

# THE OSGOODE CERTIFICATE IN HANDLING SUMMARY CONVICTION OFFENCE CASES

*“A great program! I would highly recommend it!”*

Adriana Ortiz  
Adriana Ortiz R Law (2022)

An online and interactive program focused on giving you the knowledge and practical skills you need.

- 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 in how to best prepare and conduct your trial

**Plus!** You will participate in a full-day intensive simulation where you will conduct a cross-examination of a police officer and make submissions on sentencing with individualized feedback judges, Crown Attorneys and defence lawyers.

*Note – live attendance is required for the workshops.*

## PROGRAM DIRECTOR

The Hon. Justice Rick Libman  
Ontario Court of Justice

## REGISTRATION DETAILS

April 22 and May 27, 2023  
Blended (Online)

*Registration includes 120-day unlimited, online access to the recorded program (Modules 1 – 4 only).*

Register today at:

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



# The Osgoode Certificate in Handling Summary Conviction Offence Cases

*“Invaluable for those starting out and for those who are seeking useful tips from the experts to refine their advocacy skills.”*

Ruth MacKeigan  
Paralegal, Halton Regional Police Service  
(2022)

Get the knowledge and practical skills you need to be an effective advocate when handling summary conviction offences.

Now in its 4<sup>th</sup> year and led by **The Hon. Justice Rick Libman**, this one-of-a-kind program explores the key stages of a summary conviction offence matter while emphasizing ways of strengthening your written and oral advocacy.

The program is comprised of **live, online modules** with access to four recorded full-day sessions, giving you the flexibility to learn at your own pace, with the opportunity to engage with program faculty and other learners.

You'll get a comprehensive overview of the relevant law and practice AND have the unique opportunity to hone your advocacy skills in the live, **full-day workshops (Module 5)**. Learn-by-doing exercises and individualized feedback from defence lawyers, Crown Attorneys and judges will take your confidence and skills to a new level.

*Note – live attendance is required for the workshops.*

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## You will learn about:

- Critical issues at the first client meeting
- Current developments in summary conviction offences
- Best practices for reviewing the disclosure
- Tips for engaging in resolution discussions
- Strategies for getting the most out of the Crown pre-trial and judicial pre-trial
- How to improve *Charter* applications and your overall written advocacy
- Effective oral advocacy techniques: practical tips from the Bench
- Law and strategies for the appeals process

Reserve your place now to take advantage of this unique learning opportunity while fulfilling all of your LSO CPD requirements for 2023.

## Who Should Attend:

- Defence Lawyers
- Crown Attorneys
- Paralegals

**Register today at:**

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

Here's what past participants have said about this program:

*“I was really impressed with this entire program. Each module was very well executed and all of the instructors were top notch.”*

David W. Chodikoff  
Partner, Miller Thomson LLP  
(2021)

*“Very well put together with meaningful interactions between faculty and attendees. Using some of the new strategies that I learned, I successfully negotiated an absolute discharge for my client during a judicial pre-trial. Thank you!”*

Charles S. Freed  
Freed Legal Services LLP (2020)

Drawing on the expertise of judges, senior practitioners and other legal professionals including:

## Program Director



The Hon. Justice  
Rick Libman

Ontario Court of Justice

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

## Program Faculty

### Carla Agatiello

Assistant Crown Attorney  
Ministry of the Attorney General (Ontario)

### Jason Balgopal

Assistant Crown Attorney  
Scarborough Crown Attorney's Office  
Ministry of the Attorney General (Ontario)

### Paul Calarco

Barrister & Solicitor

### Julianna Greenspan

Greenspan Partners LLP

### Lisa Henderson

Counsel  
Crown Law Office  
Ministry of the Attorney General (Ontario)

### Helen How

Assistant Crown Attorney  
Downtown Toronto Crown Attorney's Office  
Ministry of the Attorney General (Ontario)

### Kelsey Ivory

Damien Frost & Associates LLP

### Daniel Kleiman

Counsel  
Ministry of Labour (Ontario)

### The Hon. Justice Rick Libman

Ontario Court of Justice

### Jennifer Lofft

Assistant Crown Attorney  
Old City Hall  
Ministry of the Attorney General (Ontario)

### Ruth McGuirl

Crown Counsel  
Public Prosecution Service of Canada

### Theodore Mercado

Criminal Duty Counsel  
Legal Aid Ontario

### Royland Moriah

MacGregor Moriah Horic LLP

### Andrew Nisker

Legal Counsel  
Public Prosecution Service of Canada

### Megan Petrie

Assistant Crown Attorney  
Scarborough Crown's Office  
Ministry of the Attorney General (Ontario)

