

THE OSGOODE CERTIFICATE IN HANDLING SUMMARY CONVICTION OFFENCE CASES

50% off for
Newly Licensed
(2016-2019)

October 2019 - March 2020
Over 5 intensive 1-day Modules
Modules 1-4: In Person or Webcast
Module 5: In Person Only

Get the knowledge and practical skills you need from a faculty of over 20 judges, defence lawyers and Crown Attorneys.

- Disclosure: when to ask for it, what to look for and how to identify what's missing
- Strategies for preparing and conducting your Crown pre-trial and judicial pre-trial
- Expert insight into how to best prepare and conduct your trial
- Full-day intensive workshops on conducting your cross-examination and making submissions on sentencing

Program Director

The Hon. Justice Rick Libman
Ontario Court of Justice

Location

Osgoode Professional
Development
1 Dundas St. W., 26th Floor
Toronto, ON

Register today at:

osgoodepd.ca/summaryconvictions



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Modules 1 & 2 can be purchased individually. See registration page for further details:
[osgoodepd.ca/
summaryconvictions](https://osgoodepd.ca/summaryconvictions)

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summaryconvictions](https://osgoodepd.ca/summaryconvictions)

Can't attend a module?

Webcast option is available for Modules 1-4 and all participants will have an **unlimited** 90-day access to each archived module.

As a legal professional who defends or prosecutes summary conviction offences, it is imperative you have a clear grasp on how to effectively advocate your case.

Created by the developers of *The Osgoode Certificate in Provincial Offences Court Practice* and led by The Honourable Justice Rick Libman, this new program will explore key stages of a summary conviction offence matter while emphasizing ways of strengthening your written and oral advocacy.

Over five intensive one-day modules (spread out over 5 months), our expert faculty will give you a comprehensive overview of the relevant law and a unique opportunity to hone your advocacy skills.

Learn-by-doing exercises and individualized feedback from defence lawyers, Crown attorneys and judges will take your confidence and skills to a new level.



Learn from the experts as they discuss the key stages of a summary conviction file from start to finish.

- Techniques for getting the most out of the Crown pre-trial and judicial pre-trial
- Charter applications and how to improve your overall written advocacy
- Effective oral advocacy at trial: practical tips from the Bench
 - Crafting opening statements and closing arguments
 - How to prepare for the examination-in-chief
 - Key strategies for cross-examining the prosecution's witness
 - Refining sentencing submissions
- Appeals: the law and the strategies

Plus! Intensive, full-day workshops on **making sentencing submissions on a guilty plea** as well as **cross-examining a witness at trial**. You'll receive individualized feedback from our expert facilitators including judges and senior legal practitioners.

Who Should Attend:

- Defence Lawyers
- Crown Attorneys
- Paralegals

Here's what past participants said about *The Osgoode Certificate in Provincial Offences Court Practice* (also chaired by The Hon. Justice Rick Libman):

“After eight years of university, I didn't realize how much practical and helpful more education could be. I was forced outside of my comfort zone at times, gained the perspectives of many experienced professionals, and learned so much in the process.”

Venetia Whiting
Bennett Jones LLP

“We received lots of tips, advice and strategies – we need more programs like this!”

Joseph Kanoni
Active Justice Legal Services P.C.

Drawing on the expertise of these judges and senior practitioners including:

Program Director



The Hon. Justice
Rick Libman

Ontario Court of Justice

Here's what past participants said about *The Osgoode Certificate in Provincial Offences Court Practice* (also chaired by The Hon. Justice Rick Libman):

“*This program was very engaging and motivating. Each segment tied nicely into the next. Justice Libman as the Program Director was great!*”

Lucy DeFilippis
Paralegal, Ministry of Education

“*Engaging exercises with valuable feedback. I appreciated the time allotted for questions and discussion. Well developed scenarios. Good preparation for court practice.*”

Raj Bharati
Legal Counsel, Alcohol & Gaming
Commission of Ontario

Program Faculty

Paul Calarco

Barrister & Solicitor

Rochelle Direnfeld

Deputy Director, Director of
Crown Operations Office,
Ministry of the Attorney
General (Ontario)

