

## **CPD AGENDA: ACCREDITATION PURPOSES**

**Program Date:** January 21, 2021 (Panel: 4:30-6pm; Networking 6pm)

**Title:** Remote Preparation of Witnesses and Clients for Pending Litigation

**Description:** As we continue to practice physical distancing, working remotely has become the norm. As in-person meetings have become so uncommon, how do you effectively navigate your practice and prepare a witness or a client for any given step in the litigation process, especially if they have any special needs or challenges?

Join us on January 21, 2020 to learn from criminal and civil practitioners on best practices in this new remote world on how to ensure that your clients and witnesses are: always prepared, included in the process in a meaningful way regardless of their abilities, and that their special needs are addressed and taken into account.

**Speakers:** Ben Fulton, Barrister & Solicitor; Andrea Sanche, Ricketts Harris LLP; Jessica Zita, Lockyer Campbell Posner Barristers & Solicitors

**Moderator:** Kira Domratchev, Hull & Hull LLP

**EDI and Professionalism hours:** This program contains 29 minutes of Professionalism Content and 15 minutes of EDI

**Accreditation Criteria:** Client service and Practice management

**Summary of Professionalism Content (24 mins: 12 mins/ Jessica and Andrea):**

- Point of discussion: what are some tips on establishing a solid relationship with your client, given that you are not meeting in person? **(Timely and effective client communication, including theory and practical application; Conducting effective client interviews and client meetings, including theory and practical application)**
- Point of discussion: what are some areas of concern to watch out for when you meet with a client for the first time and have no ability to meet them in person? For example, if you are an estate planner and

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someone is giving you instructions to prepare a Will for them, you want to ensure that there is no one else present at the meeting (and no one potentially exerting pressure) **(Conducting effective client interviews and client meetings, including theory and practical application; Recognizing and being sensitive to clients' circumstances, special needs, and intellectual capacity (e.g., multi-cultural, language, gender, socioeconomic status, demeanour))**

- Point of discussion: do you produce the documents in hard copy or only an electronic copy? How do you present the documents throughout the examination? **(Technology in a law or legal services practice, including considerations related to security of information, productivity and efficiency)**
- Points of discussion: since you would typically attend and spend a significant amount of time visiting a client in jail to prepare them for an examination or another step in their matter, how have you been dealing with this aspect of your files since the pandemic? Do you have some tips for ensuring your client is prepared without necessarily being able to meet them in person? What if your client has special needs? Have you come across a situation like that? **(Conducting effective client interviews and client meetings, including theory and practical application)**
- How have these new-found circumstances made your practice better than it was last year? **(Practice management)**
- Are there some best-practices tips that you swear by that are different today than what you typically used to do before March, 2020? What would your recommendations be to the post-March, 2020 lawyer with respect to remote preparation of witnesses and clients? **(Conducting effective client interviews and client meetings, including theory and practical application)**

**Questions from audience (5 mins)**

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## Professionalism Content Accreditation for Speakers and Moderator

### Teaching Professionalism Time

36 minutes of Professionalism Teaching Time for each **Andrea Sanche and Jessica Zita** (12 minutes of professionalism content for each x 3=36 minutes)

### Attendance re Professionalism Time

29 minutes of Professionalism Time for **Kira Domratchev and Ben Fulton**

17 minutes of Professionalism Time for each **Andrea Sanche and Jessica Zita**

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## Agenda re EDI Content: 15 minutes

**Accreditation Criteria:** Equality, diversity and inclusion

### **Summary of EDI Content (15 mins for Ben Fulton):**

- Point of Discussion: what are some tips for lawyers when meeting a client for the first time remotely and learning that the client has a disability? Best practices? Are there questions that should be asked of every client as some disabilities are not necessarily obvious? That would certainly allow for better service for clients. **(Best practices for workplace inclusion)**
- Point of discussion: are things more or less difficult in a remote examination, particularly if the person being examined has a disability? What are some tips for lawyers examining a person with a visual impairment? What about tips for preparing a client being examined who has a visual impairment? **(Best practices for workplace inclusion)**
- Another point of discussion: How do you prepare a client for an examination who is hearing impaired? What about other disabilities? **(Best practices for workplace inclusion)**
- Another point of discussion: How do you prepare a client for an examination who is hearing impaired? What about other disabilities?
- Point of Discussion: how are things more difficult in terms of the solicitor-client relationship since COVID-19 and this "remote world" versus the typical initial consultation that would take place before? It

is possible that there are some advantages in a remote consultation versus an in-person consultation? (**Impact of daily verbal, behavioural and environmental indignities**)

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### **EDI Content Accreditation for Speaker and Moderator**

#### Teaching EDI Time

45 minutes of EDI Teaching Time for **Ben Fulton** (15 minutes of EDI content x 3=45 minutes)

#### Attendance re EDI Time

15 minutes of EDI Time for each **Andrea Sanche, Jessica Zita and Kira Domratchev**