



©Destination Halifax

ILCO by the sea

27th ANNUAL CONFERENCE

**Halifax Marriott Harbourfront
Halifax, Nova Scotia
May 17, 2017 – May 20, 2017**



Registration form @ www.ilco.on.ca/events/2017-conference

The Institute of Law Clerks of Ontario would like to thank the following Platinum, Gold and Silver Sponsors of our 27th Annual Conference:

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SILVER



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SCHEDULE OF EVENTS

WEDNESDAY
MAY 17, 2017After
3:00 pm**HOTEL CHECK-IN**

Halifax Marriott Harbourfront

5:00 pm to
6:30 pm**CONFERENCE REGISTRATION**

Halifax Marriott Harbourfront

6:00 pm to
8:00 pm**PRE-CONFERENCE MEET & GREET RECEPTION**

Halifax Marriott Harbourfront

Connect with friends – old and new – as we kick off our 27th Annual Conference. Food & refreshments will be served.

Please note this event is for Delegates Only.

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THURSDAY
MAY 18, 20177:30 am to
8:45 am**BREAKFAST**

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7:45 am to
8:45 am**CONFERENCE REGISTRATION**

Halifax Marriott Harbourfront

8:45 am to
9:00 am**WELCOME & OPENING REMARKS**9:00 am to
10:30 am**THE POWER TO CREATE CHANGE**

Jessi Cruickshank

Keynote
Speaker

As long time Canadian ambassador for non-profit organization Free the Children, Jessi speaks about her eye opening experiences leaving the comfort of the television studio to travel to rural India and Kenya.

From carrying poop in India to drinking Goats blood in Kenya, Jessi's often hilarious and always powerful stories about her travels allow her to tackle serious global issues in a refreshingly relatable way.

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10:30 am to
11:15 am**COFFEE BREAK and EXHIBITOR HALL**

**THURSDAY
MAY 18, 2017**

11:15 am to
12:30 pm

IMMIGRATING TO CANADA

Emily L. Racine - Cox & Palmer

Emily Racine will provide an overview of Canada's immigration system, the options that exist for immigrating to Canada, and how people can become Canadian citizens.

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11:15 am to
12:30 pm

LOOKING TO THE FUTURE - TRANSITIONING FROM CLERK TO SUPERVISOR/MANAGER

Candace Martin - Gardiner Roberts LLP

This session will appeal to those who are looking to make the next move in their career from a clerk role to a supervisory/managerial role or to those who are thinking about this as a possible future move. The speaker will recount some of her personal experiences as well as those from colleagues who have recently made the transition. This session will cover the things to consider when looking to make such a move whether it is internally within your existing organization or whether you are transitioning to another organization and will look at the role of managers and what you need to succeed as a manager.

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11:15 am to
12:30 pm

A FAMILY LAW PRIMER: NEVER A DULL MOMENT

Joanne H. Stewart - Lerner's LLP

Work in family law is always with us. The definition of family changes but the fact of the family remains. Times change and issues change but the fact there are issues remains. Join us for a rundown on hot topics today, and how those topics matter to your work, and your world, explored with good substance and humour.

11:15 am to
12:30 pm

MUNICIPAL PROPERTY DEVELOPMENT: WHAT YOU NEED TO KNOW WHEN DEVELOPING PROPERTY IN A MUNICIPALITY.

Paul Rabinovitch - HGR Graham Partners LLP

This presentation will discuss common agreements and issues that arise in municipal land developments. Topics will include earthworks agreements, pre-servicing agreements, subdivision agreements, site plan control agreements, expropriations, road closures, road allowances, colonization roads, easements and waterfront issues such as docks and boat-houses.

12:30 pm to
1:45 pm

LUNCH

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**THURSDAY
MAY 18, 2017**
**1:45 pm to
3:00 pm**

DIVIDENDS, PAID-UP CAPITAL TRANSACTIONS AND RELATED CORPORATE EVENTS

P. Robert Arkin - Cox & Palmer

This session will focus on common transactions involving dividend declarations and corporate capital transactions, including appropriate forms of documentation for capitalizing contribute surplus and retained earnings, reductions of stated capital, share redemptions, and declarations of various forms of dividends (including stock, eligible and capital dividends). The presenter will examine the circumstances under which such transactions are commonly used and the corporate governance constraints and risks to consider when implementing them.

