

## 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 <sup>P</sup>  
+ 1 h 25 m EDI Professionalism <sup>e</sup>**

**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 <sup>P</sup>) (5 m <sup>e</sup>)**

*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*

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|--|---|
| <b>11:30 a.m. – 12:00 p.m.</b>                             | <p><b>Expert Evidence</b></p> <p>Moderator: Lorne Glass, <i>Glass &amp; 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>   |
| <b>12:00 p.m. – 12:30 p.m.</b>                             | <p><b>Demonstration of Challenge of an Expert at a Temporary Care Hearing- Voir Dire (5 m P)</b></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> |
| <b>12:30 p.m. – 1:30 p.m.<br/>(12:55 p.m. – 1:30 p.m.)</b> | <p><b>Lunch provided for Live Attendees<br/>Lunch Speaker</b></p> <p><b>Preparation for Child Protection Mediation:<br/>Suggestions for Lawyers (5 m P)</b></p> <p>Andrea Himel, M.S.W., Acc. Fam Med, <i>Himel Mediation and Family Law Services</i></p>   |
| <b>1:30 p.m. – 2:00 p.m.</b>                               | <p><b>Making the Finding “in need of protection” (10 m P)</b></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**