

THE INSTITUTE OF LAW CLERKS OF ONTARIO
30TH ANNUAL CONFERENCE

SHARE THE VISION 2020



SHERATON ON THE FALLS
NIAGARA FALLS, ONTARIO

May 27 to May 30, 2020

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SCHEDULE OF EVENTS



ILCO 2020

WEDNESDAY, MAY 27, 2020



HOTEL CHECK-IN

SHERATON ON THE FALLS

After 3:00 pm

CONFERENCE REGISTRATION

5:00 pm to 6:30 pm

PRE-CONFERENCE MEET & GREET RECEPTION

6:00 pm to 8:00 pm

Connect with friends – old and new – as we kick off our 30th Annual Conference. This event is for delegates only.



DAY 2

THURSDAY, MAY 28, 2020



BREAKFAST

7:30 am to 8:45 am

CONFERENCE REGISTRATION

7:45 am to 8:45 am

WELCOME & OPENING REMARKS

8:45 am to 9:00 am



SCHEDULE OF EVENTS



KEYNOTE

9:00 am – 10:30 am



ALVIN LAW - OVERCOME ANYTHING

No matter who we are or what our job title is, one thing is true: we are all the leaders of our own lives. We are all creative problem solvers, and we all have unique value we bring to our personal and professional relationships. Thing is, we don't always remember this about ourselves...or about our friends, family, co-workers, employees and team members. Caught up in the day-to-day grind, it's pretty easy to forget.

Personal leadership? Responsibility? Resiliency? They are attitudes. And these attitudes can be learned by anyone. They can become habits we practice at work and at home, in our personal and professional relationships. And they can become tools we draw on to successfully face, and overcome, any challenge.

Combining lessons from his remarkable life of being born without arms with his unique insight into personal and workplace challenges, Alvin has developed a series of proven strategies for enhancing and sustaining attitudes of leadership, responsibility and resiliency both on the job and in your personal life. You'll learn how to apply these time-tested techniques to spark your creativity, recognize your value and the value of those around you, and step into your natural role as leader in your own life.

mccarthy
tetrault

COFFEE BREAK AND EXHIBITOR HALL

10:30 – 11:15

A great opportunity to connect with exhibitors!

Thursday
Morning
Learning

11:15 am – 12:30 pm

FRAUD IN REAL ESTATE TRANSACTIONS

Marie Taylor

FCT Director, National Underwriter and Certified Fraud Examiner

You will gain key insight into the world of fraud, its perpetrators and its victims. With real-life commercial and residential fraud examples, Marie will teach you how to spot the red flags and employ simple strategies to minimize risk for you, your firm and your clients. Topics will include synthetic identification fraud, wire fraud, hijacking corporations and more.

SCHEDULE OF EVENTS



Thursday
Morning
Learning

11:15 am – 12:30 pm



TECHNOLOGY TOOLS AND RECENT ESTATE DEVELOPMENTS

*Ian M. Hull, Suzana Popovic-Montag
Hull & Hull LLP*

Amazon has launched into the practice of law and we all need to be ready to face the pros and cons of technology. The historic area of estates law is no different. We will review recent trends and tools that enhance the practice area and we will review recent developments in estates and trusts.

THE PROCESS OF LITIGATING HUMAN RIGHTS APPLICATIONS IN ONTARIO AND ACROSS THE COUNTRY

*Amy R. Tibble
Hicks Morley Hamilton Stewart Storie LLP*

We will review the process of litigating Human Rights Applications in Ontario with a review of procedural steps, evidentiary steps, preservation of information, and more. You will learn how to successfully position the matter for mediation and hearing.

MEDICAL MALPRACTICE - THE LAW CLERKS' ROLE

*Jan Marin
Gluckstein Lawyers*

UPDATE FROM IPCO

*David Goodis
Information and Privacy Commissioner of Ontario*

The latest decisions and insights on privacy and access issues from The Information and Privacy Commissioner of Ontario.



12:30 pm – 1:45 pm



LUNCH



SCHEDULE OF EVENTS

**Thursday
Afternoon
Learning**

1:45 pm – 3:00 pm

THE NEW DIVORCE ACT

*Lorne H. Wolfson
Torkin Manes LLP*

In June, 2020 the federal Divorce Act will undergo its first major overhaul since its enactment in 1985. Come and hear what you need to know.

