

# THE OSGOODE CERTIFICATE IN PROVINCIAL OFFENCES COURT PRACTICE

50% off for  
Newly Licensed  
(within the past  
2 years)

An intensive, hands-on program that will provide you with the knowledge and practical skills you need for effective *POA* advocacy.

You will get practical tips and strategies on some of the key areas including:

- Disclosure – when to ask for it, what to look for and how to identify what’s missing
- A thorough review of *Charter* applications in *POA* court and how to draft an effective *Charter* application
- Expert insight in how to best prepare and conduct your *POA* trial
- Full day intensive workshops on conducting your cross-examination and making submissions on sentencing

Register today at:

[osgoodepd.ca/poa](http://osgoodepd.ca/poa)

## PROGRAM DIRECTOR

The Hon. Justice Rick Libman  
Ontario Court of Justice

## REGISTRATION DETAILS

November 2021 – February 2022  
5 Saturdays  
Online, Live

*Can't make the date?*

*Registration includes 120-day  
unlimited, online access to  
the recorded program.  
(Modules 1-4 only)*

# The Osgoode Certificate in Provincial Offences Court Practice

## *Can't attend a module?*

All participants will have unlimited, online access to the recordings for Modules 1-4.

Please note that Module 5 (intensive advocacy workshops) will not be recorded.

As someone whose practice includes *POA* files, you need to be able to adeptly manage the broad range of challenging situations that arise before, during and after a hearing. Now in its 7<sup>th</sup> year, **The Osgoode Certificate in Provincial Offences Court Practice** drills down on the key stages of a *POA* file – from meeting your client for the first time, conducting the trial, and making submissions on sentencing, to understanding if and how to appeal a decision.

Led by **The Hon. Justice Rick Libman**, this program is must-attend for paralegals, lawyers and other legal professionals practicing in the Provincial Offences Court.

Throughout five intensive modules, an expert faculty will provide you with a comprehensive overview of the relevant law and a unique opportunity to hone your written and oral advocacy skills with learn-by-doing exercises and individualized feedback from judges, justices of the peace and senior legal practitioners.

Reserve your place now to take advantage of this unique learning opportunity while fulfilling your LSO CPD requirements for both 2021 and 2022!

*“The instructors and faculty were very helpful and knowledgeable.”*

Kathryn Banman  
Paralegal, PRA Group Canada Inc. (2019)

*“What a great program! I'm so happy I attended.”*

Andy Le  
Paralegal, Bond Legal Professional Corporation (2019)

Register today at:  
[osgoodepd.ca/poa](https://osgoodepd.ca/poa)



## You will learn about:

- The statutory framework that governs provincial offences
- The role, duties and professional responsibilities of the *POA* practitioner
- Strategies for getting the most out of the pre-trial
- *Charter* applications in *POA* court (including a workshop in how to draft an effective *Charter* application)
- Effective oral advocacy in *POA* court
  - How to prepare for the examination-in-chief
  - Key strategies for cross-examining the prosecution's witness
  - Refining sentencing submissions
- Appeals: The law and the strategies

## Who Should Attend

- Paralegals
- Lawyers
- Other Legal Professionals

Register today at:

[osgoodepd.ca/poa](https://osgoodepd.ca/poa)

*"An excellent, one of a kind program with an all-star cast! A must-take for anyone working within the realm of the POA!"*

**Brian Lass**  
Prosecutor, Go Transit/METROLINX (2018)

*"This program provided an insightful analysis of ALL important topics POA paralegals should know..."*

**Jenna Little**  
Appeals Manager, X-Copper Professional Corporation (2018)

*"Engaging exercises with valuable feedback. I appreciated the time allotted for questions and discussion. Well developed scenarios. Good preparation for court practice."*

**Raj Bharati**  
Legal Counsel, Alcohol & Gaming Commission of Ontario (2016)

*"An excellent course! I learned, in a very detailed way, how to maneuver the key stages of a POA case."*

**April Bollers**  
April J. Bollers Legal Services (2020)

*"This program was amazing! I loved the workshops and small group exercises. I also really appreciated getting individualized feedback. Thank you!"*

**Sunita Swarath**  
Paralegal, Aboshari Suneeta Amesse Professional Corporation (2019)

# Agenda

## MODULE 1

Saturday, November 27, 2021  
9:00 a.m. – 4:15 p.m. ET

### The Provincial Offences Court: A Comprehensive Overview\*

#### Overview of the Statutory Framework and the Court's Jurisdiction

- Legislative framework: a review of the *Provincial Offences Act* (rules and procedure)
- Recent legislative developments

