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**ASSOCIATION CANADIENNE DES JUGES DES COURS PROVINCIALES**

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EXHIBIT 13 (1 of 2)  
DATE Sept 12, 2016  
CTC Inquiry  
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SESSION DE FORMATION DES NOUVEAUX JUGES

PROGRAMME

Liste des participants

Liste des conférenciers

Notes biographiques des conférenciers

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**CANADIAN ASSOCIATION OF PROVINCIAL COURT JUDGES**

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NEW JUDGES' TRAINING PROGRAM

PROGRAM

List of participants

Faculty members

Faculty biographical notes

CHÂTEAU BROMONT  
BROMONT  
AVRIL 2013 / APRIL 2013

KRM

**Programme 2013**

**Program 2013**

**SESSION DE FORMATION  
DES NOUVEAUX JUGES  
ACJCP**

**NEW JUDGES EDUCATION PROGRAM  
CAPCJ**

N.B. : Une pause de quinze minutes aura lieu au moment jugé opportun à chacune des demi-journées du programme.

N.B.: A fifteen minute break will be taken at the appropriate moment every half day of the program.

## Programme 2013

## Program 2013

**Dimanche, le 21 avril.**

**14:30 à 15:45 : Inscription.**

**15:45 à 16:00 : Mots d'introduction et de bienvenue.**

Juge Lori Renée Weitzman  
Cour du Québec

**16:00 à 19:00 : Conduite du procès.**

Juge Miriam Bloomenfeld  
Cour de justice de l'Ontario

Juge Howard Borenstein  
Cour de justice de l'Ontario

**Sunday, April 21.**

**2:30 to 3:45: Registration.**

**3:45 to 4:00: Introduction and welcome.**

Judge Lori Renée Weitzman  
Court of Québec

**4:00 to 7:00: Conduct of a Trial.**

Judge Miriam Bloomenfeld  
Ontario Court of Justice

Judge Howard Borenstein  
Ontario Court of Justice

## Programme 2013

## Program 2013

**Lundi, le 22 avril.**

**9:00 à 12:30 : Conduite du procès  
(2<sup>ième</sup> partie).**

Juge Miriam Bloomenfeld  
Cour de justice de l'Ontario

Juge Howard Borenstein  
Cour de justice de l'Ontario

**14:00 à 17:00 : Évaluation des faits et de la  
crédibilité et le doute raisonnable.**

Juge Lucie Rondeau  
Cour du Québec

Juge Gerald Seniuk  
Cour provinciale de la Saskatchewan

Juge André Perreault  
Cour du Québec

**Cabane à sucre**

**Monday, April 22.**

**9:00 to 12:30: Conduct of a Trial  
(Part 2).**

Judge Miriam Bloomenfeld  
Ontario Court of Justice

Judge Howard Borenstein  
Ontario Court of Justice

**2:00 to 5:00: Assessment of Facts and  
Credibility, and Reasonable Doubt.**

Judge Lucie Rondeau  
Court of Québec

Judge Gerald Seniuk  
Provincial Court of Saskatchewan

Judge André Perreault  
Court of Québec

**Sugar Shack**



## Programme 2013

## Program 2013

**Mardi, le 23 avril.**

**Tuesday, April 23.**

**9:00 à 10:30 : Le témoignage de l'enfant.**

Juge Lucie Rondeau  
Cour du Québec

**9:00 to 10:30: The Child Witness.**

Judge Lucie Rondeau  
Court of Québec

**10:45 à 12:30 : Évaluation des faits et de la  
crédibilité et doute raisonnable (2<sup>e</sup> partie).**

Juge André Perreault  
Cour du Québec

**10:45 to 12:30: Assessment of Facts and  
Credibility, and Reasonable Doubt (Part 2).**

Judge André Perreault  
Court of Québec

Juge Lucie Rondeau  
Cour du Québec

Judge Lucie Rondeau  
Court of Québec

**13:45 à 15:15 : Évaluation des faits et de la  
crédibilité et le doute raisonnable (3<sup>e</sup> partie).**

Juge André Perreault  
Cour du Québec

**1:45 to 3:15: Assessment of Facts and  
Credibility, and Reasonable Doubt (Part 3).**

Judge André Perreault  
Court of Québec

Juge Lucie Rondeau  
Cour du Québec

Judge Lucie Rondeau  
Court of Québec

**15:30 à 17:00 : La Loi sur le système de justice  
pénale pour adolescents.**

Juge Lucie Rondeau  
Cour du Québec

**3:30 to 5:00: The Youth Criminal Justice Act**

Judge Lucie Rondeau  
Court of Québec

**Mercredi, le 24 avril.**

**9:00 à 12:30 : Les articles 8, 9 et 10 de la Charte canadienne des droits et libertés.**

Juge Shawn Greenberg  
Cour du Banc de la Reine du Manitoba

Me Thierry Nadon  
Bureau du Directeur des poursuites criminelles et pénales du Québec.

**14:00 à 16:30 : Les réparations et l'exclusion d'un élément de preuve suivant l'article 24 de la Charte.**

Juge Shawn Greenberg  
Cour du Banc de la Reine du Manitoba

Me Thierry Nadon  
Bureau du Directeur des poursuites criminelles et pénales au Québec.

**Wednesday, April 24.**

**9:00 to 12:30: Sections 8, 9 and 10 of the Canadian Charter of Rights and Freedoms.**

Justice Shawn Greenberg  
Manitoba Court of Queen's Bench

Me Thierry Nadon  
Office of Quebec's Director of Public Prosecutions.

**2:00 to 4:30: The Exclusion of Evidence and the Remedies under Section 24 of the Charter.**

Justice Shawn Greenberg  
Manitoba Court of Queen's Bench

Me Thierry Nadon  
Office of Quebec's Director of Public Prosecutions.

**Jeudi, le 25 avril.**

**Thursday, April 25.**

**8:30 à 12:30 : L'imposition de la peine.**

Juge Brigitte Sivret  
Cour provinciale du Nouveau-Brunswick

Juge Sean Dunnigan  
Cour provinciale de l'Alberta

**14:00 à 17:00 : Les infractions en matière de conduite automobile avec les facultés affaiblies.**

Juge Joseph F. Kenkel  
Cour de justice de l'Ontario

**Banquet de clôture.**

**8:30 to 12:30: Sentencing.**

Judge Brigitte Sivret  
Provincial Court of New Brunswick

Judge Sean Dunnigan  
Provincial Court of Alberta

**2:00 to 5:00: The Offences of Operating a motor Vehicle while impaired.**

Judge Joseph F. Kenkel  
Ontario Court of Justice

**Closing banquet.**

## Programme 2013

## Program 2013

**Vendredi, le 26 avril.**

**9:00 à 10:15 : La déontologie judiciaire**

Juge Louise Provost  
Cour du Québec

**10:15 à 11:00 : La vie après.**

Juge Barbara Beach  
Cour provinciale de la Nouvelle-Écosse

**11:30 : Départ de l'autocar.**

**Friday, April 26.**

**9:00 to 10:15: Judicial Ethics.**

Judge Louise Provost  
Court of Quebec

**10:15 to 11:00: The Afterlife.**

Judge Barbara Beach  
Provincial Court of Nova Scotia

**11:30: Departure of the bus.**



**Liste des participants**



**List of participants**

## Liste des participants / List of participants

Alberta

**The Honourable Robin Camp**

Provincial Court of Alberta  
Calgary Courts Centre  
1903-S, 601 – 5th Street S.W.  
Calgary (Alberta) T2P 5P7

☎ 403 592-2934  
☎ 403 297-5287  
✉ robin.camp@albertacourts.ca

**The Honourable Karim Z. Jivraj**

Provincial Court of Alberta  
Calgary Courts Centre  
1903-S, 601 – 5th Street S.W.  
Calgary (Alberta) T2P 5P7

☎ 403 297-4366  
☎ 403 297-5287  
✉ karim.jivraj@albertacourts.ca

**The Honourable F. Kirk MacDonald**

Provincial Court of Alberta  
Law Courts (North)  
1-A Sir Winston Churchill  
Square, 5th Floor  
Edmonton (Alberta) T5J 0R2

☎ 780 644-3538  
☎ 780 427-4036  
✉ kirk.macdonald@albertacourts.ca

**The Honourable Ken McLeod**

Provincial Court of Alberta  
Calgary Courts Centre  
1903-S, 601 - 5th Street South West  
Calgary (Alberta) T2P 5P7

☎ 403 592-2935  
☎ 403 297-5287  
✉ kenneth.mcleod@albertacourts.ca

**The Honourable Gordon W. Sharek**

Provincial Court of Alberta  
Law Courts (North)  
1-A Sir Winston Churchill  
Square, 6th Floor  
Edmonton (Alberta) T5J 0R2

