

“LEARNING FROM THE PAST: LAUNCHING INTO THE FUTURE”

Part reflection, part prophesy, this year’s theme is a celebration of the excellence of two decades of work in the administrative justice community and a prediction for an equally abounding future for our various adjudicative and regulatory models. A twentieth anniversary blast!

7:30 - 8:30 am
Room 205

REGISTRATION AND CONTINENTAL BREAKFAST

8:45 - 9:00 am
Room 206

CONFERENCE OPENING AND WELCOME

COBA Co-Chairs – Linda Lamoureux, Health Professions Appeal and Review Board and Voy Stelmaszynski, Ontario Labour Relations Board

9:00 - 9:30 am
Room 206

OPENING REMARKS

The Honourable Patrick Joseph LeSage will share his reflections on the evolution of boards and agencies and the traditional court system over the last 20 years.

9:30 - 10:30 am
Room 206

PLENARY SESSION – Administrative Justice Models

MODERATOR: *The Honourable Justice John Evans, Federal Court of Appeal*
SPEAKERS: *Kevin Fenwick, Ombudsman, Saskatchewan, France Houle, Faculty of Law, University of Montreal, Judith McCormack, Faculty of Law, University of Toronto*

This plenary session, moderated by The Honourable Justice John Evans of the Federal Court of Appeal, will explore different models of administrative justice. Kevin Fenwick, Ombudsman for Saskatchewan, will speak about “Hearing Back”, his recent report exploring different models for adjudicating and decision making. Judith McCormack, Director of Downtown Legal Services and Adjunct Professor, University of Toronto, will discuss the professionalization of adjudication and the merit appointment process. France Houle, Assistant Professor, Université de Montréal Faculté de Droit, will relate the experience of the Tribunal Administratif du Québec, a new model for administrative justice, as well as the Conseil d’État in France and similar institutions in Québec.

10:30 - 10:45 am REFRESHMENT BREAK – Corridor - In Front of Rooms 201 & 203

10:45 am - 12:00 noon CONCURRENT SESSIONS

SESSION #1 Types/Techniques of ADR

Room 203 A/B

MODERATOR: *Kathleen Kelly, Health Professions Appeal and Review Board*
SPEAKERS: *Don Granger, Ontario Municipal Board, Hershel Gross, Law Society of Upper Canada, Mel Crystal, Workplace Safety and Insurance Appeals Tribunal, Debbie Mosaheb, Law Society of Upper Canada*

Early dispute resolution is vital to the success of any tribunal. Several tribunals have created their own individual models to meet the needs of their particular stakeholders. Learn about different models that have been put in place and that work effectively. This is a “must attend” session, for tips, techniques, and tools to use in your own tribunal setting. Hear how other tribunals have worked through problems which may be very similar to the ones your tribunal faces. This session will provide you with practical ideas that you can integrate into your specific tribunal process and adjust to serve your own needs. It will also provide you with ideas to help you save time and energy, and maybe some money too!

SESSION #2 Accommodating Diversity – Stakeholder Perspectives

Room 201 E/F

MODERATOR: *Dr. Lilian Ma, Landlord and Tenant Board*
SPEAKERS: *Raj Anand, Weir Foulds LLP/Human Rights Legal Support Centre, Avvy Go, Metro Toronto Chinese and Southeast Asian Legal Clinic, Sue Harry, Harry & Associates, Lana Kerzner, ARCH Disability Law Centre*

The population of Ontario has become significantly diverse in the past 20 years. Agencies and tribunals must respond to this changing environment by listening to the voices of the stakeholders. Panel members will discuss issues from the perspective of various communities. The topics will include tribunal-stakeholder relations and communications, human rights accommodation, representation amongst staff and members, cultural competence and training, etc. The goal is to achieve fair and effective service for everyone by promoting inclusive and equitable access to our agencies and tribunals.

SESSION #3 Using Technology to Improve Services to Clients

Room 203 C/D

MODERATOR: *Grace Knakowski, Law Society of Upper Canada*
SPEAKERS: *Mary Anne Aldred, Ontario Energy Board, Charles Barnes, Ministry of Community and Social Services, Catherine Braid, Law Society of Upper Canada*

Technology is changing the way that services are delivered and providing opportunities to increase transparency and access, create efficiencies and better serve stakeholders. Learn more about how tribunals are dealing with technological challenges and improving their services. An experienced panel will talk about how technologies such as video-conferencing and new case management systems have been implemented and the lessons learned which would improve services in the future.