WHAT'S THIS MEETING ABOUT?

*Sean Keating
New Gold Inc.*

This presentation will review the requirements for board of directors meetings under the Ontario Business Corporations Act and Canada Business Corporations Act, considerations and the process for preparing for a successful meeting and a review of technologies that you can use for organizing board meetings and how they can benefit both you and the board.

THE GAUNTLET OF E-DISCOVERY

*Michael Lalande, Gordon Lee
MT>3*

Effective use of people, processes, and technology is vital for success in eDiscovery. Join our session to learn how to:

- Identify and avoid common eDiscovery pitfalls;
- Augment your organization's skills and abilities using the powerful tools that are available; and
- Optimize your workflows to be more efficient and reduce costs.

DON'T BE A NORWICH ORDER HOARDER: TIPS FOR EFFICIENTLY MANAGING A PRACTICE DEALING WITH NOTICES FOR DISCLOSURE

*Kristina Milbourn
Rogers Communications Canada Inc.*

Are you feeling overwhelmed by requests for documentary disclosure? Requests of innocent third parties for information don't always feel so innocent; they must be treated with the same care and punctuality as any Court Order.

This session will provide guidance on best practices for law clerks issuing or receiving Norwich Order requests, including the latest jurisprudence on appropriate compensation for disclosures relating to copyright infringement, as well as practical tips to prevent bottlenecks in your practice.

SCHEDULE OF EVENTS



Thursday
Afternoon
Learning

1:45 pm – 3:00 pm

 **Athennian**

LEGAL TECH FOR IN-HOUSE LEGAL DEPARTMENTS

Peter V. Nguyen
Resolver Inc.

3:00 pm – 3:45 pm



COFFEE BREAK AND EXHIBITOR HALL

Thursday
Afternoon
Learning

3:45 pm – 5:00 pm

CORPORATE SOCIAL RESPONSIBILITY IN CORPORATE LAW

Claire Lehan
McCarthy Tétrault LLP

On a day-to-day basis, a typical corporate lawyer spends very little time thinking about human rights and how it intersects with their practice, but as the global legal framework evolves and human rights matters are increasingly codified into law, the legal community will need to be ready to assist clients in navigating the complex human rights issues that arise in the corporate world. This session will focus on providing attendees with a high level overview of how human rights and corporate law intersect and what resources are available to assist the legal community in managing and addressing these issues.

THE SECRET LIFE OF TAX RETURNS: WHAT FAMILY LAW DETAILS CAN THEY REVEAL?

Antonina Wasowska, Tylar St. John
Cohen Hamilton Steger & Co. Inc.

What can personal and corporate tax returns tell you about a client's income sources and property? What do you really need to look at in a 50 page tax return? Where should you turn to help determine whether your client or their spouse has provided adequate disclosure? Join Antonina and Tylar for answers to these questions and more about personal and corporate tax returns. While this session is geared towards those working in family law, there will be useful takeaways for those in other practice areas (in particular those with a corporate/commercial focus).

SCHEDULE OF EVENTS



Thursday
Afternoon
Learning

3:45 pm – 5:00 pm

TIPS AND TRICK THAT CAN IMPROVE YOUR COMPLIANCE POSTURE & WORKFLOWS

Jason Bero
Microsoft

Learn about new tips, tricks, and tools available to you that can aid in communication and collaboration that could vastly improve your overall compliance posture, legal processes, and litigation workflow

CROWDFUNDING & THE LAW OF TRUSTS

Brittany Miller
Goddard Gamage LLP

Crowdfunding campaigns commonly emerge after a tragic event. As a result, the well-intentioned individuals who start these campaigns often have not considered the legal implications of what they are doing. In Ontario, this is complicated by the fact that there is currently no legislation that deals with these types of fundraisers or how they should be treated.

This presentation will discuss the legal implications and conundrums that can arise as from a crowdfunding campaign, particularly in the context of trust law. It will also explore how, as legal professionals, we may be able to help individuals involved in crowdfunding campaigns close the gaps that the initial fundraiser has created and will provide suggestions about how a crowdfunding appeal can be structured to avoid potential issues before they occur.