☎ 780 427-0436  
☎ 780 422-2257  
✉ gordon.sharek@albertacourts.ca

**The Honourable Aran Veylan**

Provincial Court of Alberta  
Law Courts (North)  
1-A Sir Winston Churchill  
Square, 5th Floor  
Edmonton (Alberta) T5J 0R2

☎ 780 427-0099  
☎ 780 422-2257  
✉ aran.veylan@albertacourts.ca

British  
Columbia

**The Honourable Andrea Brownstone**

Provincial Court of British Columbia  
Suite 300 – 800 Hornby St.  
Vancouver (British Columbia) V6Z 2C5

☎ 604 660-8377  
☎ 604 660-8405  
✉ abrownstone@provincialcourt.bc.ca

## Liste des participants / List of participants

British  
Columbia

**The Honourable Bonnie Craig**  
Provincial Court of British Columbia  
Unit A – 2620 Mary Hill Road  
Port Coquitlam (British Columbia) V3C 3B2

 604 927-2184  
  
 bcraig@provinciacourt.bc.ca

**The Honourable Roger Cutler**  
Provincial Court of British Columbia  
46085 Yale Road  
Chilliwack (British Columbia) V2P 2L8

 604 795-8405  
 604-795-8601  
 rcutler@provinciacourt.bc.ca

**The Honourable Kathryn Denhoff**  
Provincial Court of British Columbia  
Suite 300 – 800 Hornby St.  
Vancouver (British Columbia) V6Z 2C5

 604 660-8377  
 604 660-8405  
 kdenhoff@provinciacourt.bc.ca

**The Honourable William Jackson**  
Provincial Court of British Columbia  
#40-Baq 5000  
Smithers (British Columbia)

 250 847-7385  
  
 wjackson@provinciacourt.bc.ca

**The Honourable Ronald Lamperson**  
Provincial Court of British Columbia  
14340 57th Avenue  
Surrey (British Columbia) V3X 1B2

 604 572-2300  
 604 572-2301  
 rlamperson@provinciacourt.bc.ca

**The Honourable James Sutherland**  
Provincial Court of British Columbia  
14340 57th Avenue  
Surrey (British Columbia) V3X 1B2

 604 572-2300  
 604 572-2301  
 jsutherland@provinciacourt.bc.ca

**The Honourable Jennifer Oulton**  
Provincial Court of British Columbia  
14340 57th Avenue  
Surrey (British Columbia) V3X 1B2

 604 572-2300  
 604 572-2301  
 joulton@provinciacourt.bc.ca

**The Honourable Garth Smith**  
Provincial Court of British Columbia  
Unit J – 2620 Mary Hill Road  
Port Coquitlam (British Columbia) V3C 3B2















 604 927-2180  
  
 gsmith@provinciacourt.bc.ca

Manitoba

**The Honourable Cynthia Devine**  
Provincial Court of Manitoba  
5th Floor, 408 York Ave.  
Winnipeg (Manitoba) R3C 0P9



















 204 945-2149  
 204-945-0552  
 cynthia.devine@pcmb-cpmb.ca

## Liste des participants / List of participants

Manitoba	<b>The Honourable Donovan Dvorak</b> Provincial Court of Manitoba RM 200, 1104 Princess Ave. Brandon (Manitoba) R7A 0P9	 204 726-6247  204-726-6148  donovan.dvorak@mbpc-cpmb.ca
	<b>The Honourable Timothy Killeen</b> Provincial Court of Manitoba 5th Floor, 408 York Ave. Winnipeg (Manitoba) R3C 0P9	 204 945-7137   tim.killeen@gov.mb.ca
	<b>The Honourable Margaret Wiebe</b> Provincial Court of Manitoba 5th Floor, 408 York Ave. Winnipeg (Manitoba) R3C 0P9	 204 945-4732   margaret.wiebe@gov.mb.ca
New Brunswick	<b>The Honourable Marco Cloutier</b> Provincial Court of New Brunswick 3rd Floor, 15 Market Sq. Saint-John (New Brunswick) E2L 1E8	 506 658-3784  506 658-3759  marco.cloutier@gnb.ca
	<b>The Honourable Kenneth L. Oliver</b> Provincial Court of New Brunswick 23 Route 102 Burton (New Brunswick) E2V 2Y6	 506 357-4020  506 658-4032  ken.oliver@gnb.ca
	<b>The Honourable Troy Sweet</b> Provincial Court of New Brunswick 145 Assumption Blvd Moncton (New Brunswick) E1C 8R3	 506 869-6986  506 856-3226  troysweet@gnb.ca
Newfoundland Labrador	<b>The Honourable Lori Marshall</b> Provincial Court of Newfoundland and Labrador P.O. Box 68 Atlantic Place, 215 Water Street St John's (Newfoundland Labrador) A1C 6C9	 709 729-4229  709 729-6272  loriamarshall@provincial.court.nl.ca
	<b>The Honourable James G. Walsh</b> Provincial Court of Newfoundland and Labrador P.O. Box 68 Atlantic Place, 215 Water Street St John's (Newfoundland Labrador) A1C 6C9	 709 729-2221  709 729-6272  jameswalsh@provincial.court.nl.ca



## Liste des participants / List of participants

Nova Scotia	<b>The Honourable Tim Landry</b> Provincial Court and Family Court of Nova Scotia P.O. Box 1089, 119 Queen St. Digby (Nova Scotia) B0V 1A0	 902 245-7161  902 245-6722  leblansh@gov.ns.ca
Ontario	<b>The Honourable Philip J. Clay</b> Ontario Court of Justice 7755 Hurontario Street Brampton (Ontario) L6W 4T1	 905 456-4833  905 456-4839  philip.clay@ocj-cjo.ca
	<b>The Honourable Melanie Dunn</b> Ontario Court of Justice 426 Queen St. E. Sault Ste-Marie (Ontario)	 705 945-8000 ext. 453   melanie.dunn@ocj-cjo.ca
	<b>The Honourable Franco Giamberardino</b> Ontario Court of Justice 29 Second Street West Cornwall (Ontario) K6J 1J3	 613 930-4536  613 933-9030  franco.giamberardino@ocj-cjo.ca
	<b>The Honourable David Gibson</b> Ontario Court of Justice 216 Water Street Kenora (Ontario) P9N 1S4	 807 468-2790  807-468-2896  david.gibson@ocj-cjo.ca
	<b>The Honourable Edward Graham</b> Ontario Court of Justice 415 Hunter Street Woodstock (Ontario) N4S 7W5	 519 539-4751 ext. 226  519-539-5312  m.edward.graham@ocj-cjo.ca
	<b>The Honourable Steven Harrison</b> Ontario Court of Justice 611- 9th Avenue East Owen Sound (Ontario) N4K 6Z4	 519 370-2465  519-370-2451  stevenpaul.harrison@ocj-cjo.ca
	<b>The Honourable Cindy Johnston</b> Ontario Court of Justice 50 Eagle St. Newmarket (Ontario) L3Y 6B1	 905 853-4802  905 853-4832  cindy.johnston@ocj-cjo.ca

## Liste des participants / List of participants

Ontario


**The Honourable Carolyn Jones**

Ontario Court of Justice  
47 Sheppard Ave. E.  
Toronto (Ontario) M2N 5X5

 416 326-7775  
 416 327-1160  
 carolyn.jones@ocj-cjo.ca

**The Honourable Lise S. Parent**

Ontario Court of Justice  
7755 Hurontario Street  
Brampton (Ontario) L6W 4T1

 905 456-4921  
  lise.parent@ocj-cjo.ca

**The Honourable Alain H. Perron**




Ontario Court of Justice  
89 James Street  
Parry Sound (Ontario) P2A 1T7

 705 746-8644  
 706-746-6189  
 alain.perron@ocj-cjo.ca

Québec




**L'honorable Julie Beauchesne**

Cour du Québec  
Palais de justice de Granby  
77, rue Principale  
Granby (Québec) J2G 9B3

 450 776-7124  
 450 776-4066  
 julie.beauchesne@judex.qc.ca

**L'honorable Michel Boudreault**

Cour du Québec  
Palais de justice de Saguenay  
227, rue Racine est  
Chicoutimi (Québec) G7H 7B4

 418 696-9936  
 418 698-3798  
 michel.boudreault@judex.qc.ca

**L'honorable Marie-Josée Di Lallo**

Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame est  
Montréal (Québec) H2Y 1B6