SESSION #4 Human Rights Challenges – Issues and Procedures

Room 201 A/B/C/D

MODERATOR: *Caroline King, Landlord and Tenant Board*
SPEAKERS: *Kathy Laird, Human Rights Legal Support Centre, Joanne Leatch, Social Benefits Tribunal, Taivi Lobu, Health Professions Appeal and Review Board, Jack Slaughter, Ontario Labour Relations Board, Ann Somerville, Workplace Safety and Insurance Appeals Tribunal*

What do I do when someone raises a human rights issue before my tribunal? Do I have to do anything? What evidence is needed to adjudicate a human rights issue? What are the latest developments in the law of human rights? For answers to these questions and other penetrating insights into the law of human rights and how it applies to the work of the administrative tribunals of Ontario, be sure to attend this session. Experts drawn from major administrative tribunals in Ontario, and representatives of the Human Rights Commission will bring you the most recent highlights pertaining to the legal and practical features of human rights law and tell you what you need to know to be up to date in 2008.

12:00 - 1:00 pm BUFFET LUNCHEON

Room 205

Thank You Presentations to SOAR Volunteers
Gary Stanley, SOAR President

LEVEL 1 SPONSOR (Conference Name Badges): ADR Chambers and the Stitt Feld Handy Group, a Division of ADR Chambers

1:00 - 2:15 pm

PLENARY SESSION – Administrative Law “Blast”

Room 206

MODERATOR: *Toby Vigod, Environmental Review Tribunal*
SPEAKERS: *Sara Blake, Ministry of the Attorney-General, Freya Kristjanson, Borden Ladner, Lorne Sossin, Faculty of Law, University of Toronto, David Stratas, Heenan Blaikie, George Vegh, McCarthy Tétrault*

Presenting a panel of experienced and thoughtful counsel and professors actively involved in administrative law practice and writing. Two panelists will regale you with the “Greatest Hits” of the past 20 years of administrative law to celebrate COBA’s 20th anniversary. The other panelists will bring you up to date on recent developments regarding the independence of tribunals; the role of staff at tribunals; and the standard of review following the Supreme Court of Canada’s decision in *Dunsmuir v. New Brunswick*. Each panel member will speak for no more than 10 minutes. A lively and dynamic way to catch up on what is happening in administrative law and to think about how these developments may apply to the work of your tribunal.

2:15 - 2:30 pm

REFRESHMENT BREAK – Corridor - In Front of Rooms 201 & 203

2:30 - 3:45 pm

CONCURRENT SESSIONS

SESSION #5 ADR: Preparing for Mediation

Room 203 A/B

MODERATOR: *Lynda Tanaka, Licence Appeal Tribunal*
SPEAKER: *Genevieve Chornenki*

A well prepared mediator can greatly assist the parties in achieving settlement, even when the parties themselves are not well prepared. The parties may come to the mediation ready to settle, but sometimes the potential for settlement is lost because the mediator is not well enough prepared to assist them. Genevieve Chornenki, co-author of “By-Pass Court: a Dispute Resolution Handbook”, 3rd ed., LexisNexis Butterworths 2005, is one of Canada’s leading ADR practitioners. Learn from a pro, in this interactive session, what preparation a mediator should undertake before going into “that” room with the parties.

SESSION #6 Accommodating Diversity – Tribunal Perspectives

Room 201 E/F

MODERATOR: *The Honourable Jean Augustine, P.C., Office of the Fairness Commissioner*
SPEAKERS: *Justice Maryka Omatsu, Ontario Court of Justice, Noëlle Richardson, Ministry of Government & Consumer Services, Hart Schwartz, Ontario Human Rights Commission*

What are the challenges of diversity confronting agencies and tribunals, and what are the best practices in dealing with diversity? Public bodies may require institutional changes. What are the obligations? What are the courts doing in this area? Come and learn about the Ontario Government’s latest developments in dealing with inclusiveness and equity in the area of access to services and justice.

