The Institute of Law Clerks of Ontario

ANNUAL CONFERENCE



NOVEMBER 1 - 3, 2023 | FAIRMONT CHATEAU LAURIER | OTTAWA

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NETWORKING RECEPTION

Stewart McKelvey
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KEYNOTE SPEAKER

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OUR EXHIBITORS































SUMMARY AGENDA



WEDNESDAY, NOVEMBER 1

REGISTRATION OPENS
5:00PM - FRENCH CORRIDOR

WELCOME RECEPTION
6:00PM - 8:00PM - EXHIBITOR HALL

THURSDAY, NOVEMBER 2

REGISTRATION
7:30AM - FRENCH CORRIDOR

BREAKFAST & EXHIBITOR HALL
8:00AM - 9:00AM - LAURIER ROOM & BALLROOM

KEYNOTE SPEAKER: SARAH WELLS
9:00AM - 10:30AM - ADAM ROOM

BREAKOUT SESSIONS
11:00AM - 12:15PM - VARIOUS

LUNCH & EXHIBITOR HALL
12:15PM - 1:45PM - LAURIER ROOM & BALLROOM

BREAKOUT SESSIONS
1:45PM - 3:00PM - VARIOUS

BREAKOUT SESSIONS
3:30PM - 4:45PM - VARIOUS

COCKTAIL RECEPTION & DINNER
7:00PM - 10:00PM - CANADIAN MUSEUM OF HISTORY

SUMMARY AGENDA

FRIDAY, NOVEMBER 3

REGISTRATION
7:30AM, FRENCH CORRIDOR

BREAKFAST & EXHIBITOR HALL
8:00AM - 9:00AM, LAURIER ROOM & BALLROOM

KEYNOTE SPEAKER: THE FLIPSIDE
9:00AM - 10:30AM, ADAM ROOM

BREAKOUT SESSIONS
11:00AM - 12:15PM, VARIOUS

LUNCH & EXHIBITOR HALL
12:15PM - 1:45PM, LAURIER ROOM & BALLROOM

BREAKOUT SESSIONS
1:45PM - 3:00PM, VARIOUS

BREAKOUT SESSIONS
3:30PM - 4:45PM, VARIOUS



KEYNOTE SPEAKERS

SARAH WELLS | DAY 1
THE PURSUIT OF EXCELLENCE



True success knows no bounds nor definitive endpoint. Therefore, excellence is not a destination but rather a mindset that emphasizes action over mere outcome. In this inspiring and thought-provoking keynote from Olympian Sarah Wells, prepare to be equipped with actionable insights and tools that will help you find significance in the obstacles you face and create a path to personal and professional excellence.

THE FLIPSIDE | DAY 2

DREAM DEEP, PERFORM STRONG: OPTIMIZING SLEEP SUPERPOWERS

Don't overlook the power of sleep in your success story. In the always busy corporate landscape, sleep is often undervalued despite being an invaluable asset in our "health toolbox." This session will dive into the scientific foundations of sleep and you will discover eight essential habits that enhance the quality of your rest. By implementing these habits, you'll experience a significant boost in performance, nurture your overall well-being, and fortify your long-term health. Embrace the potential of sleep for a remarkable transformation in your professional journey!

The Flip Side™
Health & Productivity

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THE INSTITUTE OF LAW CLERKS OF ONTARIO

BREAKOUT SESSION SPEAKERS

THURSDAY, NOVEMBER 2



11:00AM - 12:15PM

WHAT'S IN A TITLE? EXPLORING TITLE SEARCHING IN ONTARIO

In this session, Merredith MacLeannan will review the different types of title in Ontario, provide some tips to make your title searching more efficient, and bring out her inner Captain Jack Sparrow discussing how dead men can't sign deeds

MEREDITH MACLENNAN
PARTNER, MEROVITZ POTECHIN LLP

SPONSORED BY Dye & Durham



11:00AM - 12:15PM

IDENTIFYING ESTATE PLANNING OPPORTUNITIES FOR OUR CLIENTS

A discussion and presentation on how law clerks, especially those working outside the estate planning area of practice, can better understand and help to identify estate planning opportunities for our clients in all areas of practice.

DOUGLAS D. BUCHMAYER
PARTNER, GOWLING WLG (CANADA) LLP

SPONSORED BY GOWLING WLG



11:00AM - 12:15PM

EMPLOYMENT CONTRACTS 101

The presentation will give non-practitioners and practitioners a key overview of important clauses in an Ontario employment contract. It will go over, what the clauses intention is, why they are necessary, and key pitfalls to avoid when drafting. It will also review new case law from the last two years and consequences of not drafting in accordance with the jurisprudence.