 514 393-2026  
 514 228-4551  
 marie-josée.dilallo@judex.qc.ca

**L'honorable Éric Downs**

Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame est  
Montréal (Québec) H2Y 1B6

 514 393-2245  
 514 228-0476  
 eric.downs@judex.qc.ca

**L'honorable Nathalie Fafard**

Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame est  
Montréal (Québec) H2Y 1B6

 514 393-6697  
 514 228-4553  
 nathalie.fafard@judex.qc.ca

## Liste des participants / List of participants

Québec

**L'honorable Christine Gosselin**

Cour du Québec  
Palais de justice de Québec  
300, boul. Jean-Lesage  
Québec (Québec) G1K 8K6

☎ 418 649-3482  
☎ 418 528-9653  
✉ christine.gosselin@judex.qc.ca

**L'honorable Jean Hudon**

Cour du Québec  
Palais de justice de Alma  
725, Harvey Ouest  
Alma (Québec) G8B 1P5

☎ 418 662-9211  
☎ 418 668-8999  
✉ jean.hudon@judex.qc.ca

**L'honorable Bruno Langelier**

Cour du Québec  
Palais de justice de Victoriaville  
800, boul. Bois-Franc sud  
Victoriaville (Québec) G6P 5W5

☎ 819 357-5268  
☎ 819 357-1140  
✉ bruno.langelier@judex.qc.ca

**L'honorable Sylvain Lépine**

Cour du Québec  
Palais de justice de St-Jérôme  
25, de Martigny ouest  
St-Jérôme (Québec) J7Y 4Z1

☎ 450 431-4435  
☎ 450 431-5823  
✉ sylvain.lepine@judex.qc.ca

**L'honorable Denis Mondor**

Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame est  
Montréal (Québec) H2Y 1B6

☎ 514 393-2384  
☎ 514 904-4131  
✉ denis.mondor@judex.qc.ca

**L'honorable Jacques Ouellet**

Cour municipale de la ville de Québec  
160, 76e rue Est # 216  
Québec (Québec) G1H 7H5

☎ 418 641-6412 ext. 1643  
☎ 418-641-6099  
✉ jacques-b.ouellet@ville.quebec.qc.ca

**L'honorable Denis Paradis**

Cour du Québec  
Palais de justice de Percé  
124, route 132  
Percé (Québec) G0C 2L0

☎ 418 782-2043  
☎ 418 782-2453  
✉ denis.paradis@judex.qc.ca

**L'honorable Gaétan Plouffe**

Cour municipale de la ville de Montréal  
775, rue Gosford  
Montréal (Québec) H2Y 3B9

☎ 514 872-3081  
☎ 514 872-3822  
✉ gplouffe@ville.montreal.qc.ca

## Liste des participants / List of participants

Québec

**L'honorable Nathalie Duchesneau**  
Cour municipale de la ville de Montréal  
775, rue Gosford  
Montréal (Québec) H2Y 3B9

☎ 514 872-3549  
☎ 514 872-3822  
✉ [nathalie.duchesneau@ville.montreal.qc.ca](mailto:nathalie.duchesneau@ville.montreal.qc.ca)

**L'honorable Janick Poirier**  
Cour du Québec  
Palais de justice de New Carlisle  
87, boul. Gérard D. Lévesque  
New Carlisle (Québec) G0C 1Z0

☎ 418 752-3123  
☎ 418 752-3521  
✉ [janick.poirier@judex.qc.ca](mailto:janick.poirier@judex.qc.ca)

**L'honorable Randall Richmond**  
Cour municipale de la ville de Montréal  
775, rue Gosford  
Montréal (Québec) H2Y 3B9

☎ 514 872-9266  
☎ 514 872-3822  
✉ [randall.richmond@ville.montreal.qc.ca](mailto:randall.richmond@ville.montreal.qc.ca)

**L'honorable Julie Riendeau**  
Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame est  
Montréal (Québec) H2Y 1B6

☎ 514 393-2572  
☎ 514 904-4129  
✉ [julie.riendeau@judex.qc.ca](mailto:julie.riendeau@judex.qc.ca)

**L'honorable Mélanie Roy**  
Cour du Québec  
Palais de justice de Longueuil  
1111, boul. Jacques-Cartier est  
Longueuil (Québec) J4M 2J6

☎ 450 646-4115  
☎ 450 928-8796  
✉ [melanie.roy@judex.qc.ca](mailto:melanie.roy@judex.qc.ca)

Saskatchewan

**The Honourable William R. Campbell**  
Provincial Court of Saskatchewan  
207-3rd Ave. E.  
Meadow Lake (Saskatchewan) S9X 1E7

☎ 306 236-7574  
☎ 306 236-7598  
✉ [wcampbell@skprovcourt.ca](mailto:wcampbell@skprovcourt.ca)

**The Honourable Darin Chow**  
Provincial Court of Saskatchewan  
120 Smith Street E.  
Yorkton (Saskatchewan) S3N 3V3

☎ 306 786-5721  
☎ 306 786-1422  
✉ [dchow@skprovcourt.ca](mailto:dchow@skprovcourt.ca)

**The Honourable Paul Demong**  
Provincial Court of Saskatchewan  
4th Floor 1815 Smith Street  
Regina (Saskatchewan) S4P 3V7

☎ 306 798-2703  
☎ 306 798-3933  
✉ [pdemong@skprovcourt.ca](mailto:pdemong@skprovcourt.ca)



## Liste des participants / List of participants

Saskatchewan **The Honourable Robert Lane**  
Provincial Court of Saskatchewan  
P.O. Box 5000  
La Ronge (Saskatchewan) S0J 1L0

 306 425-4404  
 306 425-4269  
 [rlane@skprovcourt.ca](mailto:rlane@skprovcourt.ca)

**The Honourable Kevin A. Lang**  
Provincial Court of Saskatchewan  
4th Floor 1815 Smith Street  
Régina (Saskatchewan) S4P 2N5

 306 787-4168  
  [lkang@skprovcourt.ca](mailto:lkang@skprovcourt.ca)

**Liste des conférenciers**



**Faculty Members**

## Liste des conférenciers – Faculty Members

### **The Honourable Barbara Beach**

Provincial Court of Nova Scotia  
5250 Spring Garden Road  
Halifax (Nova-Scotia) B3J 1E7

 902 424-8762  
 902 424-2212  
 bbeach@judicom.ca

### **The Honourable Miriam Bloomenfeld**

Ontario Court of Justice  
Judges Chambers / Metro East Court  
1911 Eglinton Avenue East  
Toronto (Ontario) M1L 4P4

 416 325-0861  
 416 325-0987  
 miriam.bloomenfeld@ocj-cjo.ca

### **The Honourable Howard Borenstein**

Ontario Court of Justice  
Judges Chambers / Metro East Court  
1911 Eglinton Avenue East  
Toronto (Ontario) M1L 4P4

 416 325-0861  
 416 325-0987  
 Howard.Borenstein@ocj-cjo.ca

### **The Honourable Sean Dunnigan**

Provincial Court of Alberta

 403 264-6404  
 403 297-5287  
 seandunnigan5@gmail.com

### **The Honourable Shawn Greenberg**

Manitoba Court of Queen's Bench  
226 – 408 York Avenue  
Winnipeg (Manitoba) R3C 0P9

 204 945-2050  
 204 948-3762  
 sgreenberg@judicom.ca

### **The Honourable Joseph F. Kenkel**

Ontario Court of Justice  
50 Eagle Street West, 3rd Floor  
Newmarket (Ontario) L3Y 6B1

 905 853-4802  
 905 853-4832  
 joseph.kenkel@ocj-cjo.ca

### **M<sup>e</sup> Thierry Nadon**

Procureur à la Direction des poursuites  
criminelles et pénales  
Palais de justice de Montréal  
1, rue Notre-Dame Est, bureau 4.100  
Montréal (Québec) H2Y 1B6

 514 393-2703  
 514 873-9895  
 tnadon@justice.gouv.qc.ca



## Liste des conférenciers – Faculty Members

**L'Honorable André Perreault**

Juge en chef adjoint  
Cours municipales  
Palais de justice de Montréal  
1, rue Notre-Dame Est, bureau 13.71  
Montréal (Québec) H2Y 1B6

☎ 514 393-2410  
☎ 514 873-8795  
✉ [andre.perreault@judex.qc.ca](mailto:andre.perreault@judex.qc.ca)

**L'Honorable Louise Provost**

Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame Est, bureau 5.30  
Montréal (Québec) H2Y 1B6

☎ 514 393-2592  
☎ 514 904-4219  
✉ [louise.provost@judex.qc.ca](mailto:louise.provost@judex.qc.ca)

