

The Civil Trial – Views from the Bench

Civil Litigation



Webcast



Date: Thursday, October 26, 2023 | 9:00 am to 11:30 am

Location: Webinar Only

Agenda: 9:00 am Program Commences
11:30 am Program Concludes

This program contains:
2hr 30m of Substantive Content

Whether you are an experienced litigator or a recently-called lawyer, you do not want to miss this exciting program on the civil trial process. In this unique program, you'll hear from experienced judges who have presided over countless trials and have seen first-hand what trial techniques work and what mistakes litigators often make. Civil litigators can pick up valuable advice and strategies from the Bench to ensure that they master their craft. We look forward to seeing you there.

Program Chairs: **Farhad Shekib**, Pinto Shekib LLP
Sean Petrou, McCarthy Tétrault LLP

9:00 am Welcome and Opening Remarks

10:20 am **The Art of Examination**

9:05 am **Opening and Closing Statements**

Moderator: Erin Chesney, McCarthy Tétrault LLP
The Honourable Justice Ria Tzimas, Ontario Superior Court of Justice (Central West)
The Honourable Justice Phillip Sutherland, Ontario Superior Court of Justice (Central East)

- Jury vs. Non-Jury cases
- Road mapping
- Know your audience; set the theme and tone
- Anticipate the opponent's opening and theme
- Implications of inconsistencies in your opening/closing and the actual evidence
- Use of written opening/closing arguments
- Unique considerations in virtual openings/closings

Moderator: Jacqueline Cole, Ross Nasserri LLP

The Honourable Justice Clayton Conlan, Ontario Superior Court of Justice (Central West)
The Honourable Justice Jamie Trimble, Ontario Superior Court of Justice (Central West)

- Direct Examination
 - Prepare your witness
 - Maintain your theme
 - Effective use of exhibits
 - When to lead the witness
- Cross Examination
 - Prepare your witness
 - Know when to quit
 - Understand the rule in *Browne v. Dunn*
 - Effective use of exhibits
- Ethical implications of discussing testimony before cross-examination has been completed
- Unique considerations in virtual examinations

9:40 am **Introducing Evidence at Trial**

Moderator: Brandyn di Domenico, Neinstein Personal Injury Lawyers LLP
The Honourable Justice Kathleen Cullin, Ontario Superior Court of Justice (Northeast)
The Honourable Associate Justice Todd Robinson, Ontario Superior Court of Justice (Toronto)

- Evidence required to support theory of case
- Issues of admissibility:
 - Witnesses: lay vs. expert
 - Summons
- Exhibits:
 - Real evidence and documents
 - Demonstrative aids
- Ethical issues associated with disclosing evidence and entering evidence at trial
- Unique considerations in virtual hearings

10:50 am **Top 10 Trial Mistakes and How to Avoid Them**

Moderator: Sancia Pinto, Pinto Shekib LLP
The Honourable Justice Bruce Fitzpatrick, Ontario Superior Court of Justice (Northwest)
The Honourable Justice Sarah Pepall, Court of Appeal for Ontario

- How to avoid the many pitfalls encountered by trial lawyers

11:25 am Questions, Answers and Closing Remarks

11:30 am Program Concludes

10:10 am Networking Break

	CBA Member	CBA Student Member	Non-Member
Webcast	\$234	\$91	\$343

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