



3<sup>RD</sup> ANNUAL

# EVIDENCE IN FAMILY LAW PROCEEDINGS

Knowing if and *how* you can prove your case is critical at every stage of the file. Do you know what to do?

For most family law lawyers, grappling with evidence can be daunting. Join our expert faculty of seasoned family law trial counsel and judges to get the guidance you need on key issues, including:

- Successful strategies for qualifying and challenging an expert
- Unravelling the mysteries of hearsay
- Essential how-to's for imputing income, including what the Court wants from you

**PLUS:** Refine your advocacy skills with our *interactive demonstration* on key evidentiary issues: impeaching the witness, how to use prior inconsistent statements and oath helping.

Register today at:

[osgoodepd.ca/evidence](http://osgoodepd.ca/evidence)

## Program Chairs

**Richard Niman**  
Niman Gelgoot and  
Associates LLP

**Kristin Normandin**  
Normandin Chris LLP

## Date and Time

January 23, 2019  
9:00 a.m. – 1:00 p.m. EST

**Online Replay:**  
February 22, 2019  
9:00 a.m. – 1:00 p.m. EST

## Location

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

# 3<sup>RD</sup> ANNUAL EVIDENCE IN FAMILY LAW PROCEEDINGS

Whether you are hoping to settle or know you're heading to Court, you need to understand how the evidence can and will play out. If and how to introduce or challenge evidence, how to qualify an expert, the complex issues around dealing with hearsay and prior inconsistent statements – could all determine success.

In one intensive morning, get the knowledge, insights and practical strategies you need. Delve into:

- Effective strategies for introducing hearsay and ways to keep it out
- Proving imputed income: What do you need to establish the foundation?
- Critical case law update: the key cases you need to know about and why
- Expert guidance on the most effective way to qualify and cross-examine an expert
- How to impeach a witness (and when and why you should)

## Who Should Attend?

- Family lawyers
- General practitioners practicing family law
- Law clerks

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## Agenda

8:30 a.m.

Registration

9:00 a.m.

### Welcome from the Chairs

**Richard Niman**

Niman Gelgoot and Associates LLP

**Kristen Normandin**

Normandin Chris LLP

9:05 a.m.

### Critical Case Law: The Key Cases You Need to Know About & Why

**Gary Joseph**

MacDonald & Partners LLP

9:35 a.m.

### Expert Guidance on Qualifying & Challenging an Expert

Expert witnesses – yours or the other side's – can make or break your case. While counsel often focus on the actual report, you also need to know how to get that evidence before the Court, and how to keep it out (or minimize its impact).

**The Honourable Justice  
Melanie Sager**

Ontario Court of Justice

**Erin Crawford**

Grant Crawford & Watson LLP

**Steve Z. Ranot, CPA, CA•IFA, CBV**  
Marmer Penner Inc.

- How to qualify your expert: prepping your witness; what the Court wants to hear
- Challenging the expert witness: preparing your own expert for the cross; how to identify and highlight issues with the evidence
- Proven strategies for effective advocacy with experts

**10:20 a.m.**

### Refreshment Break

**10:35 a.m.**

### Advocacy Demonstration

**The Honourable Justice Roselyn Zisman**

Ontario Court of Justice

**George Karahotzitis**

Thomson Rogers

**Heather Hansen**

Martha McCarthy & Company LLP

**Jessica Gryś**

Martha McCarthy & Company LLP

Get practical tips from experienced counsel and insight about what the Court wants to see and hear. This is your opportunity to refine your advocacy skills with an **interactive demonstration** on key evidentiary issues:

- The effective examination-in-chief
- Succeeding at the cross
- How to impeach a witness

- Prior inconsistent statements
- Oath helping

**11:35 a.m.**

### Unraveling the Mysteries of Hearsay

**Dani Z. Frodis**

Frodis Family Law

**Julie K. Hannaford**

J K Hannaford Barristers

The rule against hearsay – and all of the exceptions – trip up even some of the most experienced litigators. In this session, experienced trial counsel will take you through the foundations and provide you with practical tools you need to confront hearsay evidence head on.

- The Rule Against Hearsay: the what and why
- Hearsay Exceptions – knowing when and how you can use it
- Strategies for how to deal with the introduction of hearsay and how to keep it out

**12:20 p.m.**

### Essential How-To's for Imputing Income

**The Honourable Justice Melanie Sager**

Ontario Court of Justice

**George Karahotzitis**

Thomson Rogers

- What is the Court looking for?
- How to establish the foundation
- What kind of witnesses and evidence do you need?

**1:00 p.m.**

### Program Concludes

*“Timely, relevant, useful and pertinent information delivered very well within a reasonable 1/2 day.”*

**Fernando Pietramala**

Fernando Pietramala Family Law  
(attended last year's program)



## Chairs

**Richard Niman**  
Niman Gelgoot and  
Associates LLP

**Kristin Normandin**  
Normandin Chris LLP

## Faculty Includes

**The Honourable Justice  
Roselyn Zisman**  
Ontario Court of Justice

**Julie K. Hannaford**  
J K Hannaford Barristers

**The Honourable Justice  
Melanie Sager**  
Ontario Court of Justice

**Heather Hansen**  
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Company LLP

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## Registration Details

### Fee per Delegate

**\$345 plus HST**

Fees include attendance, program materials, lunch and break refreshments. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) 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.

### 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 14 days prior to the program date. If a cancellation request is made with less than 14 days' notice, a \$75 administration fee will apply. No other refund is available.



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Eligible CPD Hours – LSO (ON): 3h 55m CPD (3h 40m Substantive; 15m Professionalism)



This program is approved for LAWPRO Risk Management Credit.

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## 3rd Annual Evidence in Family Law Proceedings

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