

Intensive Child Protection Training Primer

CO-CHAIRS: **The Honourable Stanley Sherr**
Ontario Court of Justice

Lorne Glass, Glass & Associates

October 10, 2019

October 11, 2019

9:00 a.m. to 4:30 p.m.

**Total CPD Hours = 10 h + 25 m Substantive + 2 h + 10 m Professionalism ^P
+ 1 h 25 m EDI Professionalism ^e**

**Law Society of Ontario
Donald Lamont Learning Centre
130 Queen St. W.
Toronto, ON**

SKU CLE19-0100801



Agenda

Note: Time has been allotted for questions throughout Day 1 and Day 2

Day 1 – October 10, 2019

9:00 a.m. – 9:45 a.m. Welcome and Opening Remarks (15 m ^P) (5 m ^e)

The Honourable Stanley Sherr, Ontario Court of Justice

Lorne Glass, *Glass & Associates*

9:45 a.m. – 10:00 a.m.

Demonstration of First Appearance Leading to Without Prejudice Order (5 m )

The Honourable Robert Spence, *Ontario Court of Justice*

Yvonne Fiamengo, Legal Counsel, *Children's Aid Society of Toronto*

Andrea Himel, M.S.W., Acc. Fam Med, *Himel Mediation and Family Law Services*

10:00 a.m. – 10:30 a.m.

Introduction of CAS Affidavit and First/Next Steps (5 m )

Moderator: Lorne Glass, *Glass & Associates*

Panellists: The Honourable Robert Spence, *Ontario Court of Justice*

Yvonne Fiamengo, Legal Counsel, *Children's Aid Society of Toronto*

Julie Ralhan, Barrister and Solicitor

10:30 a.m. – 10:45 a.m.

Coffee and Networking Break

10:45 a.m. – 11:30 a.m.

Demonstration of Temporary Care Hearing and Panel Discussion

Moderator: The Honourable Robert Spence, *Ontario Court of Justice*

Panellists: Julie Ralhan, Barrister and Solicitor

Colin Tobias, Barrister & Solicitor

Chithika Withanage, Legal Counsel, *Children's Aid Society of Toronto*

11:30 a.m. – 12:00 p.m.	<p>Expert Evidence</p> <p>Moderator: Lorne Glass, <i>Glass & Associates</i></p> <p>Panellists: Yvonne Fiamengo, Legal Counsel, <i>Children’s Aid Society of Toronto</i></p> <p>Gilead Kay, <i>Kay Family Law and Mediation</i></p>
12:00 p.m. – 12:30 p.m.	<p>Demonstration of Challenge of an Expert at a Temporary Care Hearing- Voir Dire (5 m P)</p> <p>The Honourable Robert Spence, <i>Ontario Court of Justice</i></p> <p>Yvonne Fiamengo, Legal Counsel, <i>Children’s Aid Society of Toronto</i></p> <p>Gilead Kay, <i>Kay Family Law and Mediation</i></p> <p>Dr. Randy Katz, Ph.D., C. Psych., <i>The Clinic on Dupont</i> (Witness)</p>
12:30 p.m. – 1:30 p.m. (12:55 p.m. – 1:30 p.m.)	<p>Lunch provided for Live Attendees Lunch Speaker</p> <p>Preparation for Child Protection Mediation: Suggestions for Lawyers (5 m P)</p> <p>Andrea Himel, M.S.W., Acc. Fam Med, <i>Himel Mediation and Family Law Services</i></p>
1:30 p.m. – 2:00 p.m.	<p>Making the Finding “in need of protection” (10 m P)</p> <p>Moderator: Peter Marshall, CEO and Legal Director, <i>Recovery Science Corporation</i></p> <p>Panellists: The Honourable Michelle Cheung, <i>Ontario Court of Justice</i></p> <p>Linda Hofbauer, Senior Counsel/Manager of Legal Services, <i>Children’s Aid Society of Toronto</i></p>

Paula McGirr, Senior Barrister and Solicitor, Family Law Service Centre – Toronto North, *Legal Aid Ontario*

2:00 p.m. – 2:45 p.m.

Case Conference Demonstration (5 m )

The Honourable Michelle Cheung, *Ontario Court of Justice*

Linda Hofbauer, Senior Counsel/Manager of Legal Services, *Children's Aid Society of Toronto*

Lisa Laborde, Barrister & Solicitor

Paula McGirr, Senior Barrister and Solicitor, Family Law Service Centre – Toronto North, *Legal Aid Ontario*

Shuah Roskies, Office of the Children's Lawyer, *Ministry of the Attorney General*

2:45 p.m. – 3:00 p.m.

Coffee and Networking Break

3:00 p.m. – 3:35 p.m.

Demonstration of Challenge of Hearsay in CAS Affidavit (5 m )

The Honourable Michelle Cheung, *Ontario Court of Justice*

David Miller, Barrister & Solicitor

Danielle Szandtner, Barrister & Solicitor

3:35 p.m. – 3:55 p.m.

The Law Related to Hearsay in Child Protection Proceedings (5 m )

The Honourable Stanley Sherr, *Ontario Court of Justice*

3:55 p.m. – 4:20 p.m.

Demonstration of Challenging Children’s Statements
(5 m )

The Honourable Michelle Cheung, *Ontario Court of Justice*

David Miller, Barrister & Solicitor

Shuah Roskies, Office of the Children’s Lawyer, *Ministry of the Attorney General*

Danielle Szandtner, Barrister & Solicitor

4:20 p.m. – 4:30 p.m.

