

TWO ATTENDANCE OPTIONS:

Consecutive program (5 days) runs: December 12-16, 2016

Non-consecutive program (5 days) runs: February 7, 17, March 7, 22 & April 3, 2017



A joint program of the *Society of Ontario Adjudicators and Regulators (SOAR)*
and *Osgoode Professional Development*

The Certificate in Adjudication

for Administrative Agencies,
Boards & Tribunals

Learn to run a fair and effective administrative proceeding

5 Modules | Toronto, Canada



LSUC CPD (ON):

32.0 hours (22.5 Substantive;
9.5 Professionalism)



Why You Should Attend

Program Details

Module One

Introduction to Administrative Adjudication
Key Principles: Administrative Law & the Administrative Justice System

Module Two

How to Run a Hearing:
Fairness & Efficiency

Module Three

Administrative Adjudication:
Evolving Challenges

Module Four

Decision-writing: Key Principles
& Effective Strategies

Module Five

Hearing Simulation: Putting it
All Together

Program Location

The program will be held at
OsgoodePD's Downtown Toronto
Conference Centre
1 Dundas Street W., 26th Floor
Toronto, ON

For Further Program-related Information

Please contact:
Heather J. Gore Liddell
Senior Program Lawyer
Osgoode Professional Development
at 416.597.8847 or email
hgoreliddell@osgoode.yorku.ca

In five one-day modules the **Certificate Program in Adjudication for Administrative Agencies, Boards & Tribunals** is a collaboration between the *Society of Ontario Adjudicators and Regulators* (SOAR) and *Osgoode Professional Development* of Osgoode Hall Law School, York University. Over the course of 5 years, the Certificate has provided hundreds of professionals with the practical skills and legal knowledge they need to perform effectively in the administrative adjudication arena.

Initially developed to meet the needs of recent appointees, the Certificate is also well suited for those looking to make the transition into administrative adjudication, or for legal professionals who regularly appear in front of agencies, boards or tribunals.

The rigorous curriculum provides solid grounding through learning and practicing practical adjudication skills. Working with real-life fact scenarios, problems and demonstrations, you will acquire a solid foundation in the legal underpinnings of administrative adjudication, develop and refine your adjudication skills, and learn practical strategies for effective hearing management. The program culminates with an interactive hearing simulation and guided decision writing exercise, in which you'll benefit from obtain individual feedback from recognized experts in the field.

NEW FOR 2016! TWO ATTENDANCE OPTIONS:

Consecutive program (5 days) runs: December 12-16, 2016

OR

**Non-consecutive program (5 modules over 3 months) runs:
February 7, 17, March 7, 22 & April 3, 2017**

What You Will Learn:

- A foundation in the key principles of administrative law
- Learn how to manage a hearing – from start to finish
- The legal and practical requirements for administrative decisions
- Explore the evolving challenges faced by administrative adjudicators
- Discuss common challenges, and successful strategies, with other adjudicators
- Gain insight from experienced adjudicators and leaders in administrative justice

Who Should Attend

- Professionals who exercise adjudicative functions arising from a public or quasi-public power, including:
 - Recent appointees to administrative agencies, boards and tribunals
 - Professional regulators
 - Members of disciplinary bodies
 - Adjudicators from the provincial, federal or municipal sectors
 - Leaders required to conduct hearings in the broader public sector, including health and education
- Professionals looking to transition into the adjudicative sector
- Legal professionals who regularly appear in front of administrative boards, tribunals or agencies



Over five intensive modules, you'll be taught by leading experts using a blended-delivery method that includes lectures, video simulations, class discussions and hands-on exercises.

Consecutive program (5 modules) runs: December 12-16, 2016

Non-consecutive program (5 modules over 3 months) runs: February 7, 17, March 7, 22 & April 3, 2017

THE CURRICULUM

MODULE 1

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

A deep dive into the nature and scope of administrative adjudication. Get a solid grounding in the legal structure and fundamental principles that are the essential foundations for any adjudicator.

