes and decision-making strategies
  - How to hone and refine critical thinking, and avoid cognitive biases
  - Strategies for flexible and effective problem-solving methods
  - Methods to overcome challenges that impede clear thinking
  - Principles of rational thinking
- 10:30**            **BREAK**
- 10:45**            **THINKING FAST AND SLOW FOR ADJUDICATORS (CONT'D)**  
Aaron Barth, Ph.D., Dialectic
- 12:00**            **SESSION DEBRIEF**
- 12:15**            **LUNCH**
- 1:00**            **DECISION-MAKING RISKS FOR ADJUDICATORS**  
Pamela Chapman, Legal Educator & Consultant, Program Director  
*Presentation, exercise, discussion*
- Intuition, cognitive errors and legal decision-making
  - Studies on judicial and tribunal decision-making
  - Best practices for encouraging deliberation in tribunal settings

**1:45**

**DECISION-MAKING PROCESSES: TOOLS & APPROACHES**

*Presentation, small group exercise*

**Pamela Chapman**, Legal Educator & Consultant, Program Director

- Issue identification
- Decision-making templates, trees & mapping
- In small groups, participants will use a rubric to develop a decision tree for a generic decision
- In plenary, participants will debrief the analytical path of the decision

**2:45**

**BREAK**

**3:00**

**PANEL DISCUSSION: DIFFICULT LEGAL ISSUES IN ADMINISTRATIVE & REGULATORY DECISION-MAKING**

*Presentation, short fact scenarios, discussion*

**Panelists:**     **John Evans**, Counsel, Goldblatt Partners

**David Wright**, Chair, Law Society Tribunal

- Adjudicative notice: scope and limits for expert tribunals and regulators
- Evolving approaches to statutory interpretation
- The exercise of discretion
- Onus, burden and standards of proof, legal and evidentiary

**4:15**

**“PUZZLERS & DAZZLERS”**

- The program will end with a reflective exercise in plenary and review of the key insights and learning from the day

**4:30**

**END OF DAY**