

THE OSGOODE CERTIFICATE IN THE LAW OF EMERGENCIES:

*Practical Strategies in Disaster Preparedness,
Management and Recovery*

Public emergencies and disasters affect the legal advice you provide and how you provide it.

Get “**emergency ready**”.

Learn how to address the legal issues arising from emergency conditions, disasters and converging crises in our increasingly volatile and uncertain world. A multidisciplinary faculty will examine:

- How to advise clients when the law in an emergency situation has not been previously interpreted or is otherwise unclear
- How to deal with government, and conflicting and vague information
- How to prepare your organization or firm for advising in the next emergency

“An area of law that is too often overlooked. Legal professionals finally have training that gives them real credentials and makes Emergency Law a viable area of practice. Excellent program!”

Eric Tessier, Legal Counsel

PROGRAM DIRECTOR

François Tanguay-Renaud
Associate Professor
Osgoode Hall Law School
York University

REGISTRATION DETAILS

April 11, 20 & 25 and
May 2 & 8, 2023:
Online (Live)

*Single day registration
also available*

Can't make the date?
*Registration includes 120-day
unlimited, online access to the
recorded program.*

Register today at:

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



The Osgoode Certificate in The Law of Emergencies

*Practical Strategies in Disaster Preparedness,
Management and Recovery*

Can't attend a module?

All participants will have 120-day on-demand access to the recordings.

Interested in only one or a few of the modules?

Each module is available for individual registration.

Would you be ready to advise in an environmental disaster generated by climate change, a disruption of public order arising from political upheavals, or any other public emergency?

Recent domestic and international public emergencies have created unprecedented and thorny legal issues across many different areas of law. More and more legal professionals across all areas of practice are being forced to seek and provide guidance in situations where there is little certainty, but quick and decisive action is required.

The Osgoode Certificate in The Law of Emergencies is designed specifically for legal professionals in private practice, in-house or in government who want to develop an expertise in emergency law. Over the course of five modules, this one-of-a-kind program will give you the knowledge, tools and strategies you need to get “emergency ready” from a legal standpoint.

Choose to register for individual modules or the full certificate:

Module 1 – April 11, 2023

Crises and the Law: Frameworks for Identification and Response

Module 2 – April 20, 2023

Emergency Legislation and Regulation in Canada

Module 3 – April 25, 2023

Emergency Management and the Public Law Framework

Module 4 – May 2, 2023

Private Law Tools for Emergency Response

Module 5 – May 8, 2023

**Current and Evolving Issues in The Law of Emergencies:
Government Relations, Crisis Advising and Recent Developments**

Register today at:

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



If you complete the whole Certificate, you will learn about:

- What constitutes an “emergency” and how it differs across various areas of law (employment/labour, indigenous, environmental, insurance, criminal, etc.)
- The current role of municipalities, provinces, and the federal government in emergencies (as well as their powers and the restrictions placed on them)
- The rules regarding emergency powers, and the tools that existing areas of law may already have to deal with emergencies
- The differences between private and public emergency law, including at the constitutional level
- The distinction between emergency-specific issues and emergency-sensitive issues
- Salient features of international emergency regimes from various jurisdictions (both domestic and international, public and private)
- How to overcome the obstacles brought on by an emergency when trying to be heard by governments on behalf of your clients
- The specific soft skills needed when advocating to governments during an emergency
- Strategies for managing your practice with a focus on knowing when/how to pivot into emergency advising

In a world in which the frequency of major emergencies is likely to keep increasing, make sure you have the legal knowledge and skills to respond and pivot effectively.

Who Should Attend

- Lawyers from all areas of practice
- Government lawyers, policy advisors and officials (federal, provincial and municipal)
- In-house counsel
- Emergency and disaster management professionals

Register today at:

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

Led by an expert faculty of practitioners, legal academics and government executives including:

Program Director



François Tanguay-Renaud

Associate Professor,
Osgoode Hall Law School,
York University

Advisory Board

Saptarishi Bandopadhyay

Associate Professor, Osgoode Hall
Law School, York University

Adam Goldenberg

McCarthy Tétrault LLP

Jennifer King

Gowling WLG LLP

Ewa Krajewska

Henein Hutchison LLP

John MacLean

Legal Counsel, Legal and
Constitutional Law Division,
Nunavut Department of Justice

David Matyas

PhD Candidate, Faculty of Law,
University of Cambridge

Daniel Sheppard

Goldblatt Partners LLP

Brendan van Niejenhuis

Stockwoods LLP

Program Faculty

Saptarishi Bandopadhyay

Associate Professor
Osgoode Hall Law School
York University

James Buchan

Gowling WLG LLP

Colton Fehr

Assistant Professor
Faculty of Law
Thompson Rivers University

Jody Johnson

Director, Legal Services
Halton Region

Anil Kapoor

Kapoor Barristers

Sanjay Khanna

Strategic Advisor and Foresight Expert
NOW Partners

Jennifer King

Gowling WLG LLP

Ewa Krajewska

Henein Hutchison LLP

John MacLean

Legal Counsel
Legal and Constitutional Law Division
Nunavut Department of Justice

Natasha MacParland

Davies Ward Phillips & Vineberg LLP

David Matyas

PhD Candidate
Faculty of Law
University of Cambridge

Cenobar Parker

Parker Sim LLP

Danielle Parr

Managing Principal
Navigator Ltd.