Introduction to Administrative Adjudication

- The role of statutory agencies, boards and tribunals
- Guiding principles: fairness, independence, accountability, diversity, accessibility
- Sources of jurisdiction and law: statutes, regulations, policies, rules and use of precedents
- Statutory interpretation; the exercise of discretion

Key Principles: Administrative Law & the Administrative Justice System

- Sources of procedural fairness: common law, statutory procedural requirements, constitutional rights
- Key components of procedural fairness: the right to be heard; the rule against bias
- Fundamentals of judicial review

Adjudicator Independence and Impartiality

- Reasonable apprehension of bias
- Institutional independence and institutional consistency
- Conflicts of interest and ethics for adjudicators

Fireside Chat - "Administrative Justice in the Legal System"
Leading experts in the administrative justice community will discuss the role of administrative adjudication and its place in the justice system.

MODULE 2

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

How to Effectively Run a Hearing: Fairness & Efficiency

Effectively managing the hearing process is one of the biggest challenges for even the most experienced adjudicators. Using video demonstrations and group discussion, and focusing on issues drawn from actual hearings, this session will equip you with the key knowledge and practical strategies you need to run a hearing, from pre-hearing to preparing to write the decision.

Pre-hearing stages and starting the hearing:

- Mediation and case management

- Preliminary rulings; pre-hearing preparation
- Openings: setting the tone, directions to the parties

Evidence at the hearing:

- Oaths and affirmations, cautioning witnesses
- Admitting documents and other exhibits
- Refresher on the law of evidence and challenges to admissibility

Effective management of the hearing:

- Handling and ruling on objections
- Time management, privacy and confidentiality

Finishing the hearing:

- Closing statements
- Deliberations and considerations for decision making – oral vs. written decisions

MODULE 3

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

Administrative Adjudication: Evolving Challenges

Throughout the hearing process, adjudicators must remain neutral, ensure the hearing is accessible to all parties and keep control of the hearing room. This can often be challenging, and poor management can derail the hearing process. This session will provide you with proactive tips to competently and confidently manage these challenges, as well as practical strategies to deal with complex issues.

Active adjudication techniques:

- Adjudicator questioning
- The use of inquisitorial and other techniques
- Benefits of active listening
- Risks of adjudicator intervention
- Self-represented parties: facilitating effective participation without crossing the line
- Dealing with civility and decorum problems

Inclusive and accessible adjudication:

- The role of culture in adjudication
- Hearing accommodations
- Working with interpreters
- Mental health problems in the hearing room
- Strategies to ensure effective participation

Fireside Chat - "Evolving Challenges"
Leading experts will discuss hot-button issues facing the administrative justice community.

MODULE 4

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

Decision-Writing: Key Principles & Effective Strategies

Understanding the fundamental goals and principles of effective decision writing is critical for any adjudicator. Working in small groups, this session will allow you to apply these principles and obtain individualized feedback. Topics include:

- The duty to give reasons and common sufficiency problems
- Writing for multiple audiences
- Fundamental principles: audience; context and point-first writing
- Issue-driven organization
- Practical strategies for approaching decision-writing
- Elements of a good decision: plain language; the “human voice”
- Key measures of good writing: clarity; coherence; conciseness; credibility

MODULE 5

9:00 a.m. to 3:00 p.m.

Hearing Simulation: Putting It All Together

The hearing simulation provides an important opportunity to pull together the skills and practice what you have learned, in a non-intimidating environment. Working in small groups with skilled facilitators, you'll engage in a mock simulation and perform the key functions of a hearing panel.

This is a hands-on opportunity to practice hearing management, including ruling on objections, dealing with various procedural challenges and how to effectively confer as a panel on procedural rulings and the outcome of the case. Each panel will develop and deliver an oral judgment, practicing their decision-writing training from Module 4. Benefit from detailed, individualized feedback from experienced counsel and adjudicators.

The day concludes with a group debriefing and reflection – comparing and contrasting the various rulings – followed by a graduation ceremony.

“The quality of the course materials was excellent and very comprehensive. The hearing simulation was extremely realistic and the coaches were excellent!”

“For a number of reasons, most importantly the hearing simulation, I will have no hesitation in recommending this course.”

“No other way to put it, this session is by far the best I have ever taken...Very engaging and never a dull moment. Well done and thank you!”

“The energy of the facilitators rubbed off on all participants.”

SPACE FILLS UP VERY QUICKLY!

The number of registrants for this program is strictly limited, in order to ensure hands-on learning and sufficient time for individualized feedback.