**L'Honorable Lucie Rondeau**

Cour du Québec  
Palais de justice de Québec  
300, boulevard Jean-Lesage  
Québec (Québec) G1K 8K6

☎ 418 649-3491  
☎ 418 646-9337  
✉ [lucie.rondeau@judex.qc.ca](mailto:lucie.rondeau@judex.qc.ca)

**The Honourable Gerald A. Seniuk**

Saskatchewan Provincial Court  
Regina (Saskatchewan)

☎ 306-934-5940  
☎  
✉ [seniuk@sasktel.net](mailto:seniuk@sasktel.net)

**The Honourable Brigitte Sivret**

Provincial Court of New Brunswick

☎ 506-547-2155  
☎ 506-547-7448  
✉ [brigitte.sivret@gnb.ca](mailto:brigitte.sivret@gnb.ca)

**L'Honorable Lori Renée Weitzman**

Cour du Québec  
Palais de justice de Montréal  
1, rue Notre-Dame Est, bureau 4.40  
Montréal (Québec) H2Y 1B6

☎ 514 393-2400  
☎ 514 904-4145  
✉ [lori-renee.weitzman@judex.qc.ca](mailto:lori-renee.weitzman@judex.qc.ca)



**Notes biographiques des conférenciers**



**Faculty biographical notes**

## **The Honourable Barbara Beach**

Barbara Beach was appointed to the Provincial Court of Nova Scotia in 1995 after a lengthy career with Nova Scotia Legal Aid where she served as a senior staff lawyer specializing in criminal law.

Since her appointment she has been involved in the development of many judicial education programs both within the province of Nova Scotia and beyond. She served as Chair of the Nova Scotia Judges Association Education Committee from 1997 to 2003 and she continues to participate on that committee. She has served as President of the Nova Scotia Judge's Association and as Chair of the national CAPCJ conference which was held in Halifax in September 2010. She has a keen interest in the Judges Counselling Program and serves as a member of that Board.

In addition to Barbara's interests in judicial education, she recently completed a term on the board of the Canadian Institute for The Administration of Justice and currently serves on the executive of the Canadian Chapter of the International Association of Women Judges.

Barbara is in her twenty-seventh year of teaching as part-time faculty at Dalhousie Law school where she is an instructor in the Clinical Course in Criminal Law.

In addition to law related activities, Barbara has had a long standing commitment to her community where she has been a working member of many community boards and committees. Phoenix Youth Programs, Planned Parenthood, The John Howard Society, Armbrae Academy and The Neighbourhood Work Activity Program are examples of the organizations where she has spent her volunteer time.

All of the above is made possible by her partner of many years who continues to keep the lid on their busy household which includes three children and two cats.

## **The Honourable Miriam Bloomenfeld**

Before becoming a judge in 2006, Miriam Bloomenfeld worked for 15 years as a lawyer, holding various positions within the Ontario Ministry of the Attorney General including clerking for the Ontario High Court and conducting trials and appeals at all levels of court.

She also participated in significant policy projects, leading education and the drafting of policy in relation to wrongful convictions and youth justice.

Justice Bloomenfeld is the co-author of two books, the "*Youth Criminal Justice Act Manual*" (Canada Law Book) and the "*Weapons Offences Manual*" (Canada Law Book). She also continues to participate in educational initiatives for the judiciary, the legal profession and the public.



## **The Honourable Howard Borenstein**

Justice Borenstein was called to the Bar in 1991. He practiced with Borenstein Dotsikas and Price in Toronto. His criminal practice was divided between arguing trials and appeals. In addition, he has acted as counsel before various professional colleges and has acted as counsel at a coroner inquests. He has also acted as amicus in various proceedings.

Justice Borenstein was appointed to the Ontario Court of Justice in 2006. He is frequently invited to speak at conferences including the annual Ottawa Carleton Defence counsel's conference in Montebello, the Crown attorney's trial and appellate advocacy courses, as well as numerous other conferences.



## **The Honourable Sean Dunnigan**

As a former Quebecker who attended Loyola High School in NDG, I often used to ski here in Bromont and at nearby Mt. Sutton. Ultimately, my family headed off to Toronto where I got my B.Sc. at University of Toronto, followed by my LL.B. at Queen's University. I then moved to Calgary and worked 20 years in civil litigation, during which time I was elected President of the Calgary Bar Association as well as the Canadian Bar Association -Alberta Branch. In 2000 I quit the practice of law to open The Counsel Network 's Calgary office in which I led a team of legal recruiters until my appointment to the Criminal Division of the Provincial Court of Alberta in 2004. Since November of 2010, I have hosted a bi-weekly radio program on CBC Radio 1's Homestretch called "The View From The Bench".

Et, grâce à mes amis et collègues de la Cour du Québec et de la Cour provinciale du Nouveau-Brunswick, je participe quelques semaines chaque année en séances d'apprentissage en français juridique afin de pouvoir présider des dossiers dans les deux langues officielles.

## **The Honourable Shawn Greenberg**

Justice Shawn Greenberg was admitted to the Bar of Manitoba in 1976. She was engaged in private practice until 1987 when she joined the Constitutional Law Branch of the Manitoba Department of Justice, where she represented the Department in constitutional litigation at all court levels. She was appointed to the Manitoba Court of Queen's Bench in 2003.

She has been involved in judicial education for judges, lawyers and members of administrative tribunals. She is a judicial associate of the National Judicial Institute and has been involved in the development and teaching of its annual seminar on the Canadian Charter of Rights and Freedoms. She lectured for a number of years at the University of Manitoba Law School. She is a past member of the board of directors of the Canadian Institute for the Administration of Justice and has developed seminars for the Institute in decision writing for administrative tribunals.

## **The Honourable Joseph F. Kenkel**

Hon. Joseph F. Kenkel is a graduate of Queen's University (B.A. Hons.) and Osgoode Hall Law School (J.D.) Before his appointment to the Ontario Court of Justice in 2000, he practiced criminal law in Toronto and was the Treasurer of the Criminal Lawyer's Association. Justice Kenkel is a member of the Tri-Court IT Committee which manages technology issues for the Ontario Court of Justice, the Superior Court of Justice and the Court of Appeal. He has been a regular speaker at law schools and conferences on a wide range of topics including court technology, DNA, scientific evidence, and drinking and driving offences. Justice Kenkel has regularly chaired a panel at the Law Society's annual Impaired Driving conference. He presents the drinking and driving offences lecture for the national CAPCJ new judges program in Quebec and has spoken on related topics for judicial education programs in a number of provinces. In 2011 he led a drinking and driving update course for the Nova Scotia Provincial Court Judges Association annual meeting. He has also been a panelist at the Centre of Forensic Sciences Annual Meetings.

Justice Kenkel has written four legal texts published by Lexis-Nexis Canada including Impaired Driving in Canada, and Impaired Driving – The Charter Cases. He also writes the bi-weekly Impaired Driving Netletter available on Quicklaw. He's contributed to Ontario Courtroom Procedure and has co-authored a chapter on Mitochondrial DNA evidence for the DNA Handbook published by Carswell.

Aside from work Justice Kenkel coaches basketball and soccer teams and he plays in a local band.

Justice Kenkel presides in Newmarket, Ontario hearing criminal matters.

## **M<sup>e</sup> Thierry Nadon**

Membre du Barreau depuis 1994, M<sup>e</sup> Nadon détient une maîtrise de la Faculté de droit de la University of California at Los Angeles. Il est procureur chef adjoint au Directeur des poursuites criminelles et pénales. À ce titre, il aide à la gestion du bureau de Montréal et a la responsabilité de la gestion des dossiers d'agression sexuelle, abus d'enfant et pornographie juvénile. Il est professeur à la Faculté de droit de l'Université McGill et éditeur pour le Québec de la revue les Criminal Reports et le bulletin électronique de l'Institut national de la magistrature.



## **L'Honorable André Perreault**

André Perreault a été procureur de la poursuite durant toute sa carrière d'avocat. Il est juge à la Cour du Québec depuis janvier 2003.

## L'Honorable Louise Provost

Nommée juge à la Cour du Québec, chambre criminelle et pénale, district de Montréal, en mai 1991, M<sup>me</sup> la juge Provost devenait juge en chef adjointe à cette chambre pour l'ensemble du Québec pour un mandat de sept ans, le 31 août 1995. À ce titre, elle a présidé de nombreux comités de sélection en cette matière ainsi que plusieurs comités spécifiques.

En mars 2003, alors qu'elle reprenait ses fonctions comme juge puînée siégeant à Montréal, elle était désignée membre du Tribunal des professions, un tribunal d'appel en matière disciplinaire et en matière autre que disciplinaire des décisions rendues par les 44 corporations d'ordre professionnel.