6:00 pm – 2:00 am



THURSDAY NIGHT EVENT - ADVENTURE CITY AND HARDROCK LOUNGE



SCHEDULE OF EVENTS



Day 3

FRIDAY, MAY 29, 2020



BREAKFAST

7:30 am to 8:45 am

KEYNOTE

9:00 am - 10:30 am



MARIE HENEIN - THE MEEK DO NOT INHERIT THE EARTH: THE POLITICS OF CRIMINAL JUSTICE REFORM

A discussion of the intersection between politics, criminal justice and our fundamental democratic values.



COFFEE BREAK AND EXHIBITOR HALL

10:30 am to 11:15 am

Friday
Morning
Learning

11:15 am - 12:30 pm

RECENT DEVELOPMENTS IN SECURITIES LAWS

Ramandeep Grewal
Stikeman Elliott LLP

From burden reduction initiatives to regulation of crypto asset platforms and cannabis issuers. Why securities regulators have been so busy and what it means for your practice.

A LOT FROM THE DOT: TOP 10 REAL ESTATE CASES OF 2019

Jeffrey Lem
Director of Titles



SCHEDULE OF EVENTS



**Friday
Morning
Learning**

11:15 am - 12:30 pm

THE DEAD AND DEPRESSED – THE INTERSECTION OF FAMILY LAW AND ESTATES AND TRUST LAW

Karon Bales

Bales Beall LLP

This presentation will cover the following topics, where family law and estate and trust law collide:

- Elections by a surviving spouse between an equalization payment and benefits under the deceased spouse's Will.
- Duty of an executor to a surviving spouse who is not the sole beneficiary under the deceased spouse's Will.
- Credits against an equalization payment due to a surviving spouse who has elected against the deceased spouse's Will.
- Dependents relief claims by surviving spouses and dependent children.
- Role of the Child Support and Spousal Support Advisory Guidelines in dependents relief claims.
- Exclusions from Net Family Property for gifted or inherited assets; what evidence is required to prove the exclusion.
- What information is required when a separated spouse is a beneficiary of a trust?

LITIGATION AGAINST THE CROWN

Lauren Mills Taylor

Henein Hutchison LLP

Litigation against the Crown poses additional procedural challenges that may not exist against other defendants. This session will review important recent developments, including the new Crown Liability and Proceedings Act and the Supreme Court of Canada's latest statements on judicial review.

HOW SPIES AND THE SUPERBOWL REINTERPRETED THE STANDARD OF REVIEW AND REASONABLENESS

Isaac Tang

Borden Ladner Gervais LLP

Isaac will be providing a review of the Vavilov trilogy from the Supreme Court of Canada and its impact on administrative tribunals and their decision-making processes.

SCHEDULE OF EVENTS



12:30 pm – 1:45 pm



**LUNCH AND EXHIBITOR PASSPORT PRIZE DRAWS
YOU MUST BE IN ATTENDANCE TO WIN!**

**Friday
Afternoon
Learning**

1:45 pm – 3:00 pm

ARE YOU MY PARENT? NON-TRADITIONAL FAMILIES AND FAMILY LAW

*Eric Sadvari
Goldhart & Associates*

Parenting issues and possibilities following the passing of the All Families Are Equal Act, including pre-conception agreements, declarations of non-parentage, and adoption.

LEGAL OPINIONS IN COMMERCIAL MORTGAGE LOAN TRANSACTIONS

*Ben Leith
Cassels Brock & Blackwell LLP*

An overview of legal opinions in commercial mortgage loan transactions

- A framework for understanding legal opinions
- Structure of a legal opinion letter and overview of key sections
- Due diligence for legal opinions
- Enforceability and personal property security opinions
- Title opinions and title insurance

LIABILITY AND SUMMARY JUDGEMENTS IN MOTOR VEHICLE ACCIDENTS

*Sonia Leith
Neinstein Personal Injury Lawyers*

- When to bring and how to defend these motions
- The importance of Expert Evidence
- How to use the Expert to your advantage

EVERYTHING OLD IS NEW AGAIN...AND THEN SOME

*Denise Baker
WeirFoulds LLP*

Denise will be discussing changes to the Planning Act as well as the Development Charges Act under Bill 108 and Bill 138.