Daniel Sheppard

Goldblatt Partners LLP

Lyle Skinner

Director
Parliamentary Affairs
Senate of Canada

Jocelyn Stacey

Associate Professor; Associate Dean
Graduate Studies and Professional Programs
Peter A. Allard School of Law
University of British Columbia

Danielle Stampley

Wright Henry LLP

Lori Stoltz

Morris + Stoltz + Evans LLP

Joyce Tam

Thomas Gold Pettingill LLP

François Tanguay-Renaud

Associate Professor
Osgoode Hall Law School
York University

Brendan van Niejenhuis

Stockwoods LLP

Wesley Wark

Senior Fellow
Centre for International
Governance Innovation

Leah West

Assistant Professor
Norman Paterson School of
International Affairs
Carleton University

Register today at:

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

Agenda

MODULE 1

April 11, 2023

9:00 a.m. – 4:00 p.m. ET

Crises and the Law: Frameworks for Identification and Response

The first step in being “emergency ready” is understanding what constitutes an emergency and what are the unique challenges that come with it. In this opening module, you will receive a comprehensive overview of emergencies and their legal impact along with a first look at how to effectively respond when confronted with these complex situations.

Overview

- What does the law classify as an emergency? How does it differ within various areas of law?
- What are the different types of emergencies?
- What particular problems does an emergency pose for legal regulation?
- What is the problem of exceptions?
- What are the different types of legal responses?
- Applicable lessons from past responses to emergencies in Canada and abroad

Responding to General Challenges

- How to make decisions and plan under conditions of radical uncertainty
- How to obtain relevant and reliable empirical data

Faculty

Saptarishi Bandopadhyay

Associate Professor, Osgoode Hall Law School, York University

Sanjay Khanna

Strategic Advisor and Foresight Expert, NOW Partners

David Matyas

PhD Candidate, Faculty of Law, University of Cambridge

François Tanguay-Renaud

Associate Professor, Osgoode Hall Law School, York University

MODULE 2

April 20, 2023

9:00 a.m. – 4:00 p.m. ET

Emergency Legislation and Regulation in Canada

Understanding and Working with the Regulatory Framework

- Examination of emergency statutory powers in Canada
- Detailed overview of the federal *Emergencies Act* and other federal emergency legislation (the *Quarantine Act*, the *Aeronautics Act*, etc.)
- The key commonalities and differences between provincial emergency regimes
- Indigenous governance issues in emergencies
- In-depth look at the public health emergency framework
- The role of, and interrelations between, municipalities, band councils, provinces, and the federal government in emergencies (as well as the powers and restrictions placed on them)
- Case study: “Climbing the Ladder of Emergency Responses”

Faculty

Jody Johnson

Director, Legal Services, Halton Region

Jennifer King

Gowling WLG LLP

Jocelyn Stacey

Associate Professor; Associate Dean, Graduate Studies and Professional Programs, Peter A. Allard School of Law, University of British Columbia

Lori Stoltz

Morris + Stoltz + Evans LLP

Leah West

Assistant Professor, Norman Paterson School of International Affairs, Carleton University

MODULE 3

April 25, 2023

9:00 a.m. 4:15 p.m. ET

The Public Law Framework of Emergency Management

The Impact of Constitutional, Administrative and International Law

- Emergency limitations in relation to rights protected under the *Charter*
- Section 1 analysis and its justification in an emergency context
- Governmental perspectives on emergency response
 - Drafting emergency orders
 - Inter-Governmental coordination
 - Governmental relations
- Ordinary public law and emergency management
 - Environmental law
 - Criminal law
- Civil vs. Administrative law in emergency responses
- International disaster law and its implication for Canadian law and governance

Faculty

Colton Fehr

Assistant Professor, Faculty of Law, Thompson Rivers University

Jennifer King

Gowling WLG LLP

John MacLean

Legal Counsel, Legal and Constitutional Law Division, Nunavut Department of Justice

David Matyas

PhD Candidate, Faculty of Law, University of Cambridge

Daniel Sheppard

Goldblatt Partners LLP

Lyle Skinner

Director, Parliamentary Affairs, Senate of Canada

Jocelyn Stacey

Associate Professor; Associate Dean, Graduate Studies and Professional Programs, Peter A. Allard School of Law, University of British Columbia

Brendan Van Niejenhuis

Stockwoods LLP

MODULE 4

May 2, 2023

9:00 a.m. – 4:00 p.m. ET

Private Law Tools for Emergency Response

This module will take a deep dive into how private law is equipped to respond to emergencies. You'll receive practical insights and strategies from experts in each area of law as they address the key issues that you need to know.

