THE CANADIAN BAR ASSOCIATION
L'ASSOCIATION DU BARREAU CANADIEN
INFLUENCE. LEADERSHIP. PROTECTION.

2015 NATIONAL IMMIGRATION LAW CONFERENCE

May 7-9, 2015 – Ottawa, ON – Shaw Centre

Thursday 7 May 2015

3:30	**Free Parliament Hill Centre Block tour**
5:30-7:30	**Pre-Registration & Opening Reception** *Shaw Centre - Rideau Canal Atrium 2nd Floor*
7:30pm	New Lawyers' Social - Cornerstone Bar and Grill – 92 Clarence Street

Friday 8 May 2015

6:30am	Scenic Run/Walk (All levels of experience welcome!) - Meet in the Westin lobby
7:30– 8:15 am	**Registration and Continental Breakfast** *Rideau Canal Atrium 2nd Floor Shaw Centre*
8:15 – 8:30 am	**Welcome Remarks by Conference Co-Chairs** *Ottawa Salon 2nd Floor Shaw Centre* **Deanna Okun-Nachoff (National Chair) | Marvin Moses (Ontario Chair) | Paul Yurak (DOJ Chair)**
8:30 – 9:45 am	**Opening Plenary: The Reshaping of Canadian Citizenship & Immigration Policy** *Ottawa Salon 2nd Floor Shaw Centre* **Speakers: Carter Hoppe, CBA, David Manicom, CIC and Andrew Griffith** This plenary session will examine recent shifts in citizenship and immigration policy, including: • How citizenship and immigration policy is being created and implemented • How the creation of citizenship and immigration policy has evolved • New initiatives and the dominant policy considerations of today

* Topics and social events subject to change

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Morning Workshops

10:00 – 11:15 am	2-A Ottawa Salon 213/214/215	2-B Gatineau Salon 206/208	2-C Gatineau Salon 205/207
TOPICS	**An Introduction to Express Entry** This session will discuss the introduction of the new Express Entry system which governs entry into the Federal Skilled Workers Program, the Federal Skilled Trades Program, the Canadian Experience Class and parts of the Provincial programs, including: • How does Express Entry work? • Integration with Provincial Nominee Programs • Application submission for representatives	**Cessation Revisited** CBSA is using refugee cessation with increasing regularity. This session is aimed at anyone advising clients previously approved as Protected Persons, topics include: • Red flags – recognizing cessation danger zones before they happen • Evolving case law at the RPD and FC • Latest practice tips/strategies • Interaction with other processes • Regional differences	**Making Laws: The Legislative Process** Immigration law continues to change rapidly and it is incumbent on lawyers to be able to know when changes are forthcoming and to understand when they come into effect. This session will provide the tools necessary to understand and anticipate legislative changes, including discussion of: • The formation of policy, the consultative process and the potential for advocacy. • The legislative process and determining when portions are in force. • Tips on reading and interpreting legislation. • Understanding transition provisions • Anticipating and staying up to date on legislative amendments and ministerial instructions.
MODERATOR	**Gilda Villaran, CBA**	**Laura Best, CBA**	**Michael Greene, CBA**
SPEAKERS	**Roxanne Israel, CBA** **Adrienne Christie, CIC** **James McNamee, CIC**	**Erica Olmstead, CBA** **Gary Dukeshire, IRB** **Stephen Bolton, CBSA**	**Kerri Froc, CBA** **Alain Laurencelle, DOJ**

11:15 – 11:30 am **Refreshment Break |** *Rideau Canal Atrium 2nd Floor Shaw Centre*

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11:30 am – 12:50 pm	3-A Ottawa Salon 213/214/215	3-B Gatineau Salon 206/208	3-C Gatineau Salon 205/207
TOPICS	**Economic PR Streams (CEC, FSW and FST)** Although the Federal Skilled Workers Program, the Federal Skilled Trades Program and the Canadian Experience Class continue to exist, the way they work has been profoundly modified by the introduction of the Express Entry system. This session will discuss these changes and will cover practical issues involved in the submission and processing of these applications, including: • How have things changed with Express Entry? • Recognizing and addressing common problems • Tips for ensuring the success of your application • Update on the Quebec Skilled Worker Program	**Practice before the Refugee Appeal Division** It has been a steep learning curve litigating in the IRB's newest tribunal. This session will review important issues affecting RAD practice, including: • New jurisprudence • RAD jurisdiction – who is eligible and who is not? • Update on FC standard of review litigation and how it has affected decision-making at the Tribunal level • Transcript Issues – when is it needed, who is responsible for preparing it, how much is enough? • Best practices	**LMIA Fundamentals (Beginner)** A Labour Market Impact Assessment application is often an employer's first step in hiring a temporary foreign worker. This introductory session will discuss the basic principles that practitioners need to understand in order to file successful LMIA applications, including: • Determining the prevailing wage • Finding the correct NOC occupation classification • Identifying the employer and applicant • Dealing with foreign employers • Job location issues (franchises/multiple projects) • Minimum advertising requirements and variations • Provincial considerations
MODERATOR	**Meika Lalonde, CBA**	**Lisa Couillard, CBA**	**Betsy Kane, CBA**
SPEAKERS	**Nadine Landry, CBA** **Louis Dumas, CIC**	**Stéphanie Valois, CBA** **Nancy Weisman, IRB** **Ralph Skilton, CBSA**	**Seth Dalfen, CBA** **Brenda Wong, CBA** **Steven West, ESDC**

