



# FERTILITY LAW 2024:

## *Critical and Emerging Issues*

These are challenging, complex and high-stakes issues. Staying on top of things has never been more critical.

Evolving case law, new legislation and procedural changes continue to shape the fertility law landscape. Join national and international experts as they grapple with some of the key issues, including:

- Drafting 101: Tips for making your legal agreements work
- Cross-Canada and International fertility law check-up – the key issues here and abroad and how they impact your practice and your clients
- Everything you need to know about screening: what is a pass, what is a no go and what is a concern?
- Conflicts – how to anticipate, identify, navigate and avoid them

**PLUS:** Get a grounding in the foundations with our online primer *Fertility Law: Understanding the Key Concepts*. Included in your registration.

Register today at:

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

### PROGRAM CHAIR

Sara R. Cohen  
Fertility Law Canada™  
at D2Law LLP

### REGISTRATION OPTIONS

February 29, 2024:  
Online (Live)  
9:00 a.m. – 4:45 p.m. ET

*OR*

April 9, 2024:  
Online (Replay)  
9:00 a.m. – 4:45 p.m. ET

**Can't make the date?**

*Registration includes 120-day unlimited, online access to the recorded program.*

# Fertility Law 2024:

## *Critical and Emerging Issues*

Fertility law is increasingly complex, even for the experts. Mistakes can be critical. And costly.

Counsel and other professionals who work in this area need a solid grounding in the basics, while ensuring they are current and informed about the emerging issues.

Over one intensive day, our multidisciplinary faculty of international experts will provide you with the key information and practical strategies you need to navigate this complex area. Discover why this biannual conference has become the must-attend event for fertility law professionals.

## Topics Include

- When the love (or life) is gone: fertility law implications upon death and divorce
- Screening in 2024: what you need to know to advise your clients
- What is a Canadian lawyer's role when your clients go international (and how to best protect your client from afar)?
- Avoiding and navigating the common (and not so common) pitfalls
- Egg and sperm donation – ensuring intended parents have secure parentage rights and other drafting challenges

## Who Should Attend

- Family Law lawyers
- Health lawyers
- Fertility Law practitioners
- Wills and Estates lawyers



## Agenda

9:00 a.m.

### Welcome from the Chair

**Sara R. Cohen**

Fertility Law Canada™ at D2Law LLP

9:10 a.m.

### Cross-Canada Fertility Law Check-Up

**Doreen Brown**

Green Glazer Avocats Attorneys

**Robynne B. Kazina**

Taylor McCaffrey LLP

**Jocelyne Léger-Nowlan**

Actus Law

In this opening session we will canvas the latest developments and emerging issues from across the country.

9:50 a.m.

### When the Love (or Life) is Gone: Implications Upon Relationship Break Down or Death

**Sara Cohen**

Fertility Law Canada™ at D2Law LLP

**Kelly D. Jordan**

Kelly D. Jordan Family Law Firm

**Emma Katz**

Kelly D. Jordan Family Law Firm

**Jasmeet K. Wahid**

Aaron Gordon Daykin Nordlinger

Fertility law intersects with many other areas of law and can involve complex relationship issues. In this panel our experts will provide you guidance on how to anticipate and navigate issues that arise upon death and relationship breakdown involving spouses, and also relationships of surrogacy, donor and co-parents.

10:45 a.m.

**Health Break**

11:00 a.m.

## Drafting 101: Tips for Making Your Legal Agreements Work

### Lisa Feldstein

Lisa Feldstein Law Office P.C.

### Michelle Flowerday

Flowerday Fertility Law

A fertility agreement will be one of the most important contracts for your clients. It is critical counsel know what to include and what language to avoid, as mistakes can create lifetime consequences. Get expert guidance on the key issues, including:

#### *Surrogacy:*

- How to draft a surrogacy agreement
- Protecting the rights of surrogates and intended parents

#### *Egg and Sperm Donation:*

- How to draft a donor agreement
- Protecting the rights of donors and intended parents

#### *Embryo donation*

- Elements of an embryo donation agreement

12:00 p.m.