Register now by visiting www.osgoodepd.ca, calling 416.597.9724 or emailing osgoodepd@osgoode.yorku.ca or faxing 416.597.9736.

PROGRAM DIRECTOR

Pamela Chapman is a labour arbitrator, mediator, part-time member of the Human Rights Tribunal of Ontario, and a former Vice-Chair of the Ontario Labour Relations Board, from 1993 to 2002. She has taught at the Faculty of Law at the University of Ottawa since 2002. She is an experienced adult educator, who has developed and delivered workshops, audio conferences and custom training, on a range of topics, including labour, human rights and administrative law, to diverse groups, including lawyers, unions, employers, tribunals and other agencies. She herself benefited from the Adjudicator Training Course when she was first appointed to a tribunal in 1993.

Osgoode Hall Law School's *Osgoode Professional Development* offers both credit and non-credit programming to meet the life-long learning needs of lawyers and other professionals who need legal information. Osgoode Hall Law School is one of the world's pre-eminent law schools. *OsgoodePD* embodies the law school's commitment to meeting the educational needs of the broader community and has offered many continuing legal education programs in the areas of administrative law, professional and statutory regulation, and alternative dispute resolution, including its Professional LLM in Administrative Law.

The *Society of Ontario Adjudicators and Regulators (SOAR)* was created in 1991 for the purpose of advancing administrative justice through education, advocacy and innovation.

Membership in SOAR includes Order-in-Council appointed Chairs and Members and staff of administrative justice system agencies. SOAR supports their work through various activities, including training programs for newly appointed adjudicators and administrative staff, conferences and other educational programs, and participation in policy initiatives of relevance to the direction and integrity of the administrative justice system. The premiere event in Ontario's administrative justice community is SOAR's annual Conference of Ontario Boards and Agencies (COBA) held each November and dealing with the latest developments in administrative justice. SOAR is explicitly non-partisan and non-profit; its focus is the public interest. www.soar.on.ca



The Certificate in Adjudication for Administrative Agencies, Boards & Tribunals draws upon the expertise and experience of a multi-disciplinary faculty including leading adjudicators, academics, members of the judiciary and counsel from the administrative justice community. Past faculty has included:

The Hon. John Evans, formerly of the Federal Court of Appeal, now counsel to Goldblatt Partners LLP

The Hon. Stephen Goudge, formerly of the Court of Appeal for Ontario, now counsel to Paliare Roland Rosenberg Rothstein LLP

The Hon. Susan Lang, formerly of the Court of Appeal for Ontario

The Hon. Justice John Laskin, Court of Appeal for Ontario

The Hon. Justice Kevin Whitaker
Ontario Superior Court of Justice (Toronto)
Former Chair, Ontario Labour Relations Board

Raj Anand, WeirFoulds LLP

Benjamin Berger, Associate Professor,
Osgoode Hall Law School

Christopher D. Bredt, Partner, Borden Ladner Gervais LLP

Sandra (Sandi) Driesel, Member, Assessment Review Board/Environment & Land Tribunals Ontario

James (Jim) Girling, formerly Legal Director, Divisional Priority Projects, Legal Services Division, Ministry of the Attorney General

Janice Gauthier, Chair, Health Professionals Appeal & Review Boards

David Goodis, Assistant Commissioner, Policy and Corporate Services

James Gorham, Counsel, Department of Justice Canada

Michael Gottheil, Executive Chair, Social Justice Tribunals Ontario

Yola Grant, Associate Chair, Human Rights Tribunal of Ontario

Louise Horton, Member, Landlord Tenant Board

Freya Kristjanson, Wardle Daley Bernstein Bieber LLP

Sherry Liang, Assistant Commissioner, Tribunal Services, Information and Privacy Commissioner of Ontario

Taivi Lobu, Vice-Chair, Health Professionals & Review Board

Sophie Martel, Vice-Chair, Workplace Safety and Insurance Appeals Tribunal

Michael Newman, Vice-Chair and Senior Lawyer Member, Consent and Capacity Board

Susan Opler, Vice-Chair Consent and Capacity Board, Ontario; Member, Law Society Tribunal

Carole Prest, Counsel to the Tribunal Chair, Workplace Safety and Insurance Appeals Tribunal

Luisa Ritacca, Stockwoods LLP

Jo-Ann Seamon, Senior Counsel & Manager of Legal Services, Human Rights Legal Support Centre

Carol Street, Symes, Street & Millard LLP

David A. Wright, Chair, Law Society Tribunal

CO-CHAIRS

Lorne Sossin, Dean
Osgoode Hall Law School



"I'm enormously proud to co-Chair the Certificate in Adjudication, which brings together SOAR's commitment to peer-led, relevant, hands-on

adjudicative education with Osgoode's commitment to excellence in its state-of-the-art professional and executive certificate programs."