TRAVIS UJJAINWALLA
LAWYER, MANN LAWYERS

BREAKOUT SESSION SPEAKERS

THURSDAY, NOVEMBER 2



11:00AM - 12:15PM
EFFICIENT USE OF CLERK RESOURCES: HOW CLERKS CAN PLAY A MASSIVE ROLE IN MAJOR ARBITRATIONS

MARIE-EVE JEAN
ASSOCIATE, LITIGATION & DISPUTE RESOLUTION | EMPLOYMENT & LABOUR RELATIONS, MCMILLAN



1:45PM - 3:00PM
THE PURSUIT OF EXCELLENCE

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SARAH WELLS
SPEAKER, OLYMPIAN, FOUNDER



1:45PM - 3:00PM
EDISCOVERY PROJECT MANAGEMENT
eDiscovery files can seem overwhelming. There are important decisions to be made at each stage of the EDRM. Understanding what to ask for and making the best decisions at the outset can help you and your legal teams avoid a multitude of pitfalls. Join me as I discuss the key things to do from collection all the way through to trial

CHERYL CURRAN
DIRECTOR, EDISCOVERY
BLG BEYOND

BREAKOUT SESSION SPEAKERS

THURSDAY, NOVEMBER 2



1:45PM - 3:00PM

PPSA

PPSA as it pertains to how to search and read searches and the elements of financing statements, registration and associated issues including priorities

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PERLEY-ROBERTSON, HILL & McDOUGALL LLP/s.r.l.

DIRK BOUWER
PARTNER, PERLEY-ROBERTSON HILL & MCDOUGALL LLP



3:30PM - 4:45PM

PARTNERING FOR SUCCESS: MENTORSHIP FOR LAW CLERKS

In this session, we will explore the concept of mentoring through a traditional lens while also introducing the concept of mentoring constellations. Additionally, Virginia will share her experiences and best practices in developing a mentorship program; and, through qualitative research methodology, discuss how the mentors and mentees perceived their experiences in the program.

VIRGINIA HARWOOD
INDEPENDENT FREELANCER



3:30PM - 4:45PM

BILL OF COSTS OR COSTS OUTLINE - WHAT'S THE DIFFERENCE? PART 1

Costs analysis. Conversion of client ledger to excel. Review and organize dockets into phases of litigation.

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LORI MARKUS
SENIOR LITIGATION LAW CLERK, INSTITUTE OF LAW CLERKS OF ONTARIO

BREAKOUT SESSION SPEAKERS

THURSDAY, NOVEMBER 2



CAROL WILLES
DIRECTOR, ESTATE PLANNING, BMO PRIVATE WEALTH

3:30PM - 4:45PM
ESTATE CHALLENGES WITH HUMAN REPRODUCTIVE TECHNOLOGY

This session will explain the treatment of human reproductive material and technology in the context of an estate. Specifically, we will explore what this material is, who owns it, how it can be used and by whom after the death of a donor. Challenges arise when stakeholders have conflicting interests in the deceased's reproductive material and any resulting children. Carol will walk through these conflicts, possible resolutions for clients and best practices for planning.



CHRISTINE POUND
PARTNER
STEWART MCKELVEY

3:30PM - 4:45PM
CURRENT TRENDS IN M&A

In this session, we will provide an update on current case law relating to M&A transactions and other recent regulatory changes that may impact M&A. Additionally, Christine will highlight other current trends we are seeing in Canadian M&A transactions.

FRIDAY, NOVEMBER 3



LORI MARKUS
SENIOR LITIGATION LAW CLERK,
INSTITUTE OF LAW CLERKS OF ONTARIO

11:00AM - 12:15PM
BILL OF COSTS OR COSTS OUTLINE - WHAT'S THE DIFFERENCE? PART 2

Import Data from Part 1 into Word documents – Bill of Costs and Costs Outline.

BREAKOUT SESSION SPEAKERS

FRIDAY, NOVEMBER 3



RYAN SHEAHAN
COUNSEL,
STIKEMAN ELLIOTT

11:00AM - 12:15PM
IDENTIFYING, REGISTERING AND PROTECTING INTELLECTUAL PROPERTY ASSETS



BRAEK URQUHART
SENIOR MANAGER,
DELOITTE

11:00AM - 12:15PM
HST AND REAL ESTATE TRANSACTIONS: MIXED-USE PROPERTIES

Residential real property transactions trigger special HST rules, and these rules get complicated where real property has both residential and non-residential elements. The format of this session will focus on workshopping hypothetical scenarios to issue spot HST issues, and identifying how to address them in agreements and closing documents.