Ari Goldkind

Barrister & Solicitor

Emily Lam

Kastner Law

Daniel Libman

Damien Frost & Associates LLP

The Hon. Justice Rick Libman

Ontario Court of Justice

Ruth McGuirl

Crown Counsel, Public
Prosecution Service of Canada

Royland Moriah

MacGregor Moriah Horic LLP

Kim Schofield

Kim Schofield & Associates

Janani Shanmugunathan

Erin Dann Barrister

Richard Stern

Barrister & Solicitor

Erin Winocur

Assistant Crown Attorney,
Crown Attorney's Office
(Toronto)

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osgoodepd.ca/summaryconvictions

Agenda

MODULE 1*

Saturday, October 26, 2019

9:00 a.m. – 4:15 p.m.

Overview of Summary Conviction Trials

The Statutory Framework and the Court's Jurisdiction

- Rules of Court (for summary conviction trials)
- The impact of Bill C-75 on summary conviction offences

Critical Issues at the First Client Meeting

- Finalizing your retainer
- Managing client expectations at an early stage
- Obtaining proper instructions
- Developing a strategic defence plan
- Preparing for first court appearance
- Securing and reviewing initial disclosure
- Avoiding conflicts
- Ensuring you do not act contrary to your client's instructions
- Investigating any potential mental health issues with your client

Current Developments in Summary Conviction Offences

- Recent cases of interest bearing on summary conviction procedure
- The impact of "unreasonable delay" on summary offences

Pre-Trials and Resolution Discussions

- Strategies for discussing resolution with both your client and the Crown
- Practical tips when preparing for the Crown pre-trial and judicial pre-trial

- Do's and don'ts when discussing the evidence with the other side

Faculty

Rochelle Direnfeld

Deputy Director, Director of Crown Operations Office, Ministry of the Attorney General (Ontario)

Ari Goldkind

Barrister & Solicitor

The Hon. Justice Rick Libman

Ontario Court of Justice

Erin Winocur

Assistant Crown Attorney,
Crown Attorney's Office (Toronto)

MODULE 2*

Saturday, November 30, 2019

9:00 a.m. – 4:15 p.m.

Evidence in Summary Conviction Trials

- **Overview of the most critical evidentiary issues:** hearsay, privileged information, business records, electronic information
- **"Dissecting Disclosure":** An experienced criminal defence lawyer will examine a sample set disclosure pertaining to a real summary conviction offence matter. This session will answer all of the critical questions so that you know will how to use disclosure effectively to advance your case. The analysis will also address how to identify outstanding information and provide strategies on how to obtain what you need.
- **Judicial Interim Release:** key strategies on what to do when

your client is still in custody. An experienced defence lawyer, Crown attorney and Justice of the Peace will discuss the most pertinent issues when addressing bail.

- **"Good Evidence, Bad Evidence":**

Using a variety of case scenarios, judges and experienced counsel will lead the group in an interactive discussion on the issues and circumstances relating to admissibility of evidence.

Faculty

The Hon. Justice Rick Libman

Ontario Court of Justice

Royland Moriah

MacGregor Moriah Horic LLP

Kim Schofield

Kim Schofield & Associates

MODULE 3*

Saturday, January 18, 2020

9:00 a.m. – 4:30 p.m.

The *Charter* and Summary Convictions

- Overview of the key sections of the *Charter* and their application to summary conviction offences:
 - Unreasonable search and seizure
 - Right to counsel
 - Disclosure and unreasonable delay
 - Exclusion of evidence
- Review of *Charter* claims and available remedies
- Leading *Charter* cases
- Written advocacy: Drafting an effective *Charter* application

Faculty

Daniel Libman

Damien Frost & Associates LLP

The Hon. Justice Rick Libman

Ontario Court of Justice

Janani Shanmugunathan

Erin Dann Barrister

Richard Stern

Barrister & Solicitor

MODULE 4*

Saturday, February 29, 2020

9:00 a.m. – 4:15 p.m.

