

## CBA Nunavut Branch / OBA Joint Reception and Professional Development

The CBA Nunavut Branch and the Ontario Bar Association are happy to announce that we will be holding a joint reception for members on June 1<sup>st</sup> and a trial advocacy professional development event on June 3<sup>rd</sup> 2017.

### **Reception June 1st:**

Please join us on Thursday June 1<sup>st</sup> at 7:00 PM in the Koojeesee Room of the Frobisher Inn for a CBA / OBA joint reception. Come have some hors d'oeuvre and meet representatives of the Ontario Bar Association.

Following the reception at 8:00 Toronto litigator Sarah Clark will be presenting on the case ***First Nations Caring Society v. Canada***. In this landmark case, which Ms. Clarke served a co-council, the Canadian Human Rights Commission found that the underfunding of First Nations child welfare amounts to discrimination against aboriginal peoples in Canada. Ms. Clark will present on the findings, and possible repercussions, of the important case.

### **CPD Event June 3<sup>rd</sup>:**

Please join us on Saturday June 3<sup>rd</sup> at 11:00 AM in the Baffin Room of the Frobisher Inn for CBA / OBA joint professional development event.

### **PROGRAM REGISTRATION**

You can register directly with Stephen Mansell at [stephen.mansell@usask.ca](mailto:stephen.mansell@usask.ca) or online at [www.oba.org/pd](http://www.oba.org/pd)

## **Effective Strategies and Tips for a Successful Trial**

*Nunavut Branch of the Canadian Bar Association /Ontario Bar Association*

**Date:** Saturday, June 03, 2017 | 11:00 am to 3:30 pm

**Location:** The Frobisher Inn, Baffin Room,  
Iqaluit, Nunavut X0A 0H0

At this CDP program, prominent litigators will share with you their time-tested strategies and practical advice on topics ranging from preparing your case to the closing argument. This program will be great for junior litigators looking to learn from the experts or more experienced counsel looking to build their skills. Register now to secure your spot. We look forward to seeing you there!

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11:00 am Welcome and Opening Remarks

11:05 am **Strategy Tips for Trial Preparation**

**Edwin G. Upenieks**, Lawrence, Lawrence, Stevenson LLP

- The theory of the case
- Preparing your client for trial – managing expectations
- Maximizing the benefit of the Pre-Trial Conference
- Ethical considerations associated with the timing of offers to settle
- Dealing with opposing counsel and witnesses
- Jury selection
- Comprehensive trial preparation checklist

11:30 am **Opening and Closing Statements**

**Sarah Clarke**, Clarke Child & Family Law

- Considerations for jury and non-jury cases
- Setting the theme and the tone
- Road mapping
- Know your audience, remember your audience
- Impressions – do the first five minutes make or break the case?
- Anticipating the opponent's opening and theme
- Know your own strengths, develop your own style
- Implications of inconsistencies in your opening/closing statement and the actual evidence
- When written opening/closing submissions may be useful

11:55 am **The Art of the Possible**

**Sarah Clarke**, Clarke Child & Family Law

**Edwin G. Upenieks**, Lawrence, Lawrence, Stevenson LLP

- **Direct Examination**
  - Preparing witnesses for direct and cross examination
  - Maintaining the theme through direct examination
  - Simplifying difficult or complex fact scenarios
  - Use of documents during direct and cross examination
- **Cross-Examination**
  - Knowing when to quit
  - Ethical implications of discussing testimony before cross-examination has been completed

12:20 pm Lunch (provided by the CBA Nunavut Branch)

1:00 pm **Handling and Making Objections**

**Sarah Clarke**, Clarke Child & Family Law

**Edwin G. Upenieks**, Lawrence, Lawrence, Stevenson LLP

- To object or not to object
- Extending professional courtesy
- Knowing the basis for objections
- Some case law as guidance

2:00 pm **Dealing with Hostile Witnesses**

**Sarah Clarke**, Clarke Child & Family Law

**Edwin G. Upenieks**, Lawrence, Lawrence, Stevenson LLP

- How to remain in control when dealing with a hostile witness
- Using the Criminal Code, evidentiary rules and court rules to reign in a hostile witness

2:30 pm **Top 10 Mistakes Made at Trial and How to Avoid Them**

**Sarah Clarke**, Clarke Child & Family Law

**Edwin G. Upenieks**, Lawrence, Lawrence, Stevenson LLP

- How to avoid the many pitfalls encountered by trial lawyers
- Remarks regarding professionalism and civility among lawyers in the courtroom

3:00 pm Q&A/Closing Remarks

3:30 pm Program Concludes

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