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**1:45 pm to
3:00 pm**

INTELLECTUAL PROPERTY: WHAT YOU NEED TO KNOW

Faylene A. Lunn – Osler, Hoskin & Harcourt LLP

Intellectual Property (IP) can be a client's most important asset and knowing how to protect it is critical. This session will include an overview of the types of IP and the various methods and strategies that can be used to ensure that ownership and control of a creation remains with your client. Creations can be protected by copyright, trademarks, patents and industrial designs; understanding the requirements and rights that accompany each of these protections is imperative. Safeguards for IP protection will also be explored, such as when is it appropriate to publicly speak about a client's creation or start using a new logo. In addition, the types of documents a clerk may be asked to draft in relation to IP will be discussed – e.g., demand letters, licenses and non-disclosure agreements.

**1:45 pm to
3:00 pm**

LIFE AS A FRANCHISE CLERK

Andrae J. Marrocco – Dickinson Wright LLP

Franchise clerks are an invaluable asset to any franchise law team. This session will explore the typical role and responsibilities of a franchise clerk, the knowledge toolkit that franchise clerks require to contribute most effectively to the franchise practice, and best practice tips on how to build your experience in this growing area of law.

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 **TERANET**

**1:45 pm to
3:00 pm**

CANADIAN IMMIGRATION: A HISTORICAL AND LEGAL PERSPECTIVE

Andrea Baldwin - EY Law LLP

**Monica MacDonald, PhD - Canadian Museum of Immigration at
Pier 21 | Musée canadien de l'immigration du Quai 21**

This session will begin with a historical overview of immigration to Canada and look at some of the major waves of immigrant groups who came to this country. It will cover the push and pull factors that moved people to immigrate to Canada, and the various responses of the host society. This session will also provide a high level overview of Canada's immigration legislation, past and present. It will conclude with a discussion of the various types of Canadian immigration approvals for which a foreign national and a permanent resident can apply.

**THURSDAY
MAY 18, 2017**

3:00 pm to
3:45 pm

COFFEE BREAK and EXHIBITOR HALL

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SOFTWARE

3:45 pm to
5:00 pm

RECENT CASE LAW FROM THE SUPREME COURT OF CANADA IN THE AREA OF COMMERCIAL LAW

Alexandre Fallon – Osler, Hoskin & Harcourt LLP

Mortgage interest, solicitor-client privilege, division of powers in the areas of radiocommunication, employment law, taxation, insurance, privacy, shareholder oppression and litigation privilege – the Supreme Court of Canada was busy this year dealing with all of these issues, rendering essential judgments that all commercial law practitioners should be aware of. This session will provide you with an overview of the leading commercial law cases rendered in the last year by Canada's top court.

3:45 pm to
5:00 pm

PRACTICE INNOVATION FOR LAW CLERKS

Paul V. Saunders – Stewart McKelvey

The practice of law is rapidly changing. All legal practitioners, including law clerks, face increasing pressures to accomplish more with less time. This session will outline a number of techniques, methods and technologies that can help respond to these pressures while offering practical tips to continuously improve core legal processes.

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3:45 pm to
5:00 pm

COMMERCIAL MORTGAGES THROUGH THE LENS OF A BORROWER AND A LENDER: TIPS AND TRICKS FOR ACTING ON EITHER SIDE

Ryan Baker – Stewart McKelvey

This session will involve a look at both freehold and leasehold mortgages and the issues, terms, covenants and representations that should be negotiated by either the mortgagor or the mortgagee.

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3:45 pm to
5:00 pm

PROPORTIONALITY, RELEVANCY AND THE PRODUCTION OF DOCUMENTS

Jeffrey Hoffman – Dale & Lessmann LLP

A consideration of the rules of evidence and the rules of civil procedure and how they provide a framework for the production of documents in civil disputes.

6:00 pm

MURPHY'S THE CABLE WHARF

Join us for great food and even better company with music, drinks and dinner at Murphy's Restaurant and Patio while sitting on the edge of the longest extending wharf on the Halifax waterfront. Enjoy views of a bustling harbour, George's Island and even McNabs Island from every seat.

Select Your Menu Options on the Registration Form: Lobster Surf & Turf, Chicken, or Vegetarian (Gluten Free).

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Marilyn Ellison

FRIDAY
MAY 19, 2017

7:30 am to
9:00 am

BREAKFAST

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9:00 am to
10:30 am

WHAT'S HAPPENED TO POLITICS ?

Bob Rae - Olthuis Kleer Townshend LLP

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Keynote
Speaker

Why things aren't quite what they used to be.