#### Preliminary Issues – Putting Your Best Foot Forward

##### *Critical Issues in the First Client Meeting:*

- Finalizing your retainer
- Managing client expectations at an early stage
- Obtaining proper instructions
- Developing a strategic defence plan
- Securing and reviewing initial disclosure
- Best practices for avoiding conflicts
- Ensuring you do not act contrary to your client's instructions

#### The Pre-Trial Phase

- Planning and preparing for the pre-trial
- Discussing early resolution with your client

#### Professionalism Issues in POA Cases

- Various ethical situations encountered by the *POA* practitioner

## Faculty

### Chris Bendick

Senior Counsel, Prosecutions,  
Regional Municipality of York

### Paul Calarco

Barrister & Solicitor

### Soussanna Karas

Director, Licensing, Electrical Safety Authority

### The Hon. Justice Rick Libman

Ontario Court of Justice

### Melina Macchia

Kim Schofield & Associates

### Kristina MacDonald

Discipline Paralegal, Litigation Services,  
Law Society of Ontario

### Lorne Sabsay

Sabsay Lawyers

\*This module is available for individual purchase

## MODULE 2

Saturday, December 11, 2021  
9:00 a.m. – 4:15 p.m. ET

### Evidence in *POA* Matters\*

- Review of common types of evidence in the Provincial Offences Court (emphasis on *Highway Traffic Act* proceedings)
- Overview of the most critical evidentiary issues: hearsay, electronic evidence, privileged information, etc.
- "Good Evidence, Bad Evidence" – Using a variety of case scenarios, judges and experienced counsel will lead the group in an interactive discussion on the issues and circumstances related to admissibility of evidence.
- "Dissecting Disclosure – a Case Study" – Prior to the module date, all participants will receive a sample set of disclosure pertaining to a *POA* matter. In this session, faculty will conduct a detailed review of the disclosure, addressing the key components and how they can be relied upon to advance your case. The discussion will also address how to identify outstanding information and strategies about how to obtain what you need.

## Faculty

### Kelsey Ivory

Damien Frost & Associates LLP

### The Hon. Justice Rick Libman

Ontario Court of Justice

### Carla Mariuz

Manager, Prosecutions, Legal Services Division,  
City of Mississauga

### Hans Saamen

Director of Prosecutions,  
Regional Municipality of York

### Serhiy Senatorov

Traffic Law Legal Services

### Her Worship Justice of the Peace

### Karen Walker

Ontario Court of Justice

\*This module is available for individual purchase

## MODULE 3

Saturday, January 22, 2022  
9:00 a.m. – 4:15 p.m. ET

### The *Charter* and *POA* Prosecutions

- Overview of the key sections of the *Charter* and their application in the Provincial Offences Court
- Disclosure and delay – bringing an 11(b) application
- Review of *Charter* claims and available remedies (exclusion of evidence)
- A study of the leading *Charter* cases and their effect on *POA* Court

#### Written Advocacy Workshop: Drafting an Effective *Charter* Application

Prior to the module, participants will be provided with a fact scenario which they will use to draft a *Charter* application (to be submitted for review before the start of Module 3). Working in small groups, facilitators will discuss the principles of effective written advocacy, and provide participants with individualized feedback on their applications.

## Faculty

### Paul Calarco

Barrister & Solicitor

### Cassandra DeMelo

DeMelo Law Professional Corporation

### Daniel Kleiman

Counsel, Ministry of Labour (Ontario)

### The Hon. Justice Rick Libman

Ontario Court of Justice



**David North**

Barrister &amp; Solicitor

**Fredrick Schumann**

Stockwoods LLP

**Richard Stern**

Barrister &amp; Solicitor

**Erin Winocur**

Assistant Crown Attorney, Crown Attorney's Office (Toronto), Ministry of the Attorney General (Ontario)

**MODULE 4**

Saturday, January 29, 2022

9:00 a.m. – 4:15 p.m. ET

**The POA Trial, Sentencing and Appeals****Preparing for the Trial**

- How to prepare your client and witnesses
- Strategies on pre-trial negotiations with the prosecutor
- Preparing the examination-in-chief of any of your witnesses and preparing for the cross-examination of the prosecutor's witnesses
- Recognizing the importance and significance of each witness and knowing which questions to ask

**The POA Trial**

- Opening statements and closing submissions
- Tips on effective advocacy when examining witnesses

**Guilty Pleas and Sentencing**

- Plea comprehension inquiry – getting instructions from your client and ensuring it is a proper plea
- Sentencing objectives/principles
- Effective advocacy at the sentencing stage

**Appeals**

- Proper grounds and knowing when to appeal

**Faculty****Chris Bendick**

Senior Counsel, Prosecutions, Regional Municipality of York

**Jeanette Gevikoglu**

Legal Counsel, Public Prosecution Service of Canada

**Jessyca Greenwood**

SpringLaw Professional Corporation

**Raphael Leong**

Senior Policy Advisor, Agencies Oversight &amp; Partnerships Division, Ministry of Transportation

**The Hon. Justice Rick Libman**

Ontario Court of Justice

**Royland Moriah**

MacGregor Moriah Horic LLP

**Richard Stern**

Barrister &amp; Solicitor

**MODULE 5**

Saturday, February 12, 2022

9:00 a.m. – 4:30 p.m. ET

**Intensive Advocacy Workshops***\*This module will not be recorded.*

Prior to the module, all participants will receive the case file that will form the basis of both workshops.