The Importance of Child Protection Work

Judith Beaman, Former Commissioner, *Motherisk Commission*

4:30 p.m.

Closing Remarks and End of Day 1

The Honourable Stanley Sherr, *Ontario Court of Justice*

Lorne Glass, *Glass & Associates*

Pre-recorded Video
Key Perspectives on Human Trafficking and Sexual Exploitation

Julie Neubauer, Manager, Anti-Human Trafficking Services, *Covenant House Toronto*

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Agenda

Day 2 – October 11, 2019

9:00 a.m. – 9:15 a.m.

Welcome and Opening Remarks and Review of Day 1

The Honourable Stanley Sherr, Ontario Court of Justice

Lorne Glass, Glass & Associates

9:15 a.m. – 9:45 a.m.

Summary Judgment Motions and Rule 1 Hearings or Trials (5 m **P) (10 m **E**)**

Moderator: Lorne Glass, *Glass & Associates*

Panellists: The Honourable William Sullivan, *Ontario Court of Justice*

Simon Fisch, Legal Counsel, *Children’s Aid Society of Toronto*

Lauren Israel, Barrister & Solicitor

Patric Senson, Office of the Children’s Lawyer, *Ministry of the Attorney General*

9:45 a.m. – 10:30 a.m.

Demonstration of Summary Judgment Motion (5 m **P)**

The Honourable William Sullivan, *Ontario Court of Justice*

Simon Fisch, Legal Counsel, *Children’s Aid Society of Toronto*

Wiriranai Kapurura, *Kapurura Law Office*

Mary Reilly, *Law Office of T. Edgar Reilly*

10:30 a.m. – 10:45 a.m.

Coffee and Networking Break

10:45 a.m. – 12:00 p.m.

Special Considerations in a Case (45 m **P) (25 m **E**)**

The Honourable Stanley Sherr, *Ontario Court of Justice*

Lorne Glass, *Glass & Associates*

Appointment of the Office of the Children’s Lawyer

Patric Senson, Office of the Children’s Lawyer, *Ministry of the Attorney General*

Motion to Appoint the Public Guardian and Trustee

Anthea Cheung, Office of the Public Guardian & Trustee, *Ministry of the Attorney General*

Appointment of Amicus, Funding and Legal Aid Ontario

Tammy Law, *Tammy Law Barrister & Solicitor*

Statutory Findings for First Nations, Inuit and Métis Children

Sarah Clarke, *Clarke Child & Family Law Professional Corporation*

**12:00 p.m. – 1:00 p.m.
(12:30 p.m. – 1:00 p.m.)**

**Lunch provided for Live Attendees
Lunch Speaker**

History and Implications of the Formation of the Ontario Association of Child Protection Lawyers

David Sandor, President, *Ontario Association of Child Protection Lawyers*

1:00 p.m. – 2:00 p.m.

Preparing for Trial (10 m **P) (10 m **e**)**

Moderator:

Lorne Glass, *Glass & Associates*

Panellists:

Haley Gaber-Katz, *Glass & Associates*

Mira Pilch, *Gottlieb Law Firm*

Deborah Stewart, Barrister & Solicitor

2:00 p.m. – 2:20 p.m.

Demonstration of Opening Statements (5 m **e)**

The Honourable Sheilagh O’Connell, *Ontario Court of Justice*

Haley Gaber-Katz, *Glass & Associates*

Mira Pilch, *Gottlieb Law Firm*

Deborah Stewart, Barrister & Solicitor

2:20 p.m. – 2:55 p.m.

Demonstration of Cross-examination of Society Worker
(5 m )

The Honourable Sheilagh O'Connell, *Ontario Court of Justice*

Gary Gottlieb, *Gottlieb Law Firm*

Ricardo Theoduloz, MSW, RSW, Child Welfare Project Coordinator, *Jewish Family and Child Services* (Witness)

2:55 p.m. – 3:00 p.m.

Demonstration of Re-examination of Society Worker and Judge's Commentary

The Honourable Sheilagh O'Connell, *Ontario Court of Justice*

Haley Gaber-Katz, *Glass & Associates*

Ricardo Theoduloz, MSW, RSW, Child Welfare Project Coordinator, *Jewish Family and Child Services* (Witness)

3:00 p.m. – 3:15 p.m.

Discussion of Examinations

The Honourable Sheilagh O'Connell, *Ontario Court of Justice*

Haley Gaber-Katz, *Glass & Associates*

Gary Gottlieb, *Gottlieb Law Firm*

3:15 p.m. – 3:30 p.m.

Coffee and Networking Break

3:30 p.m. – 4:00 p.m.

Demonstration of Direct Examination of a Parent and Judge’s Commentary (5 m )

The Honourable Sheilagh O’Connell, *Ontario Court of Justice*

Keyshawn Anderson, Barrister & Solicitor

Shameika Hue, Barrister and Solicitor (Witness)

4:00 p.m. – 4:30 p.m.

10 Takeaways and Vote on the Outcome of the Trial (10 m ) (10 m )

The Honourable Stanley Sherr, *Ontario Court of Justice*

Lorne Glass, *Glass & Associates*

4:30 p.m.

Closing Remarks and End of Program