Contractual Remedies in Emergencies

- Force majeure
- Frustration

Torts

- Strict liability vs. negligence and other more emergency sensitive torts
- Standard of negligence for corporations in emergencies
- Liability of the Crown (immunities)

Labour and Employment Law

- Force majeure
- Frustration
- Financial exigencies clauses in collective agreements
- Constructive dismissal and temporary lay-offs

Bankruptcy

- Current state of the "Insolvency Business" and looking ahead

Insurance Law and Risk Management

- The practical challenges of complying with policy terms during an emergency

- Governmental subsidies in times of crises and how they interact with insurance
- What now needs to be insured (and how) as well as the legal terms that should be in place

Faculty

Natasha MacParland

Davies Ward Phillips & Vineberg LLP

David Matyas

PhD Candidate, Faculty of Law, University of Cambridge

Cenobar Parker

Parker Sim LLP

Danielle Stampley

Wright Henry LLP

Joyce Tam

Thomas Gold Pettingill LLP

MODULE 5

May 8, 2023

9:00 a.m. – 4:00 p.m. ET

Current and Evolving Issues in The Law of Emergencies: Government Relations, Crisis Advising and Recent Developments

Recent Developments

- Analysis of the Public Order Emergency Commission
- Overview of all of the recent legal challenges to the federal government's invocation of the *Emergencies Act*
- Group discussion: The legal politics of emergencies in Canada

Government Relations

- Relationships with governments during an emergency (their importance and how to manage them)
- How to overcome the obstacles brought on by an emergency when trying to be heard by governments on behalf of your clients
- The specific soft skills needed when advocating to governments during an emergency

- How to respond to the challenges presented by vague and/or fast-evolving governmental guidance (and how to advise your clients accordingly)

Information and Disinformation

- Best practices for managing the flow of information from different sources (government, individuals, media, international, organizations, etc.)
- How to determine whether information is relevant/applicable and how to communicate with your client accordingly
- How to address the problems caused by the spread of disinformation (e.g. through social media) and how they can impact the way you advise your client

Managing Your Practice in an Emergency

- Strategies for managing your practice with a focus on knowing when/how to pivot into emergency advising
- Ethical issues that may arise when lawyering in a crisis
- How to structure your organization or firm to ensure that it is fully prepared for the next emergency; the benefits of having a permanent task force

Faculty

James Buchan

Gowling WLG LLP

Anil Kapoor

Kapoor Barristers

Ewa Krajewska

Borden Ladner Gervais LLP

Danielle Parr

Managing Principal, Navigator Ltd.

Daniel Sheppard

Goldblatt Partners LLP

Brendan van Niejenhuis

Stockwoods LLP

Wesley Wark

Senior Fellow, Centre for International Governance Innovation

Registration Details

Fee per Delegate: **\$3,295 plus tax**
Individual Module: **\$695 plus tax**

Newly Licensed*: **50% off regular rate**

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

Fees include online attendance, electronic materials, and technical support. Group discounts are available. Visit www.osgoodepd.ca/group-discounts for details. Please inquire about financial assistance.

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

You will receive the Osgoode Certificate upon completion of **The Osgoode Certificate in The Law of Emergencies**. Participants must attend all program modules (whether live and/or by program archive) and successfully complete the multiple choice assessment to receive the certificate within 30 days of the date of the last module.

Register today at:

osgoodepd.ca/emergencylaw

 **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): 28h 45m CPD (24h 30m Substantive; 2h 30m Professionalism; 1h 45m EDI)



Module 1: 5h 30m CPD (5h 30m Substantive)
Module 2: 5h 45m CPD (4h 45m Substantive; 1h EDI)
Module 3: 6h CPD (5h 15m Substantive; 45m EDI)
Module 4: 5h 45m CPD (5h 15m Substantive; 30m Professionalism)
Module 5: 5h 45m CPD (3h 45m Substantive; 2h 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.

“I really enjoyed the broad perspectives both in subject matter and vision from the various instructors and participants. I learned a lot about the different kinds of emergencies we may confront, and I understand now the unifying threads that run through our responses to these diverse kinds of emergencies.”

Jodie Al-Mqbali
Specialist, Legal & Risk Services,
The Ottawa Hospital

“Thank you for this wonderful course!”

Jennifer Spinney
Assistant Professor, Disaster & Emergency
Management, York University

“Very good overall context with expected deliveries. An excellent program!”

Chris J. Collins
Professor

“All of the speakers did a great job!”

Michael Brito
Criminal Defence Lawyer

“The speakers were excellent and they provided thought-provoking material. This session also provided tangible tools that I can use in my practice.”

John MacLean
Legal Counsel, Legal and Constitutional Law
Division, Nunavut Department of Justice

Reserve your place now to take advantage of this unique learning opportunity while fulfilling your LSO CPD requirements for 2023.