Trial, Sentencing and Appeals

The Trial

- How to prepare your client and witnesses
- Preparing the examination-in-chief of your witnesses and preparing for the cross-examination of the Crown's witnesses
- Understanding the significance of each witness and knowing which questions to ask

Effective Advocacy: View from the Bench

- An experienced judge will lead an in-depth discussion into what makes an effective advocate at trial.

Guilty Pleas and Sentencing

- Plea comprehension inquiry—getting instructions from your client and ensuring it is a proper plea, the importance of collateral consequences
- Sentencing objectives/principles
- Effective advocacy at the sentencing stage

Appeals

- Proper grounds and knowing when to appeal
- Bail pending appeal, lifting driving prohibitions, etc.
- Effective advocacy in writing and oral argument

Faculty

Paul Calarco

Barrister & Solicitor

Emily Lam

Kastner Law

The Hon. Justice Rick Libman

Ontario Court of Justice

Ruth McGuirl

Crown Counsel, Public Prosecution Service of Canada

Richard Stern

Barrister & Solicitor

MODULE 5**

Saturday, March 28, 2020

9:00 a.m. – 4:15 p.m.

Intensive Advocacy Workshops

Before the module, participants will receive the summary conviction offence case file that will form the basis of both workshops. Please note that all participants must attend this module in person as there will be no webcast option.

Participants will break into small groups and work with expert facilitators to practice and hone their oral advocacy skills. Facilitators will include judges, justices of the peace and senior lawyers. These skills-

based workshops will focus on two key areas: cross-examinations and sentencing submissions.

Workshop #1: Cross-Examination

The session will start with a live demonstration of an examination-in-chief of an officer, performed by an experienced prosecutor and a former police officer, followed by discussion. Participants will then split into small groups, and will have the opportunity to conduct a cross-examination of an officer. Participants will receive individualized feedback from the facilitators.

Workshop #2: Sentencing Submissions

In this second learn-by-doing workshop, participants will draft and deliver submissions on sentencing before a judge. Each participant will receive individualized feedback from the facilitators.

* Available by Webcast.

** In person attendance is required for this module.

Earn an *Osgoode* Certificate!

A multiple choice, take-home exam will be distributed at the end of Module 5. Participants must attend all modules and successfully complete the exam to receive the *Osgoode* Certificate.

Registration Details

Fee per Delegate

\$2,595 plus HST

Newly Licensed (2016-2019): \$1,297.50 + HST

Fees include attendance, program materials, lunch and break refreshments.

Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details. Please inquire about financial assistance.

Modules 1 & 2 can be purchased individually at \$525 plus HST per session.

Visit osgoodepd.ca/summaryconvictions for details.

Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

For Further Program-Related Information Please Contact:

Stéphane McRoberts, Program Lawyer at 647-999-5723

or email smcroberts@osgoode.yorku.ca

Certificate of Program Completion

You will receive the certificate upon completion of **The Osgoode Certificate in Handling Summary Conviction Offence Cases**. Participants must attend all program modules and successfully complete the post-program multiple choice assessment to receive a Certificate.

Reserve your place now to take advantage of this unique learning opportunity and **fulfil your CPD requirements for both 2019 and 2020.**

4 Convenient Ways to Register



Mail



Online



Fax



Call

Register today at:

osgoodepd.ca/summaryconvictions



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours - LSO (ON): 32h 35m CPD (24h 20m Substantive; 6h 15m Professionalism; 2h EDI)

Module 1: 6h 40m CPD (3h 40m Substantive; 2h Professionalism; 1h EDI). Module 2: 6h 25m CPD (5h 25m Substantive; 1h Professionalism). Module 3: 6h 30m CPD (5h 30m Substantive; 1h Professionalism). Module 4: 6h 30m CPD (4h 15m Substantive; 1h 15m Professionalism; 1h EDI). Module 5: 6h 30m CPD (5h 30m Substantive; 1h Professionalism).



OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.