SESSION #7 Paperless Trials and Related Technology Issues

Room 203 C/D

MODERATOR: *Lori Coleman, Health Professions Appeal and Review Board*
SPEAKERS: *Tom Conway, McCarthy Tétrault/Law Society of Upper Canada, Martin Crossman, REDI Analysis, Session Resource: Lorne Sossin, Faculty of Law, University of Toronto.... Cont’d On Next Page*

NOTE: For those who do not wish to keep the delegate kit bag, please return to COBA registration desk for recycling and re-use.

2:30-3:45 pm

Room 203 C/D

CONCURRENT SESSIONS - CONT'D

Paperless Trials and Related Technology Issues - Cont'd

Is your tribunal interested in paperless proceedings, but does not know where to begin? Would you like to learn how technology could benefit your tribunal and decrease the amount of time required for a hearing? Would you like to learn how to prepare your case for a paperless hearing? Then attend this session to learn how your tribunal may implement and benefit from case and document management software solutions to carry out paperless proceeding. Become familiar with the tools available to support adjudicators in their consideration of evidence submitted electronically. Find out how paperless proceedings are successfully conducted, even for very complex matters.

SESSION #8 Human Rights Challenges – Practical Tips on How to Adjudicate these Cases

MODERATOR: Jack Slaughter, Ontario Labour Relations Board
SPEAKERS: Kathy Laird, Human Rights Legal Support Centre, Joanne Leach, Social Benefits Tribunal, Taivi Lobu, Health Professions Appeal and Review Board, Ann Somerville, Workplace Safety and Insurance Appeals Tribunal

Join us for two intriguing case studies involving real-life drama where human rights issues have arisen before administrative tribunals. Test and compare your knowledge with the experts on identifying pertinent issues, deciding on intervenor status, determining the scope of relevant evidence and sussing out the prevailing state of the law. Everyone is welcome to attend and learn – from neophytes to Supreme Court aspirants. No question is too small to be entertained, and we will all learn by sharing our experiences.

3:45-4:30 pm CLOSING PLENARY SESSION

Room 206 Flaws in Our Laws – How our Legislation and Adjudication are Loaded with Fallacious Assumptions about the Nature of Reality

SPEAKER: Alan Borovoy, Canadian Civil Liberties Association

Alan Borovoy is Canada's champion of civil liberties and a major architect of modern Canadian human rights law. As General Counsel for the Canadian Civil Liberties Association since 1968, he has spoken out on issues ranging from capital punishment and campus speech codes to the federal government's anti-terrorism legislation. He is also the author of several books, including "When Freedoms Collide: The Case for Our Civil Liberties". As we learn from our past and launch into the future, we have much to learn from this hard headed realist, who believes that the hardest battles are not when good collides with bad but when good collides with good and that it is a mistake to try and create heaven on earth – instead we should reduce the hell on earth. Always provocative, this is a not to be missed session!