Le 12 décembre 2003, le juge en chef la nommait vice-présidente du Tribunal des professions, et à compter du 31 décembre 2005, elle a occupé le poste de présidente de ce Tribunal pour un mandat d'une durée de sept ans.

En vertu de la *Loi sur les tribunaux judiciaires*, elle a été membre du Conseil de la magistrature du Québec de 1995 à 2002 ainsi que de 2009 à 2012. Durant son mandat, elle a examiné plus de 700 plaintes et a siégé sur de nombreux comités d'enquête dont certains à titre de présidente.

Elle s'intéresse à l'éthique et à la déontologie judiciaire et est conférencière sur ce sujet depuis plusieurs années.

## L'Honorable Lucie Rondeau

Madame Rondeau a été admise au Barreau du Québec en 1980. Dès lors, elle a pratiqué le droit à titre de substitut du procureur général du Québec, à Québec, et ce durant 15 ans. Elle a principalement eu comme mandat d'intenter les poursuites criminelles et pénales devant la Chambre de la jeunesse de la Cour du Québec et d'apporter conseil et assistance en matière de droit de la jeunesse aux autorités ministérielles. Madame Rondeau a également fait partie de divers tables de concertation et groupes de travail tant provinciaux que fédéraux concernés par son champ d'expertise, soit l'application du processus pénal à l'égard des enfants et des adolescents. Elle est juge à la Chambre de la jeunesse de la Cour du Québec depuis mai 1995 et a également été, de novembre 2004 à juin 2010, coordonnatrice-adjointe de cette juridiction pour la région de Québec. Elle siège aussi, occasionnellement, à la chambre criminelle et pénale.

Alors qu'elle était avocate et encore aujourd'hui, madame Rondeau démontre un intérêt marqué pour la formation juridique. Enseignante à l'école du Barreau depuis 1985, elle a aussi à maintes reprises agi à titre de personne ressource lors de journées d'étude et de formation à l'intention des divers intervenants du système de justice applicable aux enfants et aux adolescents. Elle est de plus responsable de la formation dispensée aux juges nouvellement nommés à la Cour du Québec.

Madame Rondeau was admitted to the Québec Bar in 1980. For 15 years, she practiced law as an Attorney General's Prosecutor. Her duties consisted mainly in bringing criminal proceedings before the Youth Division of the Québec Court and in providing legal advice and assistance in the area of youth to departmental authorities. Madame Rondeau also took part in various federal as well as provincial task forces and working groups interested in her field of expertise and her specific thinking on how the criminal process is to be applied to children and adolescents. She is a Judge in the Québec Court's Youth Division since May 1995 and has been, from November 2004 to June 2010, the division's associate coordinating judge for the Québec City region. She also sits, occasionally, in the criminal division.

Since her time as a lawyer, and to this day, Madame Rondeau has shown a keen interest in legal training. She has been teaching at the School of the Québec Bar Association since 1985, and at numerous times, she has acted as resource person during study and training sessions held for various stakeholders in the children's and youth justice system. In addition, she is responsible for the training given to newly-appointed judges of the Québec Court.



## **The Honourable Gerald A. Seniuk**

Gerald T. G. Seniuk was appointed a Judge of the Provincial Court of Saskatchewan in 1977 and presided as Chief Judge from January 1, 2001 to January 2008, when he retired from that position and also retired from presiding full-time on the Court. He continues to preside as a judge of the Court on a supernumerary basis and as an Umpire hearing judicial review appeals pursuant to the Employment Insurance Act. In 2009 he was appointed a Visiting Scholar to the College of Law, University of Saskatchewan.

Throughout his 30-year career on the bench, he has been active in judicial organizations, serving executive positions provincially and nationally, and has also contributed to judicial education programs provincially, nationally and internationally, including training other Commonwealth judicial educators.

He has published articles on a range of judicial topics in various Canadian legal periodicals and journals. He developed a program and trained a faculty on Judicial Fact Finding and Decision-Making that has been used by judicial educators in Canada and other Commonwealth countries. He has been a presenter on judicial decision-making, credibility assessment, judicial reasoning, judicial independence, sentencing, court administration and access to justice, judicial education and training the trainers, and the evolution of court structures in Canada. At the invitation of the judiciary from various countries, such as Uganada, South Africa, Trinidad and Tobego, and the United States of America, he or his team have presented on some of these various topics.

Former Chief Judge Seniuk has also been involved in furthering judicial independence both in Canada and internationally through his published articles, video productions and educational programs. Through the office of the Federal Commissioner for Judicial Affairs he has acted as a judicial consultant to the Canada-Ukraine Judicial Cooperation Project.

A priority during his term as Chief Judge was improving access, efficiency and effectiveness of Canadian courts. He has worked with others to improve access to court related services through a process of judicial research and development, with a priority to involving First Nations and other communities in the process. His writings and efforts with a national team of leaders resulted in a major conference in 2002 on court restructuring and the learned articles from this conference have been published and provide a significant international document on the issue of court structure and public access.



## **L'Honorable Brigitte Sivret**

La juge Sivret est originaire d'un petit village nommé St-Isidore situé au cœur de la Péninsule Acadienne.

Elle a obtenu son premier baccalauréat en éducation de l'Université de Moncton en 1984. Elle a poursuivi ses études en droit et elle a reçu son baccalauréat (LL.B) en droit de l'Université d'Ottawa en 1987. Après avoir participé au programme de cléricature avec le ministère de la Justice fédérale à Ottawa, elle a été admise au barreau de l'Ontario en 1989

Elle a débuté sa carrière avec le cabinet Gowling & Henderson où elle faisait partie du groupe appelé «A dvocacy ». Les avocats de ce groupe se spécialisaient dans les domaines contentieux du droit.

En 1990, elle a choisi de revenir au Nouveau-Brunswick pour poursuivre sa carrière d'avocate spécialisée en litige commercial, bancaire et insolvabilité. Elle a été admise au barreau du Nouveau-Brunswick à l'automne 1990. Elle a continué sa pratique dans ces domaines jusqu'au début des années 2000 où elle a consacré principalement ses efforts dans le domaine des pêches canadiennes. Elle a mené des batailles importantes pour cette industrie devant la Cour fédérale et la Cour fédérale d'appel. Elle a également donné des conférences sur l'état du droit à plusieurs regroupements de pêcheurs au Canada.

Durant ses 18 années en pratique privée, elle a siégé sur plusieurs conseils d'administration en santé et en santé mentale et elle était très active au sein de sa communauté.

Elle a également participé aux programmes de formation du barreau du Nouveau-Brunswick, ainsi qu'aux activités de l'école de droit de l'Université de Moncton où elle a déjà été professeure invitée responsable du cours de droit bancaire.

Elle a été nommée juge de la Cour provinciale du Nouveau-Brunswick en mars 2007.