Voy T. Stelmaszynski, President, SOAR
Board Solicitor, Ontario Labour Relations Board



"SOAR is committed to providing innovative and high-quality education and training to our community. SOAR's Adjudicator Training Course has provided an introduction to

adjudication to generations of decision-makers in Ontario and beyond. We look forward to training a new generation through this collaboration with Osgoode."

"The delivery of administrative justice requires highly skilled and trained members of agencies, boards and tribunals. As a non-profit, non-partisan organization with deep roots in the administrative justice community, SOAR has been a trusted provider of administrative adjudicator education in Ontario for many years. Building on that experience, SOAR's innovative partnership with Osgoode in this program will provide new administrative adjudicators with the skills and knowledge they need to become effective decision makers."

Debra Roberts, Deputy Chief of Staff, Human Resources and Public Appointments
Office of the Premier, Ontario

Register online today at www.osgoodepd.ca/soar

THE CERTIFICATE IN ADJUDICATION FOR ADMINISTRATIVE AGENCIES, BOARDS & TRIBUNALS

Space is strictly limited to ensure hands-on learning and feedback. Register now!

I will attend: **Consecutive program:** December 12-16, 2016
 Non-consecutive program: February 7, 17, March 7, 22 & April 3, 2017

Name:	Title:	
Firm/Company:	Practice Area:	
Address:	Year of Call (if applicable):	
City:	Province:	Postal Code:
Email:		
Telephone:	Fax:	Priority Service Code: <input type="text" value="1"/> <input type="text" value="6"/> <input type="text" value="3"/> <input type="text" value="0"/>

Please add me to your mailing list. Please delete me from your mailing list. If you do not wish to be contacted by e-mail, indicate here.

Fee Per Delegate

\$2,995 plus HST

Fees include attendance, program materials, continental breakfast, lunch and refreshments for each of the five days of the program.

The price does not include accommodations. Dress is business casual. **Need accommodations?** Check our website at www.osgoodepd.ca/hotelandparking.html

Payment Options – Payment must be made prior to the program

- Cheque enclosed (payable to York University – HST/GST# R119306736)
 Bill my credit card: VISA Mastercard

Card# _____ Expiry: _____

Signature: _____

Payment Amount: _____



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



Eligible CPD/MCLE hours: LSUC (ON): 32.0 CPD Hours (22.5 Substantive, 9.5 Professionalism); NY CLE: 35.0 credit hours in the Area of Professional Practice for transitional and non-transitional lawyers.

OsgoodePD programs may be eligible for CPD/MCLE credits in other Canadian jurisdictions. To inquire about credit eligibility, please contact cpd@osgoode.yorku.ca.

Program Changes

We will make every effort to present the certificate program as advertised, but it may be necessary to change the dates, location, speakers or content with little or no notice. In the event of program cancellation, York University and Osgoode Hall Law School's liability is limited to reimbursement of paid fees.

Cancellations/Rainchecks/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.

Certificate of Program Completion

You will receive a certificate upon completion of **The Certificate in Adjudication for Administrative Agencies, Boards & Tribunals**. Participants must attend **all modules** and participate in the hearing simulation to receive a certificate.

Location

Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor, Toronto, ON, M5G 1Z3

Public CLE Seminars

Customized CLE Programs

Skills Training & Certification

ITAW

Professional LLM

4 Convenient Ways to Register

- MAIL** your registration form to:
Osgoode Professional Development
Downtown Toronto Conference Centre
1 Dundas St. W., 26th Floor
Toronto, ON M5G 1Z3
- ONLINE** at www.osgoodepd.ca/soar
- FAX** your registration to 416.597.9736
- CALL US** at 416.597.9724

