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Year in Review 2019-2020

In 2019-2020, the Supreme Court Advocacy Institute completed its thirteenth year of activities, during which it continued to provide counsel appearing before the Supreme Court of Canada with rigorous practice sessions. The Institute's advocacy program aims to increase the effectiveness and quality of advocacy by simulating for counsel the experience of oral argument before the highest court. A panel of seasoned Supreme Court advocates hears counsel's argument and offers candid and constructive feedback to assist counsel in making their oral submissions effective and helpful to the Court.

Demand for the Institute's advocacy program continues to be very high. Over the past year, the Institute provided free, non-partisan advocacy sessions in 65% of cases before the Court. Participation rates were especially high in Ontario (where 92% of appeals benefitted from the Institute's services) and Quebec (where 91% of appeals benefitted from the Institute's services). The Institute's advocacy program was used for a wide range of appeals in civil and criminal matters, by counsel working in private practice as well as in government, and by seasoned advocates as well as first-time counsel before the Court.

Fifty-four (54) lawyers donated their time as advocacy advisors for the Institute, offering advice to counsel based on their own experience before the Court. Many participated in more than one session, illustrating once again the dedication of our advocacy advisors to the bar, to the public, and to access to justice. The Institute continues to receive extremely appreciative feedback from counsel who have used the advocacy program. Counsel are grateful for the time and effort the advisors devote to the sessions, and note that the mock hearings are a highly valuable aspect of their preparation.

The beginning of the Institute's year was marked by a reception on October 17, 2019 at the Supreme Court of Canada to thank and to highlight the contributions of all advocacy advisors, past and present. All nine justices, as well as a number of former justices, attended the reception to celebrate the work of the Institute.

In his remarks, Chief Justice Richard Wagner reflected on how the Institute contributes to access to justice by ensuring "that all counsel representing their clients before the Supreme Court of Canada are able to benefit from the expertise of leading and experienced counsel, regardless of where they are based in Canada, their personal network, or where they work". On behalf of the Court, he thanked the Institute's many participants for contributing their "time,

skills, expertise, and mentorship” in the “highest tradition of the bar”.

In Spring 2020, the Supreme Court of Canada invited the Institute to assist with testing the Zoom platform that was used to hear appeals rescheduled from the Spring session due to the COVID-19 pandemic. Executive Director Grégoire Webber, session coordinators Colleen Bauman, Erin Dann, and François Goyer, and advocacy advisors Audrey Boctor and Anne Turley participated in practice sessions in May and June to help the Court prepare for the June appeals. This was the first time in its history that Supreme Court hearings took place virtually.

In line with public health advice to prevent the spread of COVID-19, the Institute hosted its first virtual advocacy sessions and continues to offer its advocacy program by video-conference.

The Institute’s advocacy sessions are organized by session coordinators in each province. For their invaluable assistance in delivering the Institute’s services, we thank Mila Shah (British Columbia), Julie G. Hopkins (Alberta), Sacha Paul (Manitoba), Shoshanna Paul (Saskatchewan), Colleen Bauman (Ontario: Ottawa), Erin Dann (Ontario: Toronto), François Goyer and Pierre-Jérôme Bouchard (Quebec), and Michael Marin (Atlantic provinces).

This year, the Institute was delighted to welcome the Honourable Clément Gascon as Honorary Chairperson following his retirement from the Court.

A number of Institute members were appointed to the bench in the course of the 2019-2020 year. At the risk of omission, we congratulate former advocacy advisors Justice Peter Edelmann (Supreme Court of British Columbia) and Justice Kent Davidson (Alberta Court of Queen’s Bench). We also congratulate former advocacy advisor Michal Fairburn on her appointment as Associate Chief Justice of Ontario.

The Institute mourns the passing of Peter Cory, C.C., Q.C., former Justice of the Supreme Court of Canada and former honorary chair of the Supreme Court Advocacy Institute. We also mourn the passing of E. William Olson, Q.C., inaugural chair of the Institute’s Regional Committee for Manitoba and a champion of the Institute’s advocacy program in the province.

We estimate that in the 2019-2020 year, the Institute’s advocacy advisors, committee members, and executive directors contributed approximately \$499,400 in *pro bono* services to the benefit of parties and their counsel before the Supreme Court of Canada, bringing the Institute’s total *pro bono* contribution since 2006 to approximately \$6.13 million.

The Institute's ability to provide its advocacy program to all counsel without charge is made possible by the generous funding provided by the Advocates' Society, the American College of Trial Lawyers Canadian Foundation, the Canadian Bar Association, the Law Foundation of Ontario, and the Ontario Bar Association Foundation. We also highlight a generous contribution by Richard Wernham to the Institute. Thanks to the willingness of all participants to donate their time on a *pro bono* basis, the Institute maintains low-cost operations. We thank Torys LLP for continuing to provide the Institute with *pro bono* services in support of our charitable status.