

# National Family Law Arbitration Course

## syllabus 2021

All instructional days begin at 10:30am and wrap-up at 5:30pm eastern.

### Day One · Friday 5 February 2021

**1.1 Introduction and administrative matters**

*John-Paul Boyd QC, Lawrence Pinsky, Lorne Wolfson*

**1.2 Course overview and objectives**

*Lorne Wolfson*

**1.3 Indigenous perspectives on dispute resolution**

*Senator Murray Sinclair*

**1.4 Introduction to dispute resolution alternatives**

*Arlene Henry QC, Lorne Wolfson*

**1.5 Group discussion: The Arbitration Acts**

*John-Paul Boyd QC, Tom Dart, Arlene Henry QC, Tracy Morrow,  
Lawrence Pinsky*

**1.6 Bias, equality and fairness**

*Wayne Barkauskas QC, Lawrence Pinsky, Eugene Raponi QC*

**1.7 Group discussion: Conducting a fair hearing**

*Herschel Fogelman, Aaron Franks, Lawrence Pinsky, Lorne Wolfson*

### Day Two · Saturday 6 February 2021

**2.1 Family law arbitration agreements**

*Arlene Henry QC, Eugene Raponi QC*

**2.2 Role play: Negotiating arbitration agreements**

*Tom Dart, Krysta Ostwald QC, Lawrence Pinsky*

**2.3 The role of the court in arbitration processes**

*Justice Sherry Kachur, Brahm Siegel*

**2.4 Assignment: Readings for next classes**

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## Day Three · Friday 26 February 2021

### 3.1 Domestic violence and power imbalances

*Wayne Barkauskas QC, Dr Rachel Birnbaum, Arlene Henry QC*

### 3.2 Role play: Dealing with domestic violence in arbitration

*Wayne Barkauskas QC, Alf Mamo, Eugene Raponi QC*

### 3.3 The pre-hearing conference

*Herschel Fogelman, Aaron Franks*

### 3.4 Interim and preliminary motions

*Cheryl Goldhart, Krysta Ostwald QC*

### 3.5 Role play: Contested interim motions

*Herschel Fogelman, Cheryl Goldhart, Alf Mamo, Lorne Wolfson*

### 3.6 Hearing the voice of the child in arbitration processes

*Dr Rachel Birnbaum, John-Paul Boyd QC, Arlene Henry QC*

## Day Four · Saturday 27 February 2021

### 4.1 Rules of procedure in family law arbitrations

*John-Paul Boyd QC*

### 4.2 Evidence in arbitration

*Tom Dart, Krysta Ostwald QC*

### 4.3 Role play: Mock pre-hearing conference

*Herschel Fogelman, Lawrence Pinsky, Lorne Wolfson*

### 4.4 The nuts and bolts of running a hearing

*Herschel Fogelman, Aaron Franks, Cheryl Goldhart, Stephen Grant*

### 4.5 Managing arbitration processes for parties without counsel

*Rick Shields*

### 4.6 Assignment: Readings for next classes

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## Day Five · Friday 19 March 2021

### 5.1 Issues in parenting coordination

*Dr Barbara Fidler*

### 5.2 Managing distance arbitrations

*Wayne Barkauskas QC, John-Paul Boyd QC, Danny Melamed*

### 5.3 Role play: Mock arbitration hearing

*Herschel Fogelman, Lorne Wolfson*

### 5.4 Assignment: Mock arbitration award

## Day Six · Saturday 20 March 2021

### **6.1 Drafting and delivering arbitration awards**

*Herschel Fogelman, Aaron Franks, Lorne Wolfson*

### **6.2 Group discussion: Critique of mock arbitration awards**

*Herschel Fogelman, Aaron Franks, Lorne Wolfson*

### **6.3 Issues after the award is delivered**

*Krysta Ostwald QC, Lorne Wolfson*

### **6.4 Managing an arbitration practice**

*Stephen Grant, Alf Mamo, Krysta Ostwald QC*

### **6.5 Course evaluation and wrap-up**

*John-Paul Boyd QC, Lawrence Pinsky, Lorne Wolfson*

This course will be provided using Zoom's videoconferencing software. Download the latest software from [www.zoom.us](http://www.zoom.us) at no cost.

You will require a reliable internet connection for the course. Choose a wired connection if possible, or wifi and cellular data as a last resort. You can connect to the course audio by landline if necessary.

For technical assistance with Zoom during the course, contact John-Paul Boyd at [jpboyd@boydarbitration.ca](mailto:jpboyd@boydarbitration.ca) or 403.454.8091.