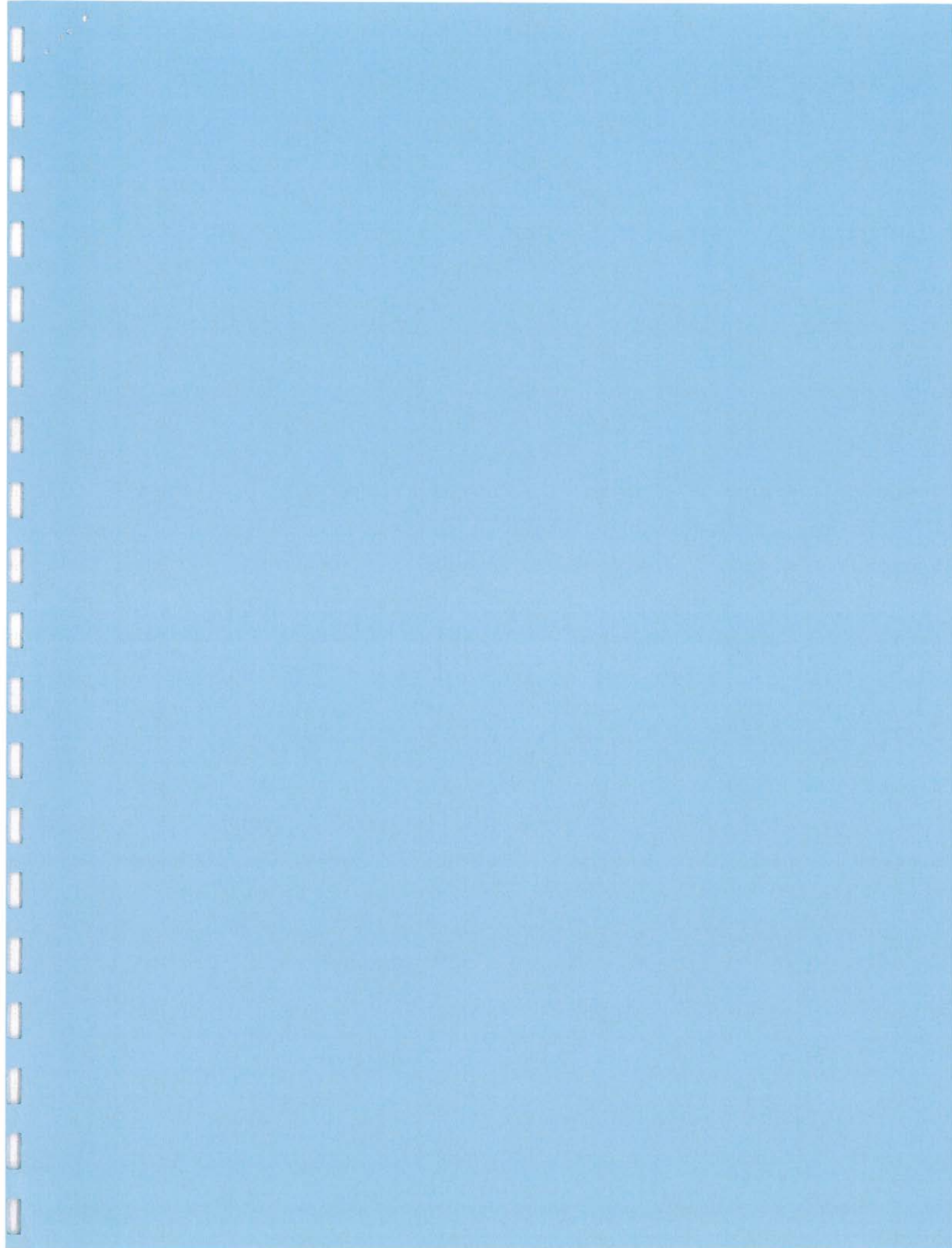
## **L'Honorable Lori Renée Weitzman**

La juge Weitzman est juge à la Cour du Québec, chambre criminelle, depuis avril 2010.

Elle a reçu son baccalauréat en droit civil en 1984 et son baccalauréat en Common Law en 1985, les deux de l'université McGill. Elle a reçu sa maîtrise en relations internationales de l'université Columbia à New York en 1985.

Jusqu'à sa nomination, elle était membre du Barreau du Québec ainsi que du Barreau de New York où elle avait pratiqué le droit corporatif avant de revenir à Montréal. Entre 1987 et 2010, elle était Procureure de la Couronne à Montréal. Pendant plusieurs années elle se spécialisait dans les dossiers d'agression sexuelle et les dossiers d'homicide. Pendant 10 ans, elle s'occupait de dossiers en appel, devant la Cour d'appel du Québec et la Cour suprême du Canada.

La juge Weitzman participe régulièrement comme conférencière et enseignante dans le domaine du droit pénal.





NATIONAL JUDICIAL INSTITUTE • INSTITUT NATIONAL DE LA MAGISTRATURE

## NEWLY APPOINTED PROVINCIAL AND TERRITORIAL JUDGES SKILLS SEMINAR

November 18 - November 23, 2012  
The Queen's Landing  
155 Byron Street, PO Box 1180  
Niagara-on-the-Lake, Ontario L0S 1J0  
Telephone: 1-888-669-5566 Fax: 905-468-2227

### Course Description:

This course has been created to help newly appointed judges of Provincial and Territorial Courts to develop and enhance their skills in a collection of interrelated areas:

- Essentials of effective communications
- Crafting and delivering oral judgments
- Managing lawyers and lawyer conflict
- Dealing with self-represented and under-represented litigants
- Assessing credibility
- Managing the process before trial
- Analyzing and addressing ethical issues in the courtroom
- Settlement conference skills in family and civil cases
- Maintaining civility in the courtroom
- Communicating difficult sentences and difficult family law decisions

**Sunday, November 18, 2012**

5:00 PM – 6:30 PM	Registration	Imperial Foyer
6:30 PM – 7:00 PM	Reception	Imperial Foyer
7:00 PM	Dinner, <i>casual attire</i>	Imperial Room

### Welcome and Introduction to the Seminar

The Honourable D. Mark Pike, Chief Judge  
Provincial Court of Newfoundland and Labrador  
St. John's, NL

### Introduction of Presenter

The Honourable Annemarie E. Bonkalo, Chief Justice  
Ontario Court of Justice  
Toronto, ON

### The Hugh Stansfield Memorial Lecture

The Honourable Justice Brian W. Lennox  
Executive Director, National Judicial Institute  
Ottawa, ON



7:00 AM – 8:45 AM	<b>Breakfast</b>	<b>Restaurant Trillium</b>
7:45 AM – 8:45 AM	<b>Registration</b>	<b>Imperial Foyer</b>
8:45 AM – 9:00 AM	<b>Welcome and Introduction</b>	<b>Imperial Room</b>
	<b>Presenter</b>	
	<p style="text-align: center;"><b>The Honourable Judge Robin Finlayson</b>                      Provincial Court of Manitoba                      Winnipeg, MB</p>	
<b>9:00 AM – 4:00 PM</b>	<b>COMMUNICATIONS AND ORAL JUDGMENTS: FOUNDATIONAL SKILLS</b>	
9:00 AM – 10:15 AM	<b>Effective Oral Judgments – Blending Communication and Content</b>	
	<p>This session will address three questions: What is an oral judgment? What does an effective oral judgment sound (look) like? And, what practical steps can improve oral judgments? Participants will learn how to identify common errors made in an oral judgment, how to respond to the needs of different audiences, and how to develop clear structures and transitions.</p>	
	<b>Presenter</b>	
	<p style="text-align: center;"><b>Professor Anthony Daimsis</b>                      University of Ottawa, Faculty of Law                      Ottawa, ON</p>	
10:15 AM – 10:30 AM	<b>Health Break</b>	<b>Imperial Foyer</b>
10:30 AM – 12:30 PM	<b>Crafting an Oral Judgment Exercise</b>	<b>Break out Rooms</b>
	<p>This exercise is designed to enable participants to practice and discuss the organizational strategies for oral judgments. Participants will begin work on the introductory elements of an oral judgment including: identifying the parties; issues; crafting a roadmap or overview; and, determining the headings and the sub-headings. Judges will also complete a point-form judgment by drafting the structure for the body of the decision, including laying out the relevant facts, legislation, and /or applicable cases.</p>	
12:30 PM – 1:30 PM	<b>Lunch</b>	<b>Restaurant Trillium</b>
1:30 PM – 2:15 PM	<b>Assessing Credibility: The Broader Context</b>	<b>Imperial Room</b>
	<p>This session will review what is known about credibility, including: Why do we make mistakes? How do we know we make mistakes? What can we do to improve our credibility assessments? In addition to considering the criminal context, this session will also address credibility assessments in the context of family and child protection spheres.</p>	

**Presenters**

**The Honourable Janice leMaistre, Associate Chief Judge**  
Provincial Court of Manitoba  
Winnipeg, MB

**The Honourable Judge Donna Senniw**  
Provincial Court of British Columbia  
Vancouver, BC

2:15 PM – 3:00 PM

**Assessing Credibility: Small Group Discussion**

Participants will work in small groups and will generate 4-5 ways of assessing credibility that take into account the frailties discussed in the opening presentation and increase the likelihood of an accurate determination. It could include factors to rely upon, steps to take before deciding, things to particularly avoid etc. This will be followed by a plenary debrief and discussion.

3:00 PM – 3:15 PM

**Health Break**

**Imperial Foyer**

3:15 PM – 3:45 PM

**Assessing Credibility: Legal Principles**

**Imperial Room**

This session will review the underlying legal principles used to assess credibility and will explore the duty to give reasons in the context of credibility assessments.

**Presenter**

**The Honourable Justice Katherine L. McLeod**  
Ontario Court of Justice  
Brampton, ON

3:45 PM – 4:45 PM

**Communication in the Courtroom**

This session will introduce participants to different elements of good communication, including: voice, content, listening skills, non-verbal communication, and adapting to the audience. The value of these elements and the important relationship between communication style and content will be considered. This session will consider the way judges can (and should) make conscious choices regarding the image they are presenting

**Presenter**

**Ms. Kate Trotter**  
Communications Consultant/Actor  
Toronto, ON

7:00 AM – 8:30 AM      **Breakfast**      Restaurant Trillium

8:00 AM – 8:30 AM      **Introduction and Overview of the Electronic Bench Books (EBBs)**      Imperial Room  
*Optional Session*

Participants will learn how to: login, download new and or updated bench books and search content in the National Judicial Institute's collection of Electronic Bench Books. The session will focus, in particular, on the EBB on Self-Represented Litigants.

