

Articling Student Education Plan

Name of Principal and Business Address:
Todd B. White

Throughout the year the student(s) will be involved in the following practice areas:
CRIMINAL LAW
ADMINISTRATIVE LAW

It is anticipated that the student(s) will devote 90 per cent of their time to the practice of criminal law and 10 per cent to administrative litigation. TODD B. WHITE will supervise the student(s') work.

There will be no organized system of rotation through the practice areas as the student(s) will work in both areas throughout the term of articles, but primarily in the area of criminal law at all levels of Court in Ontario.

Secretarial Support:

There is secretarial and filing clerk support available to the student(s) at the firm during the student(s') articles.

Practice Skill Areas:

a. (i) Interviewing - The student(s) will interview:

- * clients;
- * witnesses;
- * experts;
- * private investigators;
- * potential Sureties for bail

(ii) Interviewing will be a significant component of the articling experience.

(iii) Student(s) will initially observe a lawyer conducting a number of interviews and then will participate with a supervising lawyer in conducting interviews. Once the supervising lawyer is satisfied that the student(s) have the ability to do so, will conduct interviews without the direct supervision of a lawyer.

(iv) Other interviewing plans:

Performing detailed initial interviews of prospective clients under the supervision of a lawyer will play an important role in the student(s') practice skill of interviewing

b. (i) Advising - Throughout the articling year the student(s) will advise clients on minor issues, but only as instructed by a lawyer and under a lawyer's supervision.

(ii) Advising clients will be not be a major component of the articling

experience.

(iii) At the beginning of the articling term, the student(s) will observe a practising lawyer advising clients; then will advise clients under the direct supervision of a lawyer; and finally will advise clients on minor issues without the direct supervision of a lawyer.

(iv) Performing initial interviews of prospective clients under the supervision of a lawyer will play an important role in the student(s)' practice skill of advising clients, on at least preliminary issues

c. Fact Investigation

In addition to acquiring interviewing skills through obtaining facts from clients, private investigators, etc., student(s) will develop skills in gathering facts by:

- * Reading and preparing summaries of transcripts and trial briefs;
- * Observing and preparing cross-examinations ;
- * Corresponding and communicating with Government Agencies and Police Services;
- * Attending, photographing and measuring crime scenes;
- * Reviewing documentary and photographic evidence;
- * Conducting searches under various public records systems;
- * Attending with lawyers at Crown resolution meetings and judicial pre-trial conferences;
- * And possibly conducting trials and applications for minor Provincial Offence Highway Traffic Act Files, etc. on their own

d. Legal Research

The student(s) will perform legal research and report to Mr. White and to the other lawyers in the firm both verbally and in memorandum or factum form. At the beginning of the articling period, we will review legal research techniques with the student(s) to ensure that they have the necessary skills. Legal research memos or facta are reviewed and the research discussed with the student(s). I will:

- (i) review researching a point of law with the student(s); and
- (ii) assign a junior lawyer to review legal research skills with the student(s);

We anticipate that the student(s) will spend 30 percent of their time throughout the year engaged in legal research, reporting and writing.

e. Problem Analysis

Throughout the articling term, the student(s) will develop skills in problem analysis by:

- (i) observing an experienced lawyer's initial and subsequent consultations with a client and then analyzing the client's problem with the lawyer;
- (ii) preparing trial and preliminary hearing briefs; analyzing witness statements and preparing cross-examination memoranda and folders;

(iii) eventually taking on the responsibility for problem analysis and then discussing that analysis with the supervising lawyer.

f. Planning and Conduct of a Matter

We will involve the student(s) in formulating plans for the conduct of various matters on behalf of clients. There will be special emphasis on the necessity for effective communication with both clients and other lawyers. The supervising lawyers will discuss with the student(s) the best method of achieving an appropriate result for the client in a reasonable time and at an appropriate cost. For example, our student(s) will be directly involved in criminal matters from the beginning of a case. They will assist in interviews and research and in preparing for bail hearings, pre-trial conferences, preliminary hearings, trials and appeals. They will also prepare materials and casebooks for a variety of applications and motions. They will appear on most non-crucial court appearances in assignment court at the Ontario Court of Justice and may get the opportunity to conduct motions or a trial on a Highway Traffic Act matter, or similar type of case.

g. File and Practice Management

At the beginning of the articling period, the student(s) will be taught our methods of docketing time; use of our tickler system for both follow-ups and critical dates; note taking; retainers and billing; recording of expenses and disbursements incurred on behalf of clients; and organization of individual files. The student(s) will become familiar with our records management system, including opening and closing files and preparing interim and final accounts, etc..

We will, through example and discussion, impress upon the student(s) the importance of keeping the client informed of the progress of a matter by advising the client of developments in the matter and by reporting to clients at the conclusion of a matter, personally and/or by correspondence.

h. Office Systems

The student(s) will be familiarized with our computer systems, precedent files and docketing system.

The student(s) will also be educated about our banking system, including the use of trust and general accounts. I will discuss with the student(s) the importance of keeping accurate and up-to-date financial books and records for the practice.

i. Drafting

The student(s) will begin by preparing first drafts of correspondence, affidavits, memoranda, facta, various notices of application, etc. These first drafts will be reviewed and amended, with the assistance of the student(s), by the supervising lawyer. The student(s) will be encouraged to make use of the precedent files which we maintain in our office and the precedents available in the Bar Admission Course materials. The student(s) will draft materials of increasing complexity, including reporting letters to clients, opinion letters and written submissions and facta. All of the student(s') work will be reviewed and, if necessary, amended by the supervising lawyer.

j. Writing

Student(s) will not write any papers or documents other than the legal memoranda, facta,

affidavits, applications and correspondence described above. At the same time, it is possible that students may assist in the preparation of papers prepared or presented by Mr. White.

k. Negotiation

During the course of the articling term, the student(s) will assist in the preparation for and observe both telephone and in person negotiations conducted by the lawyers in the firm with Crown counsel.

l. Advocacy

Litigation constitutes a large part of our practice. Our student(s) will assist in the preparation of and attend with the lawyers on motions, applications, preliminary hearings, appeals and/or trials which take place during the year.

m. Professional Responsibility

(i) Ethical issues routinely arise in the practice of criminal law. These issues will be discussed with the students as they arise.

(ii) During our discussions following initial client consultations, etc., I will discuss with the student(s) the duty of confidentiality; the importance of informing clients of solicitor/client privilege; conflict of interest and the other ethical obligations and issues which arise in everyday criminal law practice. Further, I will discuss the appropriate responses with our student(s) when asked by a client to do something that might involve a breach of professional conduct.

(iii) The student(s) will be instructed on the need to recognize potential conflicts of interest. I will show them the details of the system which we use to assist us in avoiding such conflicts.