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CHARLOTTE MCCURDY
PARTNER,PERLEY-ROBERTSON,
HILL & MCDOUGALL LLP

11:00AM - 12:15PM
DEALING WITH CORPORATIONS AND BUSINESSES ON DEATH OF MAJOR SHAREHOLDER OR OWNER

A review of the numerous issues arising out of the death of a principal of a business and how to deal with them from an estate administration and corporate perspective. A comprehensive checklist will be provided for use by attendees and fulsome discussion will walk them through first steps and practical tips.

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HILL & McDOUGALL LLP/s.r.l.

BREAKOUT SESSION SPEAKERS

FRIDAY, NOVEMBER 3



EMILY O'KEEFE
LAWYER, MCLEOD GREEN DEWAR & ASSOCIATES LLP

1:45PM - 3:00PM

VALUING A SPOUSE'S INTEREST IN A DISCRETIONARY TRUST FOR THE PURPOSES OF EQUALIZATION

There has been a shift in approach adopted by the Ontario jurisprudence when valuing a spouse's interest in discretionary trust for the purposes of equalization. This presentation focuses on the original test used by the court, what the more recent approach is, and how this can information family lawyers and estate planners when best determining how to protect their client's interests in discretionary trusts and prevent imputation of income claims arising upon a breakdown of a relationship



ZIAD YEHIA
PARTNER, BORDEN LADNER GERVAIS LLP

1:45PM - 3:00PM

THE LAW CLERKS ROLE IN ESTATE TRUSTEE DURING LITIGATION MANDATES - ASSISTING IN THE INVESTIGATION

This session will explain the treatment of human reproductive material and technology in the context of an estate. Specifically, we will explore what this material is, who owns it, how it can be used and by whom after the death of a donor. Challenges arise when stakeholders have conflicting interests in the deceased's reproductive material and any resulting children. Carol will walk through these conflicts, possible resolutions for clients and best practices for planning.

BREAKOUT SESSION SPEAKERS

FRIDAY, NOVEMBER 3



LORENZO BONERA
ASSOCIATE,
GOWLING WLG

1:45PM - 3:00PM
DOS AND DON'TS OF CLIENT IDENTITY VERIFICATION: THE END OF THE TEMPORARY COVID-19 EMERGENCY MEASURES AND THE REQUIREMENTS COMING INTO EFFECT ON JANUARY 1, 2024

The Law Society of Ontario is introducing changes to the requirements for virtually verifying the identity of clients. These changes are intended to address the rising concerns over identity fraud, money laundering and mortgage fraud. The new requirements are effective January 1, 2024. In this session, we will provide an overview of the current obligations of licensees for client identification and verification, and review the upcoming changes. We will also discuss what these changes entail for legal professionals, and explore practical ways to comply with the new requirements.



LISA TRADER
SENIOR CORPORATE LAW CLERK,
LABARGE WEINSTEIN LLP

1:45PM - 3:00PM
ISC REGISTERS

Now that Ontario and Quebec have both introduced this concept, along with Corporations Canada, a refresher on what is required for the Register would be helpful, how to determine who is an ISC – what to do if a discretionary trust is an ISC – what information can be shared with best practices.



MODERATED BY LANA PAPP
INSTITUTE OF LAW CLERKS
OF ONTARIO

3:30PM - 4:45PM
BRING YOUR MUNICIPAL REAL ESTATE QUESTIONS MUNICIPAL ROUND TABLE FORUM

BREAKOUT SESSION SPEAKERS

FRIDAY, NOVEMBER 3



DEMITRY OMRIN
PRINCIPAL,
MEDITATION LOUNGE LTD.

3:30PM - 4:45PM

FAMILY MEDIATION OF FINANCIAL ISSUES

This session will delve into the subject matter of the most common and financially impactful property and support claims. It will start with a foundational overview of real estate asset valuation. Practitioners will gain the requisite knowledge to review and assess appraisal reports. The program will then shift into the main talking points of valuations that form part a Family Mediation and legal pleadings for litigation related files. The remaining portion of the presentation will speak to various spousal/child support scenarios and address how to correctly calculate lump sum spousal support among other topics of importance.

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BRIAN KELLS
ASSOCIATE, PERLEY-ROBERTSON, HILL & MCDOUGALL LLP

3:30PM - 4:45PM

WHAT IS THE EXEMPT SECURITIES MARKET?

Considerations for your client, including convertible debt and the differences in the kinds of instruments, how each are authorized, when shares are issued, secured vs unsecured instruments

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WILL BOYER
PARTNER, GOWLING WLG

3:30PM - 4:45PM

NORWICH ORDERS

The Institute of Law Clerks of Ontario
ANNUAL CONFERENCE

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On behalf of the Board of Directors at The Institute of Law Clerks of Ontario, we would like to extend our gratitude for your participation in our Annual Conference.

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