Lunch Break

1:00 p.m.

## International Check-Up

### Annette Hickey

Poe Kiely Hogan Lanigan LLP (Ireland)

### Ida Parisi

Family Law and Assisted Reproductive Technology (ART) Law (Italy)

### Jo-an van der Tol

WENS Familierecht (Netherlands)

### Richard Vaughn

International Fertility Law Group (US)

Fertility clients and issues are becoming increasingly international. Join the leading experts from across Europe and the US as they canvas some of the key issues facing Canadian fertility professionals and their clients.

1:55 p.m.

## Practice Challenges and Ethical Dilemmas: Strategies for Protecting Yourself and Your Client

### Ellen K. Embury

Embury & West LLP

### Shirley Eve Levitan

Shirley Eve Levitan Family & Fertility Law

### Cindy R. Wasser

Hope Springs Fertility Law™

- What is a Canadian lawyer's role when their clients go international (and how to best protect your client from afar)?
- Conflicts, conflicts, conflicts: strategies for anticipating, identifying and navigating
- The business of fertility and counsels' ethical obligations, including determining if it is still arm's length (and what to do if it isn't)
- What are your obligations if you learn something from a client that could cause harm to a baby or lps
- Ethical and practice quandaries with embryo donation

2:40 p.m.

Wellness Break

2:55 p.m.

## Screening 101: What You Need to Know to Advise Your Clients

### Dr. Ari Baratz, MD, FRCSC, REI

CREATe Fertility Centre

### Dara Roth Edney, MSW, RSW

Informed Fertility

Mandatory screening raises many questions and concerns for fertility clients. In this session, our experts will take you through the screening process, providing you with the key knowledge you need to advise your clients with confidence.

- Psychological screening – how it works
- What is a pass, what is a no go and what is a concern?
- When and why a surrogate or donor is failed

- Medical screening for a surrogate or donor: what do we need to look out for?

3:40 p.m.

## Perspective of the Donor-Conceived

4:10 p.m.

## When Things Goes Wrong... How To Avoid and Navigate The Common (and Not So Common) Pitfalls

### Sara Cohen

Fertility Law Canada™ at D2Law LLP

### Ellen K. Embury

Embury & West LLP

Even with the most careful planning, things may go awry. Drill down on some of the issues that can undermine the outcome and some of the current challenges facing fertility professionals in Canada.

4:45 p.m.

Program Concludes

*“The overall program was very pertinent, valuable, informative and useful to my learning curve in my new role.”*

Nadine Martin, Clinical Director, Conceptia

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# Chair

Sara R. Cohen  
Fertility Law Canada™ at D2Law LLP

# Faculty

Dr. Ari Baratz, MD, FRCSC, REI  
CReATe Fertility Centre

Doreen Brown  
Green Glazer Avocats Attorneys

Ellen K. Embury  
Embury & West LLP

Lisa Feldstein  
Lisa Feldstein Law Office P.C.

Michelle Flowerday  
Flowerday Fertility Law

Annette Hickey  
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Shirley Eve Levitan  
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Cindy R. Wasser  
Hope Springs Fertility Law™

*“The speakers were knowledgeable, passionate, had great information and I liked the variety. Some current and upcoming, some academic and hopeful. Practical clauses and suggestions. Participation encouraged. I thought it was a great program.”*

Tania Harper, Tania Harper Family Law

# Registration Details

Fee per Delegate: **\$595 + TAX**

Newly Licensed\*: **\$297.50 + TAX**

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

Fees include attendance and electronic program materials. Group discounts are available. Visit [www.osgoodepd.ca/group-discounts](http://www.osgoodepd.ca/group-discounts) for details. Please inquire about 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 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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MAINTENANCE OF CERTIFICATION – Attendance at this program entitles certified Canadian College of Health Leaders members (CHE/Fellow) to 3 Category II credits towards their maintenance of certification requirement.



This program has been approved for LawPRO risk management credit.

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