10:30 am to
11:15 am

COFFEE BREAK and EXHIBITOR HALL

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**FRIDAY
MAY 19, 2017**

11:15 am to
12:30 pm

“I WILL SURVIVE”: PREPARING FOR LENGTHY TRIALS

Lindsay Scott - Paliare Roland Rosenberg Rothstein LLP

This presentation will delve into essential strategies for preparing for lengthy, complex trials, including:

- Key areas to focus on in the months and days before trial;
- Trial logistics, including running out of town trials, paperless trials, and hybrid trials;
- Tips for collecting and organizing documentary and viva voce evidence during trial for maximum efficiency at the closing arguments stage.

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11:15 am to
12:30 pm

TAX REORGANIZATIONS – A “PLAIN LANGUAGE” EXPLANATION

P. Robert Arkin - Cox & Palmer

This session will provide an overview of common tax-related reorganizations, including those completed under sections 51, 85, 85.1 and 86 of the Income Tax Act. The presentation will examine the circumstances under which each such provision will apply, the advantages and risks associated with such transactions, and a variety of related issues, including the use of appropriate share terms and price adjustment clauses. The materials will include sample documentation, with accompanying explanations as to why certain clauses are used.

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11:15 am to
12:30 pm

THE ULYSSES CONTRACT: TERMS AND USE OF A POWER OF ATTORNEY FOR PERSONAL CARE WITH SPECIAL PROVISIONS

Nicole Woodward - Borden Ladner Gervais LLP

A “Ulysses Contract” is a Power of Attorney for Personal Care with special provisions pursuant to which the Grantor provides authority to the Attorney to make and enforce decisions at a later date that may be adverse to the requests of the Grantor at that time. Such special provisions may include the power for the Attorney to direct the use of force to have the Grantor undergo a capacity assessment or to be admitted to a hospital or treatment facility. This session will discuss how Ulysses Contracts may be used by people with serious mental illnesses to maintain wellness, and assist to their families in their support and care.

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11:15 am to
12:30 pm

DEMYSTIFYING THE COMMERCIAL LEASE AGREEMENT

Scott Brasil – Stikeman Elliott LLP

Commercial lease agreements can be extremely complex – they can range from a couple to a hundred (or more) pages in length, they may be for retail space, industrial premises or office space, and can be structured as a net lease, gross lease or modified gross lease. As such, reviewing a commercial lease agreement can be an intimidating venture for law clerks, property managers, real estate brokers and lawyers alike. Every lease provision is specifically included to address a variety of different issues that a landlord or tenant may face. This presentation will provide a walk-through of a typical commercial lease agreement, will highlight common provisions, and will provide tips for negotiating commercial leases on behalf of both landlords and tenants. You will never look at a shopping mall the same way again!

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**FRIDAY
MAY 19, 2017**

12:30 pm to
1:45 pm

LUNCH

****Don't miss out on the Friday Exhibitor Draws – you must be in attendance to win!**

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1:45 pm to
3:00 pm

BUILDING A BETTER ADJUDICATOR, ONE WORD AT A TIME

Justice Elizabeth Jollimore

In every forum for dispute resolution, advocates' first opportunity to persuade the decision-maker is in writing. This session will focus on how simple changes can improve the quality of written materials and persuade your reader.

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1:45 pm to
3:00 pm

FAMILY CONVERSATIONS AND BROKEN TELEPHONE

Audrey Miller, MSW, RSW, CCLCP – Elder Caring Inc.

It is not if you will be a caregiver but when. Are you part of the sandwich generation juggling work, family and caregiving? If so, you are in good company. Thirty-five percent of employed Canadians are carers. This session will address caring issues and the importance of planning ahead. Being prepared and understanding costs and resources will go a long way in supporting the family caregiver and ensuring the older person is living as well as possible.

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NORTON ROSE FULBRIGHT

1:45 pm to
3:00 pm

IMPORTANT CHANGES TO THE CONSTRUCTION LIEN ACT

Chad Kopach – Blaney McMurtry LLP

The Ontario Construction Lien Act is undergoing a review, which will result in significant changes. This session will begin with a general overview of the Act, highlighting key areas of concern to the legal profession. Chad will provide a summary of the review process to date, and detail some of the recommended changes requested from various stakeholder groups. The session will conclude with a review of how certain recommended changes, if accepted, will affect the practical realities of a construction file.

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1:45 pm to
3:00 pm

PRIVACY REGULATIONS IN CANADA

Deborah Evans - Rogers Communications

An overview of the laws and regulations in Canada that relate to privacy rights and the various government organizations and agencies responsible for overseeing compliance with these laws, including the Personal Information Protection and Electronic Documents Act (PIPEDA), the CRTC Telemarketing Rules, and Canada's Anti-Spam Legislation (CASL). It will provide insight and examples of investigations by the bodies that regulate privacy in Canada, and practical examples of how large companies in Canada are addressing privacy compliance and protecting their customers' personal information.

