

2004 Post Conference Training Workshops

Offered by CCAT's Professional Development Committee in conjunction with the 3rd International Conference.

Held at: Ontario Bar Association Conference Centre, 20 Toronto Street, Toronto, Ontario

WEDNESDAY JUNE 23RD

POST CONFERENCE TRAINING WORKSHOPS:

Held at: Ontario Bar Association Conference Centre - 20 Toronto Street, Toronto

9 am - noon

STREAM 1 – PERFORMANCE MEASUREMENT, FEEDBACK AND ADJUDICATIVE INDEPENDENCE - DIFFERENT APPROACHES TO SUCCESSFUL PERFORMANCE MANAGEMENT AND THE PURSUIT OF BEST PRACTICES

This session will explore issues that arise when designing and managing performance expectations for independent statutory decision makers. We will review basic principles of performance review from a management perspective to develop an understanding of the fundamental tools and structures used in this process, and hear about actual experience of specific tribunals in the United States and Canada that have attempted to implement and manage performance review systems. An interactive session will ask participants to identify successful elements of a performance management system in the context of their particular tribunals.

Keynote Speaker

- **Mr. Gilles Paquet**, Professor Emeritus and Senior Research Fellow, University of Ottawa, Canada;

Panelists:

- **Chief Judge Bruce Johnson**, Minnesota, U.S.A.;
- **Ann Marshall Young**, Federal Nuclear Regulatory Commission, Washington, D.C., U.S.A.

STREAM 2 - ETHICS FOR DECISION-MAKERS: FROM INTUITION TO APPLICATION - A "TRAIN THE TRAINERS" WORKSHOP:

This highly participatory one-day workshop is designed particularly for tribunal members, administrative judges and magistrates, as well as legal counsel and others, who will be offering ethics training within their own tribunals. Participants will examine scenarios and their practical application in simulated training sessions, progressing from awareness building and issue identification to the practical aspects of training in the tribunal setting.

Topics include:

- Sorting the wheat from the chaff: Identifying the real issues
- Establishing consistency within a tribunal without threatening independence in decision-making
- Assisting colleagues in identifying and dealing with potential or actual ethical issues
- Choosing approaches to training in the tribunal setting.

THIS IS A FULL-DAY WORKSHOP.

James A. Ogilvy, Member, Canadian International Trade Tribunal, Ottawa, Canada;

Facilitators:

- **Catherine Kennedy**, Board Member, Appeal Division of the National Parole Board, Ottawa, Canada;
- **Martine Richard**, Senior Counsel, Patented Medicine Prices Review Board, Ottawa, Canada;
- **Magistrate Rubin Minutti Zanatta**, Tribunal de lo Contencioso Administrativo del Distrito Federal, Mexico City, Mexico.

STREAM 3 - RULES – THEIR USES AND ABUSES

Join our panel of tribunal experts for a comprehensive workshop on rules. Topics will include a discussion of risk management principles – when to choose a rule, regulation or practice direction; adopting a first set of rules – including preliminary consultations and obtaining user acceptance; applying rules; and amending existing rules. How do you determine what rules are needed? Can you prevent rules from making proceedings too technical? In the absence of general paralegal regulation, can rules be used to encourage good conduct and prevent abuse of process?

Panelists:

- **Bob Butterworth**, Vice-Chair, Assessment Review Board, Ontario, Canada;
- **Krista Daley**, General Counsel, Immigration and Refugee Board, Ontario, Canada;
- **David Draper**, Director of Arbitrations, Financial Services Commission, Ontario, Canada;
- **John Higgins**, Legal Counsel, Information and Privacy Commission of Ontario, Canada;
- **Robert Owen**, Vice-Chair, Ontario Municipal Board, Ontario, Canada;
- **Carole Prest**, Counsel to the Chair, Workplace Safety and Insurance Appeals Tribunal, Ontario, Canada.

noon - 1 pm

LUNCH PROVIDED TO DELEGATES

1-4 pm

STREAM 1 - DISTANCE LEARNING AND WEB-BASED LEARNING AS VEHICLES TO PROMOTE TRAINING AND COMPETENCY –HOW DOES IT WORK, AND WHAT DOES IT TEACH?

In this session, we will see a demonstration of currently available types of distance learning and web-based learning, and hear about different ways in which these technologies can be used to deliver information and training in an adjudication environment. Presenters will discuss how this type of education has been implemented in Canada, the United States and elsewhere in the world; how substantive content is presented in these media; specifics of implementation and maintenance of this approach to education; and potential future applications for distance learning and web-based learning.

Moderator:

- **Vladimir (Walter) A. Pylypchuk**, Counsel, Workers' Compensation Appeal Tribunal, British Columbia, Canada;

Keynote Speakers:

- **Susan Lightstone**, National Judicial Institute, Ottawa, Canada; Demonstrators:
- **Ben Gianni**, National Judicial Institute, Ottawa, Canada;
- **Judge Jean Lytwyn**, Provincial Court, British Columbia, Canada;
- **Ronald Friesen**, The Continuing Legal Education Society of British Columbia, Canada.

STREAM 2: ETHICS FOR DECISION-MAKERS: FROM INTUITION TO APPLICATION – A “TRAIN THE TRAINERS” WORKSHOP:

Morning workshop continues.

Panelists:

- **James A. Ogilvy**, Member, Canadian International Trade Tribunal, Ottawa, Canada; Facilitators:
- **Catherine Kennedy**, Board Member, Appeal Division of the National Parole Board, Ottawa, Canada;
- **Martine Richard**, Senior Counsel, Patented Medicine Prices Review Board, Ottawa, Canada;
- **Magistrate Rubin Minutti Zanatta**, Tribunal de lo Contencioso Administrativo del Distrito Federal, Mexico City, Mexico.

STREAM 3 - ADVOCACY BEFORE ADMINISTRATIVE TRIBUNALS

While administrative tribunals share important features with each other and with the courts, there are important differences in their mandates and procedures. A panel of leading counsel with experience before a variety of regulatory and rights-based tribunals will share their views on strategy and presentation. Hear the perspective of counsel for the parties, counsel for the intervenors and tribunal counsel -- then hear what a panel of Chairs and Vice-Chairs finds persuasive (or not)!

Panelists:

- **Matthew Garfield**, Chair, Human Rights Tribunal of Ontario, Canada;
- **Knox Henry**, Vice-Chair, Environmental Review Tribunal, Ontario, Canada;
- **Pat Moran**, Counsel, Ontario Energy Board, Canada;
- **Margot Priest**, Chief Review Officer, Environmental Protection Review Canada;
- **Beth Symes**, Eberts Symes Steet Pinto & Jull, Toronto, Canada;
- **Robert B. Warren**, WeirFoulds, Toronto, Canada.

To register for the Post Conference Workshops, please visit the [Conference Registration page](#).

Please note that the number of spaces for the training workshops is limited. Registrants can elect to register for the Post Conference Workshops only, but, of course, will not have access to the 3rd International Conference, unless also registered for that conference.

For further information please see: [Conferences Registration](#)

Updated: February 4, 2004