

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 into 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

PROGRAM DIRECTOR

The Hon. Justice Rick Libman
Ontario Court of Justice

REGISTRATION DETAILS

November 2023 – February 2024
5 Saturdays
Online (Live)

Can't make the date?
Registration includes 120-day unlimited, online access to the recorded program.
(Modules 1 – 4)

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**. Live attendance is required.

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 9th 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 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 2023 and 2024.

Register today at:
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)

“An excellent program with very useful materials and resources.”

Moncelano Hunter B.A. Hons, Paralegal, The Corporation of the City of Brampton (2023)



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

"This was an engaging and jam packed course that should be experienced by all POA practitioners – both new and experienced. The faculty are phenomenal. They take the time to answer your questions and they provide a network that you can reach out to long after the course is complete."

Karen Prevost, Manager, City of Toronto (2023)

"Taking this course was the best decision that I've made. I found the content to be very beneficial in expanding my knowledge and understanding of the provincial courts, evidence, and Charter issues. All of the workshops had very knowledgeable facilitators. Justice Libman's insight was very valuable and His Honour was always available and helpful. I recommend this program to all paralegals."

Nadine Robertson, Paralegal (2022)

"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)

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

Chris Bendick

Solicitor
City of Toronto

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

Ontario Court of Justice

Paul Calarco

Barrister & Solicitor

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

Ontario Court of Justice

Melissa Elashuk

Investigator, Professional Standards
Peel Regional Paramedic Services
former Detective Constable,
Toronto Police Service

Jeanette Gevikoglu

Legal Counsel
Public Prosecution Service of Canada

Soussanna Karas

Director
Licensing
Electrical Safety Authority

Raphael Leong

Executive Advisor to the
Assistant Deputy Minister of
Transit Orientated Communities
and Agency Oversight Division
Ministry of Infrastructure

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

Royland Moriah

Rusonik O'Connor Robbins Ross &
Angelini LLP

Michelle Psutka

Fenton Law Barristers

Ooma Wendy Ramroop

Prosecutor
Toronto Transit Commission

Lorne Sabsay

Sabsay Lawyers

Serhiy Senatorov

Traffic Law Legal Services

Richard Stern

Barrister & Solicitor

Her Worship Justice of the Peace

Karen Walker

Ontario Court of Justice

Advisory Board

Paul Calarco

Barrister & Solicitor

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

Ontario Court of Justice

Kristina MacDonald

Discipline Paralegal
Litigation Services
Law Society of Ontario

Carla Mariuz

Manager
Prosecutions, Legal Services Division
City of Mississauga

Register today at:

osgoodepd.ca/poa

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

Marian Lipa, Paralegal, Lipa Legal Services;
Paralegal Benchler, Law Society of Upper
Canada (2016)

Program At-A-Glance

MODULE 1

The Provincial Offences Court: A Comprehensive Overview*

Saturday, November 25, 2023
9:00 a.m. – 4:15 p.m. ET

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

Solicitor, City of Toronto

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

Evidence in POA Matters*

Saturday, December 9, 2023
9:00 a.m. – 4:15 p.m. ET

- 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

The Hon. Justice Rick Libman

Ontario Court of Justice

Carla Mariuz

Manager, Prosecutions, Legal Services
Division, City of Mississauga

Royland Moriah

Rusonik O'Connor Robbins Ross & Angelini LLP

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

The Charter and POA Prosecutions

Saturday, January 20, 2024
9:00 a.m. – 4:15 p.m. ET

- 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

The Hon. Justice Rick Libman

Ontario Court of Justice

Michelle Psutka

Fenton Law Barristers

Richard Stern

Barrister & Solicitor

Erin Winocur

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

MODULE 4

The POA Trial, Sentencing and Appeals

Saturday, January 27, 2024

9:00 a.m. – 4:15 p.m. ET

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

Michael Coristine

Michael Coristine Law Professional Corporation

Jeanette Gevikoglu

Legal Counsel, Public Prosecution Service of Canada

Raphael Leong

Executive Advisor to the Assistant Deputy Minister of Transit Orientated Communities and Agency Oversight Division, Ministry of Infrastructure

The Hon. Justice Rick Libman

Ontario Court of Justice

Royland Moriah

Rusonik O'Connor Robbins Ross & Angelini LLP

Ooma Wendy Ramroop

Prosecutor, Toronto Transit Commission

Richard Stern

Barrister & Solicitor

MODULE 5

Intensive Advocacy Workshops

Saturday, February 10, 2024

9:00 a.m. – 4:30 p.m. ET

**Please note that 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

His Worship Justice of the Peace Mohammed Brihmi

Ontario Court of Justice

Paul Calarco

Barrister & Solicitor

His Worship Justice of the Peace Mangesh Singh Duggal

Ontario Court of Justice

Melissa Elashuk

Investigator, Professional Standards, Peel Regional Paramedic Services; 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

Richard Stern

Barrister & Solicitor

Registration Details

Fee per Delegate: \$2,995 + TAX

Newly Licensed*: \$1,497.50 + TAX

*This fee applies to newly licensed regulated professionals within the past 2 years

Fees include attendance, electronic materials, and technical support.

Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details.

Modules 1 and 2 may be purchased individually at \$595 plus tax per session.

Financial Assistance

This program is eligible for OSAP funding. Federal and provincial job grants may be available. You may also apply for financial assistance with OsgoodePD.

To learn more, visit: www.osgoodepd.ca/financial-assistance.

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

CERTIFICATE REQUIREMENTS

To receive the Osgoode Certificate, you must attend or view all program modules as well as successfully complete all workshop exercises, and the post-program online assessment (within 30 days of the final module).

Register today at:

osgoodepd.ca/poa

 **Email:** osgoodepd@osgoode.yorku.ca

 **Phone:** 416 597 9724

 **Mail:** 1 Dundas Street West, 26th Floor, Toronto, ON, M5G 1Z3



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

Eligible CPD Hours – LSO (ON): 32h CPD (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.

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)

Taking this course was a wonderful experience, the content was interesting and on point, and the speakers were exceptional. I would absolutely recommend taking this course.

Melanie Perreault, Paralegal, Société Professionnelle Yves Jubinville (2022)

Very comprehensive discussions on each topic.

Ruth MacKeigan, Paralegal, Halton Regional Police Service (2021)

After 8 years of university, I didn't realize how practical and helpful more education could be. I was forced outside of my comfort zone at times, gained the perspectives of many experienced professionals, and learned so much in the process.

Venetia Whiting, Bennett Jones LLP (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)

