



THE COMPLETE GUIDE TO MANAGING A FAMILY LAW LITIGATION FILE

Understanding the full anatomy of a litigation family law file is crucial to effectively representing your client...

This unique one day **comprehensive** program combines traditional presentations with both **live** and **pre-recorded demonstrations** to provide you with in-depth coverage of the anatomy of a litigation-based family law file, including:

- Your first meeting with your client: How to do it well and what not to do
- What questions need to be asked? Is litigation necessary?
- Choosing the right approach to pleadings: pros and cons
- Top Do's and Don'ts in drafting
- Strategies and organizational tools to keep disclosure on track
- Tips and strategies for dealing with delay and attempts to avoid the production of relevant disclosure
- What does an effective examination for discovery look like? See a live demo from seasoned practitioners
- Best Practices in managing the relationship with your client: from retainer, finances, communication, confidentiality, technology and the LSUC rules

Register today at:

osgoodepd.ca/familylawfile

Program Chairs:

Harold Niman, Niman Gelgoot
and Associates

Heather L. Hansen, Martha
McCarthy & Company LLP

Richard Niman, Niman Gelgoot
and Associates

Program Details:

DATE AND TIME

January 30, 2017

9:00 a.m. – 4:00 p.m.

In Person or Webcast

LOCATION

**Osgoode Professional
Development**

1 Dundas St. West, 26th Floor
Toronto, ON

ONLINE REPLAY DATE:

February 28, 2017



The Complete Guide to Managing a Family Law Litigation File

From the first meeting with your client, through to the drafting of pleadings/financial statements, disclosure, conducting examinations, preparing for interim motions, and throughout it all managing the relationship with your client, understanding the full anatomy of a family law litigation file is crucial to effectively representing your client.

Using a combination of **live** and **pre-recorded demonstrations**, as well as lively and informative panel discussions, this OsgoodePD program will provide you with the comprehensive guide to *Managing a Family Law Litigation File*. You will hear from experienced counsel, judge, valuator and mediator, who will provide you with:

- A forum to discuss and gather insights from senior practitioners who tackle these issues on a daily basis
- Effective strategies and advice on how best to present your client in a family law litigation file
- The opportunity to hone your advocacy skills by witnessing several demonstrations

Who Should Attend

- Family Law Practitioners
- General Practitioners
- Law Clerks
- Paralegals

Keynote Address

You won't want to miss the **Keynote Address** by **The Hon. George Czutrin**, Senior Family Justice, Superior Court of Justice, who will enlighten us with his experience and thoughts on **"Settlement Conferences and Mediations – How to Productively Use Either Process."**

Agenda

8:30

Continental Breakfast

9:00

Welcome from the Chairs & Best Practices Overview

Harold Niman, Niman Gelgoot and Associates

Heather L. Hansen, Martha McCarthy & Company LLP

Richard Niman, Niman Gelgoot and Associates

To open the day, Harold Niman will provide his thoughts on best practices and general approaches to cases when you are managing a family law litigation file.

9:15

First Meeting with Client and Your Assessment of the Case: How to Do It Well and How Not to Do It

Erin Crawford, Grant & Sadvari

Harold Niman, Niman Gelgoot and Associates

(Video Demonstration)

When family lawyers meet with their clients for the first time, it is critical that the right questions be asked and the necessary information gathered. In this session, you will witness pre-recorded video demonstrations of counsel's first meeting with their respective clients – done well and done poorly. Focusing in on how to conduct the first meeting effectively, you will gain a better understanding of the information you need to collect, how to assess a case and how to advise your client. Topics include:

- Understanding the factual background: collecting information and making an assessment of the case
- What questions do you need to ask?
- What first steps must be taken?
- How do you decide whether litigation is necessary?