**Presenter**

**Mr. Robert Janveau**  
 Trainer, National Judicial Institute  
 Ottawa, ON

8:45 AM – 10:00 AM      **MAINTAINING CIVILITY IN THE COURTROOM**

8:45 AM – 10:00 AM      **Maintaining Civility in the Courtroom**      Imperial Room

One noteworthy trend of the modern era has been an apparent increase in acrimonious relations between counsel including open hostility, conflict, sarcasm or serious allegations of misconduct made against one counsel or another. Courtroom acrimony deflects the trial from its real purposes and the judge may lose his/her focus. The inevitable result is that cases become longer and more difficult. Incivility in the court room is unprofessional and violates the most basic rules of professional conduct. This session will address incivility and what judges can do to maintain civility and professionalism in the courtroom.

**Presenter**

**The Honourable Justice Michael A. Code**  
 Superior Court of Justice (Ontario)  
 Toronto, ON

10:00 AM – 10:15 AM      **Health Break**      Imperial Foyer

10:15 AM – 12:00 PM      **UNDER-REPRESENTED LITIGANTS**      Imperial Room

10:15 AM – 11:00 AM      **The Reality of the Under-Represented Litigant, the Duty to Assist and the Limits of Judicial Intervention**

This session will explore the judge's role with regard to under-represented litigants and the challenge of managing trials with under-represented persons. The session will also explore the "right" to self-representation; the "right" to legal representation; Rowbotham, Fisher Orders and Amicus Curiae

**Presenters**

**The Honourable Judge Robin Finlayson**

**The Honourable Justice Katherine L. McLeod**

11:00 AM – 12:00 PM

**The Challenge of Communicating with the Self-Represented Litigant**

A number of video vignettes will be presented, followed by facilitated small group discussion and plenary debrief.

**Panelists**

**The Honourable Justice Katherine L. McLeod**

**The Honourable Judge Robin Finlayson**

**The Honourable Justice Lise Maisonneuve, Regional Senior Judge**  
Ontario Court of Justice, East Region  
Ottawa, ON

12:00 PM – 1:00 PM

**Lunch**

**Restaurant Trillium**

1:00 PM – 4:00 PM

**ETHICAL ISSUES IN THE COURTROOM**

**Imperial Room**

1:00 PM – 1:20 PM

**Ethical Issues in the Courtroom: Introduction**

**Moderator**

**The Honourable Justice C. Adèle Kent**  
Court of Queen's Bench of Alberta  
Calgary, AB

**Panelists**

**The Honourable Judge Ronald LeBlanc**  
Provincial Court of New Brunswick  
Bathurst, NB

**The Honourable D. Mark Pike, Chief Judge**  
Provincial Court of Newfoundland and Labrador

**The Honourable Judge Karen Ruddy**  
Territorial Court of Yukon

**The Honourable Judge Donna Senniw**



1:20 PM – 1:35 PM	<p><b>Moments of Ethical Discomfort: Small Group Discussion</b></p> <p>Participants will be given an opportunity to share and discuss in small groups ethical situations, dilemmas or “moments of ethical discomfort” they may have faced or struggled with as new judges.</p>	
1:35 PM – 2:30 PM	<p><b>Introduction to the Ethical Principles</b></p> <p>Through a clicker exercise and interactive lecture, this session will provide participants with an overview of the Canadian Judicial Counsel's Ethical Principles for Judges.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Justice C. Adèle Kent</b></p>	
2:30 PM – 2:45 PM	<b>Health Break</b>	Imperial Foyer
2:45 PM – 3:00 PM	<p><b>Introduction of the Analytic Framework</b></p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Justice C. Adèle Kent</b></p>	Imperial Room
3:00 PM – 4:00 PM	<p><b>Small Group Discussion</b></p> <p>A number of video vignettes will be presented, followed by facilitated small group discussion and plenary debrief. Participants will be given an opportunity to apply the analytic framework during this exercise.</p>	

**Wednesday, November 21, 2012**

7:00 AM – 8:30 AM	<b>Breakfast</b>	Restaurant Trillium
<b>8:30 AM – 3:30 PM</b>	<b>ASSESSING CREDIBILITY AND DELIVERING ORAL JUDGMENTS</b>	Imperial Room
8:30 AM – 8:35 AM	<p><b>Introduction</b></p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Justice Katherine L. McLeod</b></p>	
8:35 AM – 9:30 AM	<p><b>Tips for Writing (Credibility) Judgments – an Appellate View</b></p> <p>This session will provide participants with tips for writing good reasons for judgment. The preconditions necessary for writing good reasons will be considered along with common errors to avoid. Tips for writing credibility findings will also be addressed.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Justice John I. Laskin</b> Court of Appeal for Ontario Toronto, ON</p>	

9:30 AM – 10:15 AM	<b>Considering Community: Domestic Violence and Social Context</b>	
	<p>In <i>R. v. R. D.S.</i>, [1997] 3 S.C.R. 484, the Supreme Court of Canada held: “All judging is contextual judging – we always take into account the factual and legal context of the case before us – and judge in a social context, whether or not we consciously or explicitly take into account.” This session will consider the challenges of “judging in context,” focusing in particular on domestic violence cases and the ways in which such cases are both different and difficult.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Justice Brian W. Lennox</b></p>	
10:15 AM – 10:30 AM	<b>Introducing the Oral Judgment Exercise</b>	
	<p>The oral judgment exercise will be explained to participants.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Janice leMaistre, Associate Chief Judge</b></p>	
10:30 AM – 10:45 AM	<b>Health Break</b>	<b>Imperial Foyer</b>
10:45 AM – 11:30 AM	<b>Video: Assessing Credibility</b>	<b>Imperial Room</b>
	<p>Participants will view a video of the evidence of the parties and consider bench notes of relevant evidence pertaining to either criminal or family proceedings.</p>	
11:30 AM – 12:15 PM	<b>Preparing to Tape the Oral Judgment</b>	
	<p>Participants will prepare their oral judgments for taping. Participants can discuss their oral judgments with the roving facilitators and available faculty members.</p> <p><b>Roving Facilitators</b></p> <p style="text-align: center;"><b>Professor Anthony Daimsis</b></p> <p style="text-align: center;"><b>Ms. Kate Trotter</b></p>	
12:15 PM – 1:00 PM	<b>Lunch</b>	<b>Restaurant Trillium</b>
1:00 PM – 2:00 PM	<b>Taping the Oral Judgment</b>	<b>Breakout Rooms</b>
	<p>Participants will deliver their oral judgments which will be videotaped by a facilitator. The session will allow participants to practice using the principles outlined in earlier sessions on how to deliver an oral judgment.</p>	

2:00 PM – 3:30 PM

**Oral Judgment Feedback Session**  
*(Health Break Included)*

Participants will view their oral judgments and receive feedback in their small groups. The feedback session will allow participants to reflect on how to deliver oral judgments and to consider the different structures that can be used to create an effective oral judgment.

**Roving Facilitators**

**Professor Anthony Daimsis**

**Ms. Kate Trotter**

Thursday, November 22, 2012

7:00 AM – 9:00 AM

Breakfast

Restaurant Trillium

**\*\*TWO ALL-DAY PROGRAM OPTIONS AVAILABLE\*\***

<b>OPTION 1</b> <b>Imperial Room</b> 9:00 – 12:30 Problem-Solving Approaches at the Disposition Stage 1:30 – 4:30 Pre-Trial Process	<b>OPTION 2</b> <b>Trillium</b> 9:00 – 4:30 Settlement Conference Skills in Family and Civil Cases
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<b>OPTION 1</b>	<b>PROBLEM-SOLVING APPROACHES AT THE DISPOSITION STAGE &amp; THE PRE-TRIAL PROCESS</b>	<b>Imperial Room</b>
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9:00 AM – 12:30 PM

**PROBLEM-SOLVING APPROACHES AT THE DISPOSITION STAGE**

**Overview:**

In this session, participants will learn about some approaches taken by the problem-solving courts and consider which of those approaches can be of use at the stage of sentencing or delivering family law orders. The focus will be on how to communicate sentences or difficult decisions about family law matters in a way that encourages, as much as possible, acceptance of the order by all those involved in the case, including the defendant, Crown, victim and witnesses in criminal matters, and the parents/spouses, children, government agencies, foster parents and other family and community members in family law cases. Methods of communication which promote positive interactions between these individuals and organizations in the future will also be discussed.