On the day of the module, participants will break into small groups and work with expert facilitators to practice and hone their oral advocacy skills. Facilitators will include judges, justices of the peace and senior legal practitioners. These skills-based workshops will focus on two key areas of POA advocacy: cross-examinations and sentencing submissions.

**Workshop #1: Cross-Examination of a Police Officer**

The session will start with a live demonstration of an examination-in-chief of an officer, performed by an experienced prosecutor and a former police officer. After a discussion of the demonstration, participants will split into small groups, and will have the opportunity

to conduct a cross-examination of an officer. Participants will receive individualized feedback from the expert facilitators.

**Workshop #2: Sentencing Submissions**

In this second learn-by-doing workshop, participants will draft and deliver submissions on sentencing, in a small group, before a judge and/or justice of the peace. Each participant will receive individualized feedback on their submissions from the expert facilitators in the group.

**Faculty****Her Worship Justice of the Peace Jeannie Anand**

Ontario Court of Justice

**His Worship Justice of the Peace Mohammed Brihmi**

Ontario Court of Justice

**Detective Constable Jackie Brown**

Toronto Police Service (Traffic Services)

**His Worship Justice of the Peace Mangesh Singh Duggal**

Ontario Court of Justice

**Melissa Elaszchuk**

Postal Inspector, Security &amp; Investigation Services, Canada Post; former Detective Constable, Toronto Police Service

**The Hon. Justice Rick Libman**

Ontario Court of Justice

**Jamie MacPherson**

Manager, Provincial Prosecution Services of Canada

**Theodore Mercado**

Criminal Duty Counsel, Legal Aid Ontario

**Robert Montrose**Detective/Sergeant  
Metro Toronto Police Force (retired)**Richard Stern**

Barrister &amp; Solicitor

**Earn an Osgoode Certificate!**

*A multiple choice, take home exam will be distributed at the end of Module 5. Participants must attend all modules and successfully complete the exam to receive the Osgoode Certificate.*

# Drawing on the expertise of judges, senior legal practitioners and justices of the peace including:

## Program Director



The Hon. Justice  
Rick Libman

Ontario Court of Justice

## Program Faculty

**Her Worship Justice of the Peace Jeannie Anand**

Ontario Court of Justice

**Chris Bendick**

Senior Counsel, Prosecutions  
Regional Municipality of York

**His Worship Justice of the Peace Mohammed Brihmi**

Ontario Court of Justice

**Detective Constable Jackie Brown**

Toronto Police Service (Traffic Services)

**Paul Calarco**

Barrister & Solicitor

**Cassandra DeMelo**

DeMelo Law Professional Corporation

**His Worship Justice of the Peace Mangesh Singh Duggal**

Ontario Court of Justice

**Melissa Elaszuk**

Postal Inspector,  
Security & Investigation Services, Canada Post;  
former Detective Constable,  
Toronto Police Service

**Jeanette Gevikoglu**

Legal Counsel  
Public Prosecution Service of Canada

**Jessyca Greenwood**

SpringLaw Professional Corporation

**Kelsey Ivory**

Damien Frost & Associates LLP

**Soussanna Karas**

Director, Licensing  
Electrical Safety Authority

**Daniel Kleiman**

Counsel  
Ministry of Labour (Ontario)

**Raphael Leong**

Senior Policy Advisor  
Agencies Oversight & Partnerships Division  
Ministry of Transportation

**The Hon. Justice Rick Libman**

Ontario Court of Justice

**Melina Macchia**

Kim Schofield & Associates

**Kristina MacDonald**

Discipline Paralegal, Litigation Services  
Law Society of Ontario

**Jamie MacPherson**

Manager, Provincial Prosecutions  
Ministry of the Attorney General (Ontario)

**Carla Mariuz**

Manager, Prosecutions, Legal Services Division  
City of Mississauga

**Theodore Mercado**

Criminal Duty Counsel  
Legal Aid Ontario

**Robert Montrose**

Detective/Sergeant  
Metro Toronto Police Force (retired)