- Effectively advising your client of their options and the potential consequences of each

10:00

Refreshment Break

10:15

Understanding the Importance of Pleadings and Financial Statements

George Karahotzitis, Thomson, Rogers

An integral part of every family law matter is the drafting of pleadings and the preparation of financial statements. Hear from a leading family law expert on the top errors made by practitioners in their pleadings, including:

- Preparing an Application, Answer and Reply: what NOT to do
- Determining the best approach for you and your client: pros and cons of each
- The top Do's and Don'ts in drafting
- Working with your client to draft the financial statement
- Case studies/examples

11:00

Disclosure Challenges and Effective Strategies

Andrew Freedman, CPA, CA•IFA, CBV, ASA, Managing Director, Dispute Consulting, Duff & Phelps Canada Limited

*Kristen Normandin, Normandin Law
Herschel Fogelman, Fogelman Law*

Focusing on a meeting between the client and valuator, this panel discussion will hone in on disclosure challenges and strategies, including:

- What disclosure is necessary at what stage of the case?
- Managing disclosure requests from the other side: practical strategies including organization tools to keep disclosure on track
- Determining whether an expert is appropriate in the case
- What do you need from the expert?

- Managing your relationship with the expert and that between expert and client
- Tips and strategies to deal with delay and attempts to avoid the production of relevant disclosure
- What are the litigation-based tools available to you?

12:00

Luncheon & Keynote Address

The Honourable George Czutrin, Senior Family Justice, Superior Court of Justice

"Settlement Conferences and Mediations – How to Productively Use Either Process"

1:00

Questioning: What Does an Effective Examination for Discovery Look Like?

Erin Crawford, Grant & Sadvari

*Julie Hannaford, JK Hannaford Barristers
(Live Demonstration)*

Questioning under the Family Law Rules is an often necessary step as a case proceeds in litigation. In this demonstration, experienced counsel, in questioning one of the parties, will show us what an effective examination looks like. Key best practices will emerge including:

- Do you need questioning in your case?
- When should the questioning happen?
- How to prepare for and conduct an effective examination
- How to use excerpts from a transcript
- Maintaining control of the witness
- Strengthening your theory of the case
- Ethical considerations

2:00

Do's and Don'ts of Interim Motions

Fareen L. Jamal, Jamal Family Law

Jennifer L. Wilson, Tokin Manes LLP

Understanding the best way to prepare for and conduct an interim motion is critical. This discussion will include:

- Strategies and techniques to properly preparing written submissions
 - what should and should not be included?
 - which approaches are most effective?
- Oral submissions: taking your written submissions and presenting them effectively
- Urgent motions: How do you prepare and present them when your case is not yet before the courts?
- Best practices, procedures and tips: Learn from the experience of others
- The effective use of Summary Judgment: when & how to use it

2:45

Refreshment Break

3:00

Effective Client Management and Best Practices in Litigation Files

Martha McCarthy, Martha McCarthy & Company LLP

Heather L. Hansen, Martha McCarthy & Company LLP

One of the most difficult aspects to a family law litigation file can be managing the relationship with your client. Hear these experts as they discuss their experience with the following:

- The retainer agreement: how to frame it, what to include, ensuring your client understand the ins and outs
- Managing the financial relationship between lawyer and client
- Communication strategies with a litigation client: educating the client and managing expectations
- The role of Reporting letters throughout the litigation process
- Acknowledgements
- Duty of confidentiality/reporting obligation
- Use of technology
- Ensuring compliance with LSUC rules and procedures

4:00

Program Concludes

Program Chairs

Harold Niman

Niman Gelgoot and Associates

Richard Niman

Niman Gelgoot and Associates

Heather L. Hansen

Martha McCarthy & Company LLP

Keynote Speaker

The Honourable George

Czutrin, Senior Family Justice, Superior Court of Justice

Faculty Includes

Erin Crawford

Grant & Sadvari

George Karahotzitis

Thomson, Rogers

Herschel Fogelman

Fogelman Law

Martha McCarthy

Martha McCarthy & Company LLP

Andrew Freedman, CPA,
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Kristen Normandin

Normandin Law

Julie Hannaford

JK Hannaford Barristers

Jennifer L. Wilson

Tokin Manes LLP

Fareen L. Jamal

Jamal Family Law

Registration Details

Fee per Delegate

\$525 + HST

10% OFF FOR FLA MEMBERS

Fees include attendance, program materials, continental breakfast, lunch and break refreshments. Group discounts are available. Visit www.osgoodepd.ca/groupdiscounts for details. Please inquire about financial assistance.

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.

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