

THE *POA* PRACTITIONER'S UPDATE 2024: *What's New and Important*

“The gold standard of POA programming.”

Sandeep Bandhu
Principal, Brickhouse Legal Services

Are you on top of all the recent developments and key decisions affecting your *POA* practice?

In one intensive day, get up to speed with all the **need-to-know** updates for *POA* practitioners.

- Legislative updates impacting the *Provincial Offences Act*: Electronic hearings, conditions of accepting a plea by electronic method and the transfer to municipalities of Part III *POA* prosecutions
- Critical case law update: The use of certified evidence at trial and the conduct of the legal services representative and defendant in seeking to strike out a default conviction
- *Charter* litigation and unreasonable delay for provincial offences post-COVID

Register today at:

osgoodepd.ca/POA

PROGRAM CHAIR

The Hon. Justice Rick Libman
Ontario Court of Justice

REGISTRATION OPTIONS

Saturday, April 27, 2024:

Online (Live)

9:00 a.m. – 4:30 p.m. ET

OR

Friday, June 7, 2024:

Online (Replay)

9:00 a.m. – 4:30 p.m. ET

Can't make the date?

Registration includes 120-day
unlimited, online access to the
recorded program.

The *POA* Practitioner's Update 2024:

What's New and Important

Led by **The Hon. Justice Rick Libman**, this annual update brings you the latest information from an expert faculty of prosecutors and defence counsel. In one intensive day, they will examine recent caselaw, administrative/procedural developments and everything else you need to know from the preceding 12 months.

This annual update is a **must-attend** for anyone practicing in the Provincial Offences Court.

Topics Include

- The continued expansion of administrative monetary penalties
- Pandemic delay and how it fits in the 11(b) analysis
- The use of certified evidence at trial
- The impact of collateral consequences on *POA* convictions
- Virtual representation and ethical duties that arise
- The conditions of accepting a plea by electronic method
- The application of *Criminal Code* sentencing principles to regulatory offences (*R. v. Biggar*, 2024 ONCJ 23)

Who Should Attend

- Lawyers
- Paralegals

Register today at:

osgoodepd.ca/POA

Agenda

9:00 a.m.

Opening Remarks from the
Program Chair

The Hon. Justice Rick Libman
Ontario Court of Justice

9:15 a.m.

Legislative and Critical Case Law
Updates

Grace Condello
Neuberger & Partners LLP

Con Gabriel
Court and Tribunal Services Branch,
Prosecutions Branch Acting Team Lead,
The Regional Municipality of York

The Hon. Justice Rick Libman
Ontario Court of Justice

This opening session will bring you up to speed on important recent decisions and legislative updates affecting your *POA* practice. You'll hear valuable prosecution, defence and judicial perspectives on important developments over the last twelve months including:

- Legislative updates impacting the *Provincial Offences Act*:
 - The use of certified evidence at trial, s. 48.1
 - New methods for service of the summons, s. 26
 - Conditions of accepting plea by electronic method, s. 45(3)
 - Electronic hearings, s. 83.1
 - New authority for the clerk to of the court to extend payment of fine, s. 66.01

- Power of the clerk of the court to reopen, s.11
- The continued expansion of administrative monetary penalties
- The transfer to municipalities of Part III *POA* prosecutions

• Critical case law update:

- How does pandemic delay fit in the 11(b) analysis, *R. v. Jacques-Taylor*, 2023 ONCJ 243
- Certified evidence, *R. v. Hon*, [2023] O.J. No 2496
- Conduct of legal services representative and defendant in seeking to strike out a default conviction, *R. v. Singh*, Doc. COA-23-OM-0273 [in Chambers]

10:45 a.m.

Break

11:00 a.m.

Charter Litigation and Provincial Offences

The Hon. Justice Rick Libman

Ontario Court of Justice

Michelle Psutka

Fenton Law Barristers

Erin Winocur

Assistant Crown Attorney,
Crown Attorney's Office (Toronto),
Ministry of the Attorney General
(Ontario)

How are the criteria for unreasonable delay being considered and applied post-COVID? You'll hear from an expert panel as they examine the most significant decisions in the area as well as other recent *Charter* developments.

12:30 p.m.

Lunch break

1:15 p.m.

Recent Developments in Sentencing

The Hon. Justice Rick Libman

Ontario Court of Justice

Royland Moriah

Rusonik O'Connor Robbins Ross & Angelini LLP

Ooma Wendy Ramroop

Prosecutor, Toronto Transit Commission

Learn about recent developments in sentencing with a specific focus on the following areas:

- The application of Criminal Code sentencing principles to regulatory offences (*R. v. Biggar*, 2024 ONCJ 23)
- Determining the impact of collateral consequences on *POA* convictions
- The SCC's decision in *Nahanee* (when a judge imposes a sentence that exceeded the range proposed by the Crown) and how it has impacted *POA* sentencing

2:45 p.m.

Break

3:00 p.m.

Emerging Ethical and Professionalism Issues for the *POA* Practitioner

The Hon. Justice Rick Libman

Ontario Court of Justice

Kristina MacDonald

Discipline Paralegal, Litigation Service,
Law Society of Ontario

Catherine Szpulak

Schofield Macchia and Associates

Leading experts will examine some of the key professional challenges confronting today's *POA* practitioner including:

- Virtual representation and ethical duties that arise
- The *Remote Appearance Code of Conduct* and what it means for *POA* practitioners

4:30 p.m.

End of program

*"This program is a must-do every year for *POA* practitioners."*

Tracey Gauley
Paralegal/Prosecutor, ESA

"Once again, an excellent program put together by OsgoodePD!"

Richard Joseph Dunn
RJ Dunn Legal Services

*"An excellent program for both new and seasoned *POA* practitioners."*

Victoria Vozinis
Paralegal, Victoria Vozinis Legal Services

"An excellent program!"

Robert Zensner
WSIB

Chair

The Hon. Justice Rick Libman
Ontario Court of Justice

Faculty Includes

Grace Condello
Neuberger & Partners LLP

Con Gabriel
Court and Tribunal
Services Branch,
Prosecutions Branch
Acting Team Lead,
The Regional Municipality
of York

The Hon. Justice Rick Libman
Ontario Court of Justice

Kristina MacDonald
Discipline Paralegal,
Litigation Service,
Law Society of Ontario

Royland Moriah
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Catherine Szpulak
Schofield Macchia and
Associates

Erin Winocur
Assistant Crown Attorney,
Crown Attorney's Office (Toronto),
Ministry of the Attorney General
(Ontario)

"This is a fantastic update for an ever-changing landscape. I look forward to the annual updates!"

Jenna Little
MBA, Paralegal, J. Little Legal

Registration Details

Fee per Delegate: \$595 + TAX

Newly Licensed*: \$297.50 + TAX

**This fee applies to newly licensed regulated professionals within the past 2 years*

Fee includes program registration, electronic program materials and 120-day unlimited online access to program archive. Group discounts and financial assistance available. Visit www.osgoodepd.ca/group-discounts for details.

Program Changes

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

Cancellations and 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 14 days prior to the program date. If a cancellation request is made with less than 14 days notice, a \$75 administration fee will apply. No other refund is available.



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Eligible CPD Hours – LSO (ON): 6h 30m CPD (5h Substantive; 1h 30m Professionalism).

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Register today at:

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