3:00 pm to
3:45 pm

COFFEE BREAK, EXHIBITOR HALL

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**FRIDAY
MAY 19, 2017**

3:45 pm to
5:00 pm

GOLDMINE OR MINEFIELD? THE INTERNET AND SOCIAL MEDIA

David T.S. Fraser - McInnes Cooper

This session, led by one of Canada's leading internet and privacy lawyers, will provide a thorough overview of the current social media landscape as both a tool for law clerks and as a potential minefield that needs to be navigated with care.

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COOPER**

3:45 pm to
5:00 pm

ISSUES IN ESTATE ACCOUNTING THAT CAN RESULT IN ESTATE DISPUTES

James A. Sweetlove

Anticipating, recognizing, avoiding and responding to issues that arise in Estate Accounting, often on a Passing of Accounts, including a discussion of typical issues that may result in a dispute if not anticipated or dealt with properly.

3:45 pm to
5:00 pm

MAKING SENSE OF CANADIAN SECURITIES LAW - A PATCHWORK

Leila Rafi – McMillan LLP

This course is designed to provide an introductory framework to Canadian securities laws and will cover, overarching principles of the closed system, trades and distributions, the process for going public, private placements, offering memoranda and commonly used prospectus exemptions and the continuous disclosure regime.

3:45 pm to
5:00 pm

A LOT FROM THE DOT: TRENDS IN REAL ESTATE TRANSACTIONS AS SEEN BY THE DIRECTOR OF TITLES

Jeffrey W. Lem – Director of Titles for the Province of Ontario

- The Increasing Use of "Tell Me, Don't Show Me" Law Statements
- The General Work Queue and Support Network – Revolutionary Work Flow Changes
- Teraview Web (and beyond)
- The Proposed New Corrections and Withdrawal Protocols
- The End of Paper -- the Quickening Trend Away from All Remaining Polaris Forms
- Electronic Funds Transfer -- a Paradigm Shift (if it Ever Happens)
- The (Aspirational) Future of Off-Title Searching
- The (Near) Future of "Deep Searching" Behind the PIN

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**FRIDAY
MAY 19, 2017**

5:00 pm to
7:00 pm

COCKTAIL RECEPTION

Thomson Reuters is happy to host 2017 ILCO conference delegates at our annual Friday evening cocktail reception. After a hectic day of conference seminars, make sure you meet, mingle, and relax - courtesy of Thomson Reuters. Get ready for fun, delicious food and great prizes!

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7:00 pm to
10:00 pm

MIDDLE DECK BEER MARKET

Join us at the iconic Middle Deck Beer Market, where the music flows as freely as the ale and good times are guaranteed. We promise you'll enjoy a true Halifax experience.

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**SATURDAY
MAY20, 2017**

8:00 am to
9:30 am

BREAKFAST

9:30 am to
10:15 am

LIFE IS A SERIES OF U-TURNS

Hal Johnson and Joanne McLeod

**Keynote
Speaker**

Using their Amazing Race Canada experience as the backdrop, Hal and Joanne talk about how everyone is faced with Challenges, Competition, Roadblocks, Detours and Injuries in life. But how you deal with it determines failure or success. They discuss physical and mental strategies and the role confidence plays in helping individuals make their U-turns in life! Hal and Joanne also share the importance of teamwork, what it means to focus on the task and compete, the role a leader and a follower play, and how to trust your teammates for success!

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10:15 am to
10:30 am

NUTRITIONAL BREAK

10:30 am to
11:15 am

LIFE IS A SERIES OF U-TURNS (Continued)

Hal Johnson and Joanne McLeod

11:15 am to
12:00 pm

CLOSING REMARKS and NETWORKING OPPORTUNITY

GOLF TOURNAMENT “New for 2017”

**SATURDAY
JUN 3, 2017**

8:00 am

18th ANNUAL GOLF TOURNAMENT

NOTE THE CHANGE IN DATE and LOCATION

Saturday, June 3, 2017 – Royal Woodbine Golf Club, Toronto

For the first time, ILCO's annual golf tournament is being held on a different date and location. Instead of it being the kick-off event for the conference, it is a wind-down post-conference event!

