

Your First Civil Trial

Young Lawyers Division



In-Person



Webcast

Date: Friday, March 6, 2020 | 9:00 am to 12:30 pm

Location: OBA Conference Centre
20 Toronto Street, 2nd Floor, Toronto

Program Chairs: **David Milosevic**, Milosevic Fiske LLP
Farhad Shekib, Ricketts Harris LLP



Professionalism Hours: This program contains **0h 30m**
Substantive Hours: This program is eligible for up to **3h 00m**

The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Ontario.

While your first civil trial can be both exciting and frightening, you would not want to lose it because of a lack of preparation, knowledge or basic advocacy skills. Nor should you simply approach your first trial as a learning experience, hope for a good outcome, and expect better results next time around. Understanding fundamental trial preparation and trial techniques is crucial. Attend this program and allow our faculty of prominent litigators to demystify the civil trial process and experience for you. You will hear their time-tested strategies and practical advice on the core topics you need to know. Tremendously popular in past years, this is a “*must not miss*” program for newer litigators and advocates. Register now to secure your spot and learn the essentials for mastering your first civil trial from the opening statement to the closing argument. We look forward to seeing you there!

<p>8:30 am Registration and Coffee</p> <p>9:00 am Welcome and Opening Remarks</p> <p>9:05 am Trial Preparation: Strategies and Tactics Master P. Tamara Sugunasiri, Superior Court of Justice Cameron R. Fiske, Milosevic Fiske LLP</p> <ul style="list-style-type: none"> • Establishing a case theory • Rule 49 offer to settle • Use of Agreed Statements of Facts • <i>Evidence Act</i> notices • Prepare your client – manage expectations • Prepare your witnesses: expert vs. lay witnesses • Interacting with opposing counsel and opposing witnesses • Jury selection • First vs. Second Chair – how to best prepare <p>9:40 am Opening and Closing Statements Aaron M. Dantowitz, Stockwoods LLP Cynthia Spry, Babin Bessner Spry LLP</p> <ul style="list-style-type: none"> • Jury vs. Non-Jury cases • Road mapping • Know your audience; set the theme and tone • Anticipate opponent’s opening and theme • Implications of inconsistencies in your opening/closing and the actual evidence • Use of written opening/closing arguments <p>10:05 am Networking Break</p> <p>10:20 am Introducing Evidence at Trial Simon A. Clements, Stieber Berlach LLP</p> <ul style="list-style-type: none"> • Evidence required to support theory of case • Issues of admissibility: <ul style="list-style-type: none"> ○ Witnesses: lay vs. expert ○ Summons • Exhibits: <ul style="list-style-type: none"> ○ Real evidence and documents ○ Demonstrative aids • Ethical issues associated with disclosing evidence and entering evidence at trial 	<ul style="list-style-type: none"> • Use of technology at trial <p>10:50 am The Art of Examination Jacqueline L. King, Shibley Righton LLP Gillian Dingle, Torys LLP</p> <ul style="list-style-type: none"> • Direct Examination <ul style="list-style-type: none"> ○ Prepare your witness ○ Maintain your theme ○ Effective use of exhibits ○ When to lead the witness • Cross Examination <ul style="list-style-type: none"> ○ Prepare your witness ○ Know when to quit ○ Understand the rule in <i>Browne v. Dunn</i> ○ Effective use of exhibits ○ Ethical implications of discussing testimony before cross-examination has been completed <p>11:30 am Use of Discovery Transcripts and Appeal Proofing Your Case David F. O’Connor, Roy O’Connor LLP</p> <ul style="list-style-type: none"> • Checklist for using discovery evidence at trial <ul style="list-style-type: none"> ○ How to use transcript: <ul style="list-style-type: none"> ▪ Read-in evidence ▪ Impeach the witness ▪ Anticipate changed testimony ○ Handling and making objections <ul style="list-style-type: none"> ▪ When to object ▪ Knowing basis for objections ▪ Extending professional courtesy ○ Set up and protect your case for an appeal through use of objections and other means <p>11:50 am Top 10 Trial Mistakes and How to Avoid Them The Honourable William S. Chalmers, Superior Court of Justice Matthew Sammon, Lenczner Slaght Royce Smith Griffin LLP</p> <ul style="list-style-type: none"> • How to avoid the many pitfalls encountered by trial lawyers <p>12:25 pm Questions, Answers and Closing Remarks</p> <p>12:30 pm Program Concludes</p>
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[PROGRAM REGISTRATION IS ONLINE](http://www.oba.org/pd) www.oba.org/pd

Questions? pd@oba.org