### Joanne Prince

Barrister & Solicitor

### Her Worship Justice of the Peace

Mary Ross Hendriks  
Ontario Court of Justice

### Lorne Sabsay

Sabsay Lawyers

### Kim Schofield

Kim Schofield & Associates

### Leah Shafran

Leah Shafran Law

### Janani Shanmuganathan

Goddard & Shanmuganathan LLP

### Richard Stern

Barrister & Solicitor

### Jacob Stilman

Lo Greco Stilman LLP

### The Hon. Justice Andrea Tuck-Jackson

Ontario Court of Justice

### Erin Winocur

Assistant Crown Attorney  
Crown Attorney's Office (Toronto)  
Ministry of the Attorney General (Ontario)

# Agenda

## PROGRAM KICKOFF

Saturday, April 22, 2023  
9:00 a.m. – 12:00 p.m. ET

- Program introduction and overview
- Current developments with summary convictions
- Interactive Q & A

## MODULE 1

### Overview of Summary Conviction Offences

*(Release date: April 22, 2023)*  
*\*available on-demand*

#### 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

## 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

## MODULE 2

### Evidence in Summary Conviction Trials

*(Release date: April 22, 2023)*  
*\*available on-demand*

- Overview of the most critical evidentiary issues: hearsay, prior statements, opinion evidence, eyewitness evidence, similar fact, etc.
- "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 a discussion on the complex issues and circumstances relating to the admissibility of evidence.

## MODULE 3

### The Charter and Summary Convictions

*(Release date: April 22, 2023)*  
*\*available on-demand*

- 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/response

## MODULE 4

### Trial, Sentencing and Appeals

*(Release date: April 22, 2023)*  
*\*available on-demand*

#### 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 at Trial

- Learn 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

## MODULE 5

Saturday, May 27, 2023

9:00 a.m. – 4:30 p.m. ET

### Intensive Advocacy Workshops

Prior to the module, participants will receive the summary conviction offence case file that will form the basis of both workshops.

You will break into small groups and work with expert facilitators to practice and hone your oral advocacy skills. Facilitators will include judges, Crown Attorneys and defence counsel.

These skills-based workshops will focus on two key areas: cross-examination 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 Crown Attorney and a former police officer, followed by a discussion. You will then split into small groups and will have the opportunity to conduct a cross-examination of an officer. You will receive individualized feedback from the facilitators.

### Workshop #2: Sentencing Submissions

In this second learn-by-doing workshop, in small groups, you will make submissions on sentencing before a judge. Each participant will receive individualized feedback from the facilitators.

*\*Live attendance is required for this module as it will not be recorded.*

Register today at:  
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## Here's what past participants have said about this program:

*“Excellent program! The material was always interesting and applicable.”*

Jonathan Hurter  
 Legal Counsel (2020)

*“An excellent program! I really enjoyed the workshops and I'm very grateful for the feedback.”*

Michelle Molineux  
 Lawyer (2021)

*“This program is a must-have for new and seasoned licensees. By connecting participants to a faculty with deep-subject matter expertise, Osgoode provides practitioners with the tools they need to represent their clients from charge to trial and everything in between.”*

Sandeep Bandhu  
 Licensed Paralegal  
 (2021)

# Registration Details

**Fee per Delegate: \$1,995 plus tax**

Fees include online attendance, electronic materials, 120-day access to the recorded instructional sessions (Modules 1-4 only), and technical support. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance and special rates for OPA members.

## Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD. To learn more, visit: [www.osgoodepd.ca/financial-assistance](http://www.osgoodepd.ca/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 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](mailto:smcroberts@osgoode.yorku.ca)

# Certificate of Program Completion

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

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

 **Email:** [osgoodepd@osgoode.yorku.ca](mailto:osgoodepd@osgoode.yorku.ca)

 **Phone:** 416 597 9724

 **Mail:** 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3



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

Eligible CPD Hours – LSO (ON): 34h 20m (26h 20m Substantive; 6h Professionalism; 2h EDI)



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](mailto:cpd@osgoode.yorku.ca).



This program is approved for LAWPRO Risk Management Credit.

Here's what past participants have said about this program:

*“A very good program. The workshops on cross examination and sentencing submissions were particularly strong due to their practical and interactive format. The faculty were very experienced, engaging and encouraging.”*

Steven King  
King Law (2021)

*“Very practical with valuable feedback and tips.”*

Salman Tariq  
Ten Four Legal Services (2020)

*“Informative speakers, detailed literature and the online interactive forum was very useful.”*

Marian Lippa  
Lippa Legal Services (2020)

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