**Royland Moriah**

MacGregor Moriah Horic LLP

**David North**

Barrister & Solicitor

**Hans Saamen**

Director, Prosecutions  
Regional Municipality of York

**Lorne Sabsay**

Sabsay Lawyers

**Fredrick Schumann**

Stockwoods LLP

**Serhiy Senatorov**

Traffic Law Legal Services

**Richard Stern**

Barrister & Solicitor

**Her Worship Justice of the Peace Karen Walker**

Ontario Court of Justice

**Erin Winocur**

Assistant Crown Attorney,  
Crown Attorney's Office (Toronto)  
Ministry of the Attorney General (Ontario)

*"This was the best course I have taken. Everything was outstanding. I really appreciate the amount of interaction we had with the facilitators during the various workshops. I learned so much and had fun at the same time!"*

Carolyn Ibele  
LL.M. (2021)

*"I completed an entire appeal factum based on what I learned at the program. This course has benefited my practice greatly! Thank you."*

Marian Lipka  
Paralegal, Lipka Legal Services;  
Paralegal Bencher, Law Society of  
Upper Canada (2016)

*"This course was so well organized and very informative. Thank you!"*

Audrey Skinner  
Paralegal (2019)

Register today at:

[osgoodepd.ca/poa](https://osgoodepd.ca/poa)

# Registration Details

**Fee per Delegate: \$2,795 +TAX**

**Newly Licensed\*: \$1,397.50 +TAX**

*\*This fee applies only to newly licensed professionals within the past 2 years.*

Fees include online attendance, electronic materials, 120-day access to the recorded instructional sessions (Modules 1-4 only), and technical support. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about financial assistance.

**Modules 1 and 2 may be purchased individually at \$595 +TAX per session.**  
**Visit [osgoodepd.ca/poa](http://osgoodepd.ca/poa) for details.**

## Program Changes

We will make every effort to present the program as advertised, but it may be necessary to change the date, location, speakers or content with little or no notice. In the event of program cancellation, York University's and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

## Cancellations and Substitutions

Substitution of registrants is permitted at any time. If you are unable to find a substitute, a full refund is available if a cancellation request is received in writing 21 days prior to the program date. If a cancellation request is made with less than 21 days notice, a \$150 administration fee will apply. No other refund is available.

## For Further Program-Related Information, Please Contact:

Stéphane McRoberts, Program Lawyer at 647-999-5723  
or email [smcroberts@osgoode.yorku.ca](mailto:smcroberts@osgoode.yorku.ca)

# Certificate of Program Completion

You will receive a certificate upon completion of *The Osgoode Certificate in Provincial Offences Court Practice*. Participants must attend all program modules and successfully complete the post-program multiple choice assessment to receive the Osgoode Certificate.

# 4 Convenient Ways to Register



Mail



Online



Fax



Call

**Register today at:**

**[osgoodepd.ca/poa](http://osgoodepd.ca/poa)**



OsgoodePD has been approved as an Accredited Provider of Professionalism Content by the LSO.

Eligible CPD Hours – LSO (ON): 32h (23h 30m Substantive; 6h 30m Professionalism; 2h EDI)



Module 1: 6h 20m CPD (3h 5m Substantive; 2h 15m Professionalism; 1h EDI)

Module 2: 6h 15m CPD (5h 30m Substantive; 45m Professionalism)

Module 3: 6h 30m CPD (5h 30m Substantive; 1h Professionalism)

Module 4: 6h 30m CPD (4h Substantive; 1h 30m Professionalism; 1h EDI)

Module 5: 6h 25m CPD (5h 25m Substantive; 1h Professionalism)

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian and US jurisdictions. To inquire about credit eligibility, please contact [cpd@osgoode.yorku.ca](mailto:cpd@osgoode.yorku.ca).

*“Every paralegal should take this program.”*

Richard Joseph Dunn  
RJ Dunn Legal Services (2017)

*“The content and faculty were both excellent!”*

Thomas Vanner  
Vanner Paralegal Services (2020)

*“The instructors and faculty were very helpful and knowledgeable.”*

Kathryn Banman  
Paralegal, PRA Group Canada Inc. (2019)

*“The workshops were fantastic!”*

Nadine Little  
Paralegal (2020)

*“Excellent program... would highly recommend.”*

Suzanne Burtenshaw  
Paralegal (2020)

*“This program was very engaging and motivating. Each segment tied nicely into the next. Justice Libman as the Program Director was great!”*

Lucy DeFilippis  
Paralegal, Ministry of Education (2017)

*“Very comprehensive discussions on each topic.”*

Ruth MacKeigan  
Paralegal, Halton Regional Police Service (2021)

*“A must attend course for anyone practicing or thinking of practicing in the Provincial Offences Court. The faculty are all top notch.”*

Claude Gelbard  
Discipline Paralegal,  
The Law Society of Upper Canada (2017)