1:00 –2:30 pm **Luncheon & Keynote Speaker** - *For registered delegates only*
Trillium Ballroom 4th floor Shaw Centre
The Honourable Chris Alexander MP, Minister, Citizenship and Immigration

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Afternoon Workshops

2:30 –3:45 pm	4-A Ottawa Salon 213/214/215	4-B Gatineau Salon 206/208	4-C Gatineau Salon 205/207
TOPICS	**Advanced LMIA Issues and LMIA Compliance** This advanced session will discuss effective strategies for addressing some of the TFW program's more recently introduced requirements. The panel will also discuss compliance reviews and inspections, and how to help employers remain compliant with program requirements. • Transition plan strategy • Accessing expedited processing times • Cap calculation and exemptions • Employer Compliance	**Persuasive Advocacy before the IAD** This session will provide insight into how lawyers of all experience levels can best advocate for their clients at the Immigration Appeal Division effectively and efficiently. • Advocacy tips for IAD hearings • Setting a solid documentary foundation for your case • Practical tips for preparing for and conducting persuasive direct examination	**Humanitarian & Compassionate Applications** Often an application of last resort, this panel will discuss the preparation of persuasive H&C applications, including: • Advice for meeting the evidentiary burden • Trends and processing tips • The inclusion of risk factors • Dealing with statutory bars to H&C Applications
MODERATOR	**Kevin Zemp, CBA**	**Shoshana Green, CBA**	**Mitchell Goldberg, CBA**
SPEAKERS	**Chantal Arsenault, CBA** **Campion Carruthers, ESDC** **Marc Lebrun, ESDC**	**Paul Aterman, IRB** **Joel Rubinoff, IRB**	**Rekha McNutt, CBA** **Kim Gunshoner, CIC** **The Honourable Alan Diner, Federal Court**

3:45 – 4:00 pm **Refreshment Break |** *Rideau Canal Atrium 2nd Floor Shaw Centre*

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4:00 – 5:15 pm	5-A Ottawa Salon 213/214/215	5-B Gatineau Salon 206/208	5-C Gatineau Salon 205/207
TOPICS	**Temporary Resident Processing Issues** This session will discuss the practical issues that must be addressed when filing applications for work permits, study permits or visitor visas. • Determining where and how to submit • Processing options for temporary residents in Canada • Dealing with VAC's and Online Applications • Passport and TRV issues • Addressing biometric and medical requirements • Electronic Travel Authorization requirements	**Federal Court Update: Not just for litigators** This session will give practical advice for both new and experienced Federal Court litigators, including: • Q&A session on Important Case Law and Developments That Impact Your Practice • New certified questions that you need to know • Role of Mandamus: How to Use it Effectively? • Ministerial Instructions- Are they Reviewable? • Retrospectivity and Retroactivity – Legal Effect, how to navigate? • Federal Court Update, Rules and Practices	**Immigration Issues for Young People** This session will discuss the immigration issues faced by youth and young people and the unique rules and programs applicable to them, including: • International Experience Class applications • Study permit applications • Guardianship over minor applicants • Strategies for transitioning from PGWP to PR
MODERATOR	**Suzanne Rix, CBA**	**Claudia Molina, CBA**	**Sofia Mirza, CBA**
SPEAKERS	**Meera Thakrar, CBA** **Michael Watts, CIC**	**The Honourable Yves de Montigny, Federal Court** **Mario Bellissimo, CBA** **Keith Reimer, DOJ**	**Joy-Ann Cohen, CBA** **Robert Judge, CIC** **Clark Goodman, CIC**

6:30 pm **INNOVATION NATION SILVER GALA** Reception, Dinner, Award Presentation & Entertainment - Admission by ticket – for ticket holders only (black, white and silver attire encouraged) | *Trillium Ballroom 4th floor Shaw Centre*

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Saturday 9 May 2015

8:00 – 8:45 am **Continental Breakfast**
Rideau Canal Atrium 2nd Floor Shaw Centre