SCHEDULE OF EVENTS



**Friday
Afternoon
Learning**

1:45 pm – 3:00 pm

AML AND YOU: DEVELOPMENTS IN ANTI-MONEY LAUNDERING LEGISLATION FOR LAW CLERKS AND LAWYERS

*Susan Han
WeirFoulds LLP*

The Government of Canada is committed to ensuring that Canada's anti-money laundering regime is consistent with international standards. This means more robust rules regarding recording and disclosing beneficial ownership of private corporations and entities such as partnerships and trusts. There is significant effort being expended on enhancing the AML rules across all sectors, and bringing more businesses and professions into the legislative fold. The application of the AML legislation to the legal profession, in a way that is not contrary to the Charter, may also be open for another review.

3:00 pm – 3:45 pm



COFFEE BREAK

3:45 pm – 5:00 pm

FINANCING TRANSACTIONS FROM A REAL ESTATE PERSPECTIVE – ACTING FOR A BORROWER VS. ACTING FOR A LENDER

*Kevin Chen, Vanessa Tagliaferri
Stikeman Elliott LLP*

This session will cover commercial financing transactions from a real estate perspective and outline items to consider when acting for both a borrower and a lender client. Topics will include due diligence, loan documents and other deliverables, title insurance, registrations (both real property and under the Personal Property Security Act) and closing logistics.

ADVERTISING AND MARKETING IN THE DIGITAL AGE

*Kelly Kwan
Uber Canada Inc.*

Kelly Kwan is Senior Counsel at Uber in Canada and over the past 3 years she has advised Uber on advertising and marketing compliance including CASL, contests, competitions and consumer disclaimers.

SCHEDULE OF EVENTS



Friday
Afternoon
Learning

3:45 pm – 5:00 pm

GUARDIAN APPLICATIONS - WHO, WHEN, WHY

Ziad Yehia

Borden Ladner Gervais LLP

When can a guardian be appointed? Why would a guardian be needed? Who can be appointed? What possible liabilities flow from guardianships and how do you mitigate against those liabilities (ie. passing accounts)? What statutes and court rules apply? All those questions and more will be answered in this presentation on guardianships.

PITFALLS OF THE PPSA

Alanna Waberski

Stewart McKelvey Lawyers-Advocates

The PPSA can be a dangerous place, particularly if you are making registrations in Atlantic Canada where courts have taken a more debtor-friendly approach. This update will give you a primer on how Atlantic Canada has differentiated itself from other Canadian jurisdictions and will highlight some of the biggest mistakes when making a registration on the PPR or conducting searches. In addition, a caselaw update will be provided on any new developments and interesting jurisprudence as it relates to the PPSA.

HOW YOU CAN LEVERAGE ARTIFICIAL INTELLIGENCE TO AID IN EDISCOVERY, COMMUNICATION MONITORING AND INTERNAL RISK

Jason Bero

Microsoft

Learn how you can leverage artificial intelligence and additional tools to help reduce risk and improve your overall compliance posture

5:00 pm

This evening has been left open. Why not re-connect with friends, share in the company of new acquaintances and take the opportunity to enjoy what Niagara Falls has to



SCHEDULE OF EVENTS



Day 4

Saturday, May 30, 2020



BREAKFAST

8:00 am - 9:15 am

Saturday
Morning
Learning

Saturday, May 30, 2020



SARAH WELLS - WHATEVER YOUR GOAL IS, THERE IS A PATH TO TAKE YOU THERE

9:30 am - 10:30 am

Whatever your goal is, there is a path to take you there. The path won't always be easy, but the journey will always be worth it. This was certainly true for Olympian Sarah Wells, who has encountered roadblock after roadblock on her path to athletic success. The podium has always been the destination however; it was the challenging moments in-between that made Sarah the champion she is today. In this speech Sarah discusses the importance of positively re-framing your mindset, surrounding yourself with the right support, learning to deal with "failure" and relentlessly pursuing through your goals not only to achieve success but also find significance in the obstacles you face.



COFFEE BREAK

10:30 am - 11:00 am



CLOSING REMARKS AND FAREWELL

11:45 am - 12:00 pm



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