

SUDBURY DISTRICT LAW ASSOCIATION

LEGAL BRIEFS

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SPECIAL POINTS OF INTEREST:

- The SDLA received accreditation from the Law Society of Upper Canada for four hours of CPD
- Six months of planning went into the 4 hour afternoon
- The sessions were offered at no cost to lawyers with 5 years or less at the Bar

CONTINUING PROFESSIONAL DEVELOPMENT

Newer members of the Sudbury Bar who spent the afternoon of Nov. 19th, engaged in professional development said they were impressed by what they gained from the event.

Working with members of the Bench, The Advocates' Society, the Law Society of Upper Canada, and the Sudbury District Law Association, a local committee spent about six months preparing for the four-hour professional development session that included discussions on everything from the use of technology in a law practice to what judges look for in matters that come before them.

Presenters included Krista Fortier and Trevor Kestle on family law; Tomm Orendorff and Mike Gauthier on the use of technology in a law practice; D. Peter Best and Ian Sinclair on real estate law; and Crown Attorney Susan Stothart and criminal defence lawyer Terry Waltenbury on sentencing in a sexual assault

case.

Superior Court Justices Patricia Hennessy, Robbie Gordon and John Poupore also provided insight for the new lawyers on what judges look for in the presentation of matters before them and on proper decorum in the courtroom.

And there was an hour-long discussion on ethics and professionalism that included Cettina Cornish of the Law Society of Upper Canada, Sudbury benchers of the LSUC Carol Hartman, and Jack Braithwaite, and Alan H. Mark of the Advocates' Society.

"I thought it was really quite informative. They were good presentations" said new lawyer Matt Dorreen of Conroy, Trebb, Scott, Hurtubise. "Even the more specialized stuff, in the areas that I don't practice in was still good from a general practice area. It was all interesting." There were things to be learned in all areas of the law whether

you currently practiced in that area or not, he said.

It was "very stimulating" said Matthew Madott of Miller, Maki. "Hearing from the bench for example on what they are looking for was helpful. You want to really focus on what the judge is looking for and how they perceive the material." Knowing how to do that and being able to anticipate their needs certainly helps in preparing the file, he said.

Staging the event "was a lot of work" said Lucille Shaw who helped organize it. But in the end "I thought it was a great day."

About 30 young lawyers and articling students attended the event.

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CONTINUING PROFESSIONAL DEVELOPMENT DAY A SUCCESS

The Sudbury District Law Association would like to express a sincere thank you to the organizing committee, the co-chairs, the sponsors, and all the participants. The November 19th CPD Day was successful due to the interest and combined efforts of the Bench and Bar who contributed to and attended the sessions.

Sudbury District Law Association wishes to announce that the year 2011, will see a Continuing Professional Development Program for all members of the local bar.

Anyone wishing to contribute or assist in organizing please contact a member of the CPD organizing committee.

CPD continued

Preparation for an afternoon of professional development for young Sudbury lawyers, and articling students, actually began almost six months ago, said Geoff Jeffery of Weaver, Simmons, and one of five people who sat on the organizing committee for the event. It was gratifying to see the number of young lawyers taking part, he said. "We've got a high level of turnout." Participants to the event benefited in a number of ways, suggested Jeffery. "Just having them together in one venue is great because so often in our profession young lawyers get busy and get somewhat chained to the office or at least the work, and they don't get an opportunity to meet their colleagues. Like most professionals, interaction with their colleagues is really a critical part of professional development." The event presented information and experience from senior lawyers and judges on a wide range of topics from family law to real estate to proper decorum in the courtroom.

"We tried to cover topics specifically geared to young lawyers," said Lucille Shaw another committee member. "We wanted to gear it towards issues they might find relevant." Said Jeffery, "we did that to encourage maximum attendance among the young lawyers. We wanted something for everyone to benefit from."

The fact that lawyers, who have practiced for years, are sharing their experiences with new lawyers "demonstrates

what the profession is about," said Jeffery. "Sometimes as lawyers we consider ourselves strictly businessmen in a competitive business atmosphere but we do have professional obligation and in particular a professional obligation to younger lawyers to ensure that their practice is beneficial to the public," he said.

All professions engage in continuing professional development, said Madam Justice Patricia Hennessy as a professional development session for young Sudbury lawyers was about to get underway in Sudbury Nov. 19th.

"You go to school and then you practice in your profession for 35 years, the landscape changes, so you have to make a commitment to professional development."

About 30 young lawyers, whose call to the bar was within the last five years, spent four hours hearing from senior members of the profession and from the bench, during Sudbury's first professional development seminar since the passing of a regulation last year by the Law Society of Upper Canada that requires all lawyers to engage in 12 hours of professional development a year.

That is not to say that professional development has not taken place in the past, pointed out Justice Hennessy. "As a profession we have been very good at providing professional development," but for the most part that has taken place in centres like Toronto.

"But it costs a lot of money if you are from Sudbury to go to these totally fantastic courses in Toronto," she said. "For three hours of professional development, you are away from the office for a day. You pay for transportation and you pay for registration and when you go there you see that all the Toronto lawyers are missing just three hours, so there is a good reason for communities away from Toronto to do their own professional development." The idea to have professional development seminars in Sudbury seemed like a particularly good idea, in light of the new LSUC decree, she said.

Justice Hennessy described the seminar as "capacity building."

It is building capacity in two ways, she explained. "We just build general capacity from those people who are here.