9:00 AM – 9:05 AM

**Introduction**

**The Honourable Peter Griffiths, Associate Chief Justice**  
Ontario Court of Justice  
Toronto, ON

9:05 AM – 9:50 AM

**Effective Communication During Sentencing**

A number of video vignettes will be presented, followed by facilitated small group discussion and debrief by panel.

**Moderator**

**The Honourable Associate Chief Justice Peter Griffiths**

**Panelists**

**The Honourable Justice Stanley Sherr**  
Ontario Court of Justice  
Toronto, ON



**The Honourable Justice Peter H. Wilkie**  
Ontario Court of Justice  
Brampton, ON

9:50 AM – 10:45 AM

**Problem-Solving Approaches**

In this session, participants will learn about a range of problem-solving approaches taken in the Yukon, including the Yukon Community Wellness Court, circle sentencing, Elders' panels, youth justice panels, family group conferencing, and the Yukon Domestic Violence Treatment Option Court.

**Presenter**

**The Honourable Judge Karen Ruddy**  
Territorial Court of Yukon  
Whitehorse, YT

10:45 AM – 11:00 AM

**Heath Break**

**Imperial Foyer**

11:00 AM – 12:30 PM

**Applying Problem-Solving Tools at the Disposition Stage**

A number of family and criminal fact situations will be presented with a discussion of what problem-solving tools might be utilized to most effectively determine and deliver the dispositions in these cases.

**Moderator**

**The Honourable Peter Griffiths, Associate Chief Justice**

**Presenters**

**The Honourable Judge Karen Ruddy**

**The Honourable Justice Stanley Sherr**

**The Honourable Justice Peter H. Wilkie**

12:30 PM – 1:30 PM

**Lunch**

**Restaurant Trillium**

**Overview:**

This 3.5 hour session will assist judges to successfully manage two different types of pretrial meetings:

1. The fifteen minute meeting in which an estimate of the time for trial is achieved by a discussion of the anticipated witnesses and issues and the readiness for trial and/or possible resolutions are discussed; and,
2. The longer case management meetings which arise in situations where there are multiple accused, multiple charges and/or many complex issues for which a great deal of court time is required.

It is expected that, at the conclusion of the session, judges will be better able to effectively manage both types of pretrial meetings.

1:30 PM – 1:50 PM **Pre-Trials: A Procedural Framework**

In this session, participants will explore the role of the judge in a pre-trial meeting and the importance of letting the parties define what their issues are as well as the input they are seeking.

**Presenter**

**The Honourable Peter Griffiths, Associate Chief Justice**  
Ontario Court of Justice

1:50 PM – 2:15 PM **What Makes a Great Judicial Pre-Trial?**

In small groups, participants will discuss what makes a great judicial pre-trial. In particular, participants will be asked to reflect on their experience with JPTs as counsel and to consider: What judicial practices worked? What didn't? What did you see that was particularly effective? What did you experience that wasn't?

**Moderators**

**The Honourable Peter D. Griffiths, Associate Chief Justice**

**The Honourable Justice Lise Maisonneuve, Regional Senior Judge**

**The Honourable Justice Fergus O'Donnell**  
Ontario Court of Justice

2:15 PM – 3:00 PM

**Problems and Panel Discussion: Managing Self-Represented and Under-Represented Litigants in a Pre-Trial Meeting**

In small groups, participants will work through a collection of scenarios presented as video vignettes. This will be an interactive session, with panel discussion contributing to participant commentary.

**Panelists**

The Honourable Judge Robin Finlayson

The Honourable Justice Katherine L. McLeod

3:00 PM – 3:15 PM

**Health Break**

**Imperial Foyer**

3:15 PM – 4:15 PM

**Managing the Longer Case Management Meeting**

In this session, participants will work through various scenario involving a complex case

**Panelists**

The Honourable Peter D. Griffiths, Associate Chief Justice

The Honourable Justice Lise Maisonneuve, Regional Senior Judge

The Honourable Justice Fergus O'Donnell

4:15 PM – 4:30 PM

**Wrap-Up**

7:00 PM

**Group Dinner**

**Restaurant Trillium**

Thursday, November 22, 2012

**OPTION 2**

Trillium

**9:00 AM – 4:30 PM**      **SETTLEMENT CONFERENCE SKILLS IN FAMILY AND CIVIL CASES**

9:00 AM – 9:15 AM      **Introductions and Opening**

**The Context – History and Use of “JDR” in B.C. and other Jurisdictions**

**Presenter**

**The Honourable Judge Donna Senniw**

9:15 AM – 10:15 AM      **Interest-Based Settlement Conferences: Demonstration Role Play of a Small Claims Court Settlement Conference and Introduction to a Framework for a Judicial Settlement Conference Process**

Using a role play, an introduction to the basic principles, definitions, and conceptual framework for an interest-based settlement conference.

**Presenters**

**Ms. Sally Campbell**  
Mediator and Conflict Resolution Trainer / Retired Lawyer  
Hornby Island, BC

**Ms. Christine Hart**  
Accord/Hart Associates Inc.  
Toronto, ON

**The Honourable Judge Donna Senniw**

10:15 AM – 10:30 AM      **Practicalities to Maintain the Integrity of the Conference Process**

A discussion on practical issues that may impact on the integrity and independence of the settlement conference process such as judicial attire, adjournments, confidentiality, recording, etc.

**Presenter**

**The Honourable Judge Donna Senniw**

10:30 AM – 10:45 AM      **Health Break**

Trillium Foyer



10:45 AM – 11:15 AM	<p><b>Getting to Interests</b></p> <p>A strategic negotiation exercise, in pairs, in uncovering interests (procedural, substantive and psychological/emotional), followed by a discussion on working with interests to problem solve and settle cases.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>Ms. Sally Campbell</b></p>
11:15 AM – 12:15 PM	<p><b>Communications Skills in Settlement Conferencing</b></p> <ul style="list-style-type: none"> <li>▪ Open questions</li> <li>▪ Paraphrasing</li> <li>▪ Summarizing</li> <li>▪ Acknowledging and showing mutuality</li> </ul> <p>An exercise in “skills circles” followed by debriefing and discussion.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>Ms. Sally Campbell</b></p>
12:15 PM – 1:15 PM	<p><b>Lunch</b></p>
1:15 PM – 2:00 PM	<p><b>The Theory and Practice of Reframing</b></p> <p>A communication skill for use in blaming or positional situations which shifts the perspective of the disputant from the negative to a preferred scenario which is positive.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>Ms. Sally Campbell</b></p>
2:00 PM – 2:30 PM	<p><b>Designing Parenting Plans That Incorporate Current Research on Attachment Theory</b></p> <p>Finding some strategies to work through the difficult family case conference.</p> <p><b>Presenter</b></p> <p style="text-align: center;"><b>The Honourable Judge Donna Senniw</b></p>
2:30 PM – 4:00 PM	<p><b>Settlement Conference Skills Practice Session in Small Groups</b></p> <p>In small groups, judges will have the opportunity to role-play a civil settlement conference or family law case conference, followed by debriefing with participants and mediator-coaches. There will be two rounds of 45 minutes each, with a break between rounds.</p>

2:45 PM – 3:00 PM

**Health Break**

4:00 PM – 4:15 PM

**Conclusion**

Closing comments, evaluation and adjournment

**Presenter**

**The Honourable Judge Donna Senniw**

7:00 PM

**Group Dinner**

**Restaurant Trillium**

7:00 AM – 9:00 AM      **Breakfast**      **Restaurant Trillium**

9:00 AM – 11:45 AM      **DEALING WITH LAWYERS AND LAWYER CONFLICT**      **Break Out Rooms**

Participants will view and participate in a series of vignettes in which lawyers will simulate some of the common problems that can arise with counsel in the courtroom. Participants will identify the challenges raised and consider the options available to the judge in these scenarios.

**Facilitators**

**The Honourable Justice Mike Epstein**

**The Honourable Peter Griffiths, Associate Chief Justice**

**The Honourable Justice Katherine L. McLeod**

**The Honourable Justice Peter H. Wilkie**

**Presenters**

**The Honourable Justice Philip A. Downes**  
Ontario Court of Justice  
Toronto, ON

**Mr. John S. McInnes**  
Crown Law Office – Criminal  
Toronto, ON

**Ms. Samantha Peeris**  
Barrister  
Toronto, ON

**Mr. P. Andras Schreck**  
Schreck & Green  
Toronto, ON

**Apple Newton Smith B.A., LL.B.**  
Criminal Law  
Toronto, ON

11:45 AM – 12:00 PM      **Closing Ceremony**      **Imperial Room**