Come join us with your colleagues, exhibitors, sponsors, family and friends for a fun day of golf at Royal Woodbine Golf Club near the Toronto International Airport at Hwys. 401 and 427. This 18-hole golf course will challenge any skill level while providing a relaxing, picturesque backdrop. After the tournament, relax at the clubhouse over lunch and a drink sponsored by Ricoh. Don't miss out on this fun inaugural post-conference event.

Please see the enclosed flyer and registration form for full details.

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SPECIAL EVENTS

Wednesday, May 17, 2017

PRE-CONFERENCE MEET AND GREET

LOCATION: HALIFAX MARRIOTT HARBOURFRONT

TIME: 6:00 pm - 8:00 pm

Join us for a casual evening of networking at the pre-conference Meet & Greet.

Please note this event is for Delegates Only.

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Thursday, May 18, 2017

MURPHY'S THE CABLE WHARF

LOCATION: 1751 Lower Water Street

TIME: 6:00 pm

Join us for great food and even better company with music, drinks and dinner at Murphy's Restaurant and Patio while sitting on the edge of the longest extending wharf on the Halifax waterfront. Enjoy views of a bustling Harbour, George's Island and even McNabs Island from every seat.

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Friday, May 19, 2017

COCKTAIL RECEPTION

LOCATION: HALIFAX MARRIOTT HARBOURFRONT

TIME: 5:00 pm – 7:00 pm

Thomson Reuters is happy to host 2017 ILCO conference delegates at our annual Friday evening cocktail reception. After a hectic day of conference seminars, make sure you meet, mingle, and relax - courtesy of Thomson Reuters. Get ready for fun, delicious food and great prizes!

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MIDDLE DECK BEER MARKET

LOCATION: 1887 Upper Water Street

TIME: 7:00 pm – 10:00 pm

Join us at the iconic Middle Deck Beer Market, where the music flows as freely as the ale and good times are guaranteed. We promise you'll enjoy a true Halifax experience.

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ACCOMMODATION and TRANSPORTATION HALIFAX, NOVA SCOTIA

ACCOMMODATION

Halifax Marriott Harbourfront is holding blocks of rooms for Conference until **4:00 p.m.** Atlantic Standard Time on **April 25, 2017**.

The following room type and rate is available:

Room Type	Single/Double Occupancy Rates*
Standard Deluxe Room	\$185.00

*Accommodation Tax, Federal Goods and Services Tax (GST), Provincial Sales Tax are extra. Complimentary internet is available in guestrooms.

For details regarding accommodation (including cancellation policy) or to reserve your room, please call the main reservations line at 1-800-943-6760 and ask for the Institute of Law Clerks of Ontario room block. To book online do so by visiting www.halifaxmarriott.com and typing **LAWLAWA** in the group booking code box.

The above rates are also available to Conference attendees for 3 days prior and 3 days post the ILCO Conference (subject to availability).

TRANSPORTATION

AIRLINES

Air Canada

Air Canada is offering a 10% discount on their best available regular fare at the time of booking (excluding web and promotional fares). Attendees must make their flight arrangements through the online booking at www.aircanada.com using account code **AEXZHEX1**. The discounted rates are available for travel from May 10, 2017 to May 25, 2017 and bookings will be available starting on October 23, 2016 to May 25, 2017.

West Jet

WestJet is offering a 10% discount on their best available regular fare at the time of booking (excluding web and promotional fares). The Conference code is **3ZOKYG3** and must be quoted at time of booking. For details on how to complete a booking with this discount code, visit www.westjet.com/convention-discount.

Thank you to the SPONSORS & EXHIBITORS of this year's conference

SPONSORS & EXHIBITORS



The Institute of Law Clerks of Ontario wishes to express a special thanks to the members of the 2017 Conference Committee and their firms for their continuing support throughout the year.

2017 Conference Committee

Ian Curry, *Toronto Blue Jays Baseball Club (Co-Chair)*

Rose Kottis, *Borden Ladner Gervais LLP (Co-Chair)*

Margaret Tsetsakos, *Rogers Communications (Co-Chair)*

Karen Daly, *The Institute of Law Clerks of Ontario*

Wanda Doiron, *Stewart McKelvey*

Zadiha Iqbal, *Greater Toronto Airports Authority*

Gina Lohnes, *Cox & Palmer*

Lisa Matchim, *Stikeman Elliott LLP*

Rana Mirdawi, *Thorsteinssons LLP*

Tammy Parker, *McInnes Cooper*

Suzanne VanSligtenhorst, *Morguard Investments Limited*

The Institute of Law Clerks of Ontario



27th ANNUAL CONFERENCE

Halifax Marriott Harbourfront, Halifax, Nova Scotia
May 17 – May 20, 2017