Although this is being put on for young lawyers, our next one will be generally for the bar in Sudbury. People with 30 years practice and experience will go the session. They will want to go and they will need to go both for their practice and for the obligations."

Said Alan Mark, secretary of the Advocates' Society, "not everybody gets the opportunity to be mentored by somebody with years of experience so we have to look to programs like these for opportunities to let people get the benefit of other people's experience and viewpoints."



Terry Waltenbury Criminal Defence Lawyer and Susan Stothart Acting Crown Attorney



Krista Fortier and Trevor Kestle presenting a session on Family Law



Ian Sinclair and Peter Best presenting on a "Real Estate Deal"



Peter Best at the podium

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Not everyone get the same opportunity for professional development, he said. "Some people just don't have the opportunity because they are in small practice centres. And there is the business pressure of practicing law. It is difficult to take time off from the practice to take the time to learn about these things."

Not only were the young Sudbury

lawyers hearing from their more experienced peers but the senior lawyers were also turning over documents and written materials.

"These folks are getting all of these presentations and fantastic preparation materials, examination for discovery for example, by a firm that does only personal injury work. This is fantastic. You will never get that anywhere else," said Justice Hennessy. The legal pro-

fession "is pretty unique in that we share skills with our competitors," said Alan Mark. The young lawyers attending the seminar were being given material "that you would almost consider proprietary in other practices," said Justice Hennessy. "All these people have just received all the precedent letters of a real estate deal from the most senior and respected practitioners in Sudbury and they just handed that over. Here are our documents," she said.

LSUC ACCREDITATION, MANDATORY CPD AND THE FUTURE OF CPD IN SUDBURY

One of the most significant features of the CPD offered in November for the Young Lawyers was the fact that it was accredited by the LSUC. Although the mandatory CPD regulations only take effect in 2011, lawyers called in 2010 were able to count the November CPD hours toward their 2011 requirement. The organizing committee worked directly with the LSUC to ensure that certain requirements were met in order to have the program accredited. In particular, this meant that 25% of the program had to deal with Ethics or Business Practice issues. The LSUC has developed the case study method to address these issues and it appeared that the participants engaged well in the table and group discussion of the issues found in the case.

The organizing committee met recently to consider future programs. The SDLA and the organizing committee are committed to providing local continuing professional development to meet the needs of the bar. We believe that we can develop the capacity to mount high quality educational programs. This will require a commitment from practitioners and leaders of the Bar to share their expertise. It will also require the SDLA to develop skills at event planning.

Considering the success of the November 2011 program, we hope to expand the next CPD event to a full day program with sessions dealing with all practice areas. We will need help from members of the Bar. If helping to organize local continuing education interests you, we would love to hear from you. We hope to invite lawyers from across North-eastern Ontario next fall to Sudbury for our first full day CPD. We will communicate regularly with all members of the SDLA and we ask you to let us know what you need to keep up to date in your practice.

Lucille Shaw, Geoff Jeffery, Sarah Viau, Mac Sinclair and Justice Patricia Hennessy

THANK YOU TO OUR SPONSORS! BY GEOFF JEFFERY

As the organizing committee member responsible for securing sponsors for this event, I would like to extend my appreciation to all our sponsors for their support.

Our **Gold Sponsors**, Do Process Software Ltd. And The Advocates' Society deserve special thanks.

Do Process was the first to accept our invitation to sponsor. I thank Theresa Humphrey and Danielle Di Giovanni for taking a chance of this new venture. Their sponsorship got the fundraising off to a great start. Andrew Putnam attended the event and handed out fine Do Process insulated coffee mugs to the participants, as well as information about their practice-specific law office automation software. Many firms in town already use their flagship product "The Conveyancer."

The Advocates' Society was also critical to the success of our event. Their sponsorship enabled us to present the cocktail reception. In addition, the Society supplied 45 DVD's for the participants and written materials on civility. Society Treasurer Alan Mark attended and participated in the Ethics/Professionalism segment of the event moderated by LSUC Representative, Cettina Cornish, with Benchers Jack Braithwaite (Weaver, Simmons) and Carol Hartman (Miller Maki). We are told by Robin Black, Membership Services Director, that the Advocates' Society has developed webcasting seminars with a workshop component that they are prepared to make available in Sudbury.

In addition to our Gold Level Sponsors, the following **Silver Sponsors** made a valuable and generous contribution to the event:

- First Canadian Title
- Miller, Maki LLP
- Orendorff & Associates
- Stewart Title
- Weaver Simmons LLP (my personal favourite!)

LexisNexis Canada also generously donated six books that were raffled off to participants: two copies of Ontario Courtroom Procedure and four copies of Superior Court Practice. The recipients and their firms will, no doubt, significantly benefit from the contribution of these very useful titles.

Last, but not least, I'd like to thank John Querney and Querney's Office Plus for their contribution of the high-quality two-inch binders that contain the seminar materials distributed to the participants. As a management-side labour lawyer in Sudbury, I know the challenges faced by small businesses like Querney's, who must fight for market share against larger competition based in Toronto, or abroad. I encourage local firms to talk to John or Bill Querney about office supply and equipment needs, and to use them as a preferred supplier.

Geoff Jeffery



This program has been accredited by the Law Society of Upper Canada for 4 hours new member.



Panel of Superior Court of Ontario Justices CPD Day Nov. 19th 2010

R.D. Gordon, J.S. Poupore and P. C. Hennessy

