

# Advanced Administrative & Regulatory Decision-Making



## AGENDA

**8:30 a.m. Registration and Continental Breakfast**

**9:00 a.m. Introduction to Program and Icebreaker**

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

**9:15 a.m. Thinking Fast and Slow for Adjudicators**

**Aaron Barth, Ph.D.**, Dialectic

- 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

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**10:30 a.m.**

**Refreshment Break**

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**10:45 a.m. Thinking Fast and Slow for Adjudicators (continued)**

**Aaron Barth, Ph.D.**, Dialectic

**12:00 p.m. Session Debrief**

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**12:15 p.m.**

**Lunch**

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**1:00 p.m. Decision-Making Risks for Adjudicators**

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

- Intuition, cognitive errors and legal decision-making
- Studies on judicial and tribunal decision-making
- Best practices for encouraging deliberation in tribunal settings

**1:45 p.m. Decision-Making Processes: Tools & Approaches**

**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

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2:45 p.m.

Refreshment Break

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**3:00 p.m. Panel Discussion: Difficult Legal Issues in Administrative & Regulatory Decision-Making**

**Panelists:**

**John Evans**, Counsel, Goldblatt Partners

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

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

**4:15 p.m. “Puzzlers & Dazzlers”**

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

**4:30 p.m. End of Day**