4:30 pm CLOSING REMARKS AND EVALUATION FORM DRAW PRIZES

Room 206 COBA Co-Chairs – Linda Lamoureux and Voy Stelmaszynski

4:40 pm SOAR ANNUAL GENERAL MEETING AND ELECTIONS

Room 206 Gary Stanley, SOAR President

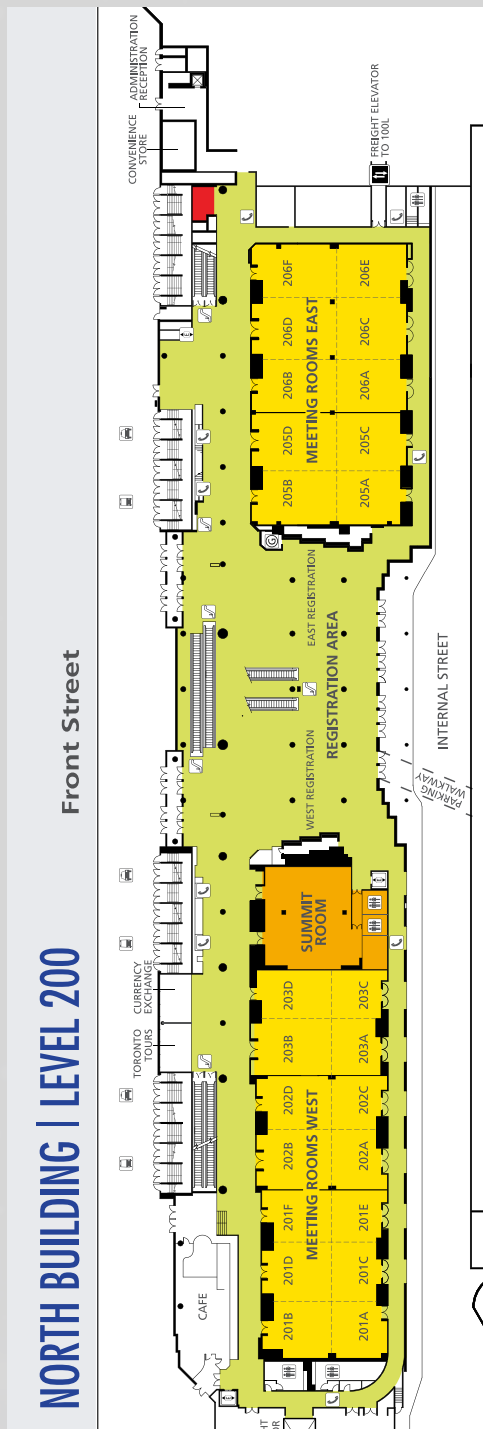
5:00 pm PRE-DINNER RECEPTION

Lounge St. Andrews Club and Conference Centre

6:00 pm SOAR MEDAL DINNER

Main Dining Room St. Andrew's Club and Conference Centre

SOAR and the administrative justice community will honour the 2008 SOAR Medal Winners, Mary Ellen Cummings, Linda L. Gehrke, and Dr. Bonita Porter.



20TH ANNIVERSARY

COBA 2008

CONFERENCE OF ONTARIO BOARDS & AGENCIES



LEARNING FROM THE PAST: LAUNCHING INTO THE FUTURE

FINAL PROGRAM

DESIGN & PRINTING: RADONICRODGERS 1-800-585-3029



Sponsored by the Society of Ontario Adjudicators and Regulators (SOAR)

Thursday, November 6, 2008

Metro Toronto Convention Centre
Toronto, Ontario

NOTE: Written materials are not provided for COBA presentations. Any papers or notes provided by speakers will be available on the SOAR website after the conference at www.soar.on.ca. This is being done to reduce SOAR's carbon footprint and keep pace with the electronic availability of documents.

COBA 2008

PROGRAM-AT-A-GLANCE

Thursday, November 6, 2008

TIME	EVENT	ROOM
7:30 am	REGISTRATION AND CONTINENTAL BREAKFAST	Room 205
8:45 - 9:00 am	CONFERENCE OPENING AND WELCOME	Room 206
9:00 - 9:30 am	OPENING REMARKS	Room 206
9:30 - 10:30 am	PLENARY SESSION Administrative Justice Models	Room 206
10:30 - 10:45 am	REFRESHMENT BREAK	Front of Rooms 201 & 203
10:45 am - 12:00 noon	CONCURRENT SESSIONS 1. Types/Techniques of ADR 2. Accommodating Diversity – Stakeholder Perspectives 3. Using Technology to Improve Services to Clients 4. Human Rights Challenges – Issues and Procedures	Room 203 A/B Room 201 E/F Room 203 C/D Room 201 A/B/C/D
12:00 - 1:00 pm	BUFFET LUNCHEON Thank You Presentations to SOAR Volunteers	Room 205
1:00 - 2:15 pm	PLENARY SESSION Administrative Law “Blast”	Room 206
2:15 - 2:30 pm	REFRESHMENT BREAK	Front of Rooms 201 & 203
2:30 - 3:45 pm	CONCURRENT SESSIONS 5. ADR: Preparing for Mediation 6. Accommodating Diversity – Tribunal Perspectives 7. Paperless Trials and Related Technology Issues 8. Human Rights Challenges – Practical Tips on How to Adjudicate these Cases	Room 203 A/B Room 201 E/F Room 203 C/D Room 201 A/B/C/D
3:45 - 4:30 pm	CLOSING PLENARY Flaws in Our Laws – How our Legislation and Adjudication are Loaded with Fallacious Assumptions about the Nature of Reality	Room 206
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4:40 pm	SOAR ANNUAL GENERAL MEETING AND ELECTIONS	Room 206
5:00 pm	PRE-DINNER RECEPTION St. Andrews Club and Conference Centre	Lounge
6:00 pm	SOAR MEDAL DINNER St. Andrews Club and Conference Centre	Main Dining Room