Morning Workshops

9:00 – 10:00 am	6-A Ottawa Salon 213/214/215	6-B Gatineau Salon 206/208
TOPICS	**Ethics & Practice Management Plenary (General)** Safe and ethical practice: What all immigration lawyers need to know about avoiding and dealing with professional errors and a discussion of the top ethical issues facing immigration lawyers today.	**Ethics & Practice Management Plenary (Junior Lawyers)** Developing a practice, building a career, and becoming a great immigration lawyer. An opportunity to meet and interact with fellow junior lawyers and to pick the brains of experienced lawyers who work across Canada in a variety of settings.
MODERATOR	**Robbie Sheffman, CBA**	**Jacqueline Bonisteel, CBA**
SPEAKERS	**Philippe M. Capelle, CBA** **Cathryn Sawicki, CBA**	**Gary Segal, CBA** **Jonathan Leebosh, CBA** **Elizabeth Wozniak, CBA**

10:00 – 10:15 am **Refreshment Break |** *Rideau Canal Atrium 2nd Floor Shaw Centre*

10:15 am – 11:30 am	7-A Ottawa Salon 213/214/215	7-B Gatineau Salon 206/208	7-C Gatineau Salon 205/207
TOPICS	**Immigration for Business Owners** This session will discuss the options that business owners have for starting a business in Canada and what they can do to stay permanently. • Owner-operator WPs (C11 LMIA exempt) • Owner-operator LMIAs • Start-up visas • PNP streams or PR options for self-employed temporary foreign workers • The future of federal business immigration	**Criminal Equivalency: What Crime is it Anyways?** This advanced session will take an in depth look at criminal equivalency and the task of determining the Canadian offence that is equivalent to the foreign offence forming the basis of a conviction outside Canada. • Important factors to consider in conducting criminal equivalency analyses • Taking defences into account • Effect of foreign pardons and young offender legislation	**So You Want to Try Litigation? (Beginner)** This is a practical session for junior lawyers and individuals wanting to be introduced to the litigation side of immigration law. This session will include a step by step discussion of how to: • Apply for leave to judicial review • Obtain a stay of removal Including, how to: • Avoid common errors • Cross-examine on an affidavit • Conduct a hearing
MODERATOR	**Ryan Rosenberg, CBA**	**Les Morley, CBA**	**Cheryl Robinson, CBA**
SPEAKERS	**Kenneth Zaifman, CBA** **Matthew Graham, CIC** **Ravi Sall, CIC** **Steve West, ESDC**	**Stephen Forgarty, CBA** **Sophie Boutin, CIC**	**The Honourable Mr. Justice Russel W. Zinn, Federal Court** **Shepherd Moss, CBA** **Gretchen Timmins, DOJ**

11:30 – 12:40 pm	8-A Ottawa Salon 213/214/215	8-B Gatineau Salon 206/208	8-C Gatineau Salon 205/207
TOPICS	**LMIA and Work Permit Exemptions** More than ever, it is important for lawyers to understand when jobs do not require work permits or when work permits do not first require Labour Market Impact Assessments. This session will address: • Changes regarding intra-company transferees and specialized knowledge • Reciprocal employment applications • Bridging open work permits • Working without a permit under IRPR 186 & 187 • An update on the status of new international agreements • Pilot Program for In-Canada Spouse Work Permits	**Port of Entry Issues** Whether for reasons of necessity or expediency, immigration applications at the Port of Entry continue to be an important part of practice. This session will discuss strategies and principles applicable to applications at the POE, including: • Right to counsel • Effectively preparing clients for entry • How to effectively represent clients or communicate with POE office (with or without use of representative) • Regional differences	**Administrative Law Refresher** Judicial review to the Federal Court is a crucial tool for immigration lawyers, and a keen understanding of administrative law principles has become more important than ever. This session will discuss the following topics: • A review of the jurisprudence on standard of review: the rise and dominance of reasonableness • Revisiting deference. Do all first-level decision-makers deserve the same level of deference? Impact of recent legislative amendments on procedural fairness • Natural justice principles in the immigration and refugee law context
MODERATOR	**Joshua Sohn, CBA**	**Geneviève Hénault, CBA**	**Arghavan Gerami, CBA**
SPEAKERS	**Stephanie Yang, CBA** **Martin Mundell, CIC**	**Warren Creates, CBA** **CBSA**	**Madam Justice Judith A. Snider, Federal Court (former)** **Helen Park, DOJ**

12:40 – 2:15 pm **Luncheon and Keynote Address** - *For registered delegates only*
Trillium Ballroom 4th floor Shaw Centre
Mario Dion, Chairperson of the Immigration and Refugee Board of Canada (IRB)

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Afternoon Workshops

2:15 – 3:25 pm	9-A Ottawa Salon 213/214/215	9-B Gatineau Salon 206/208	9-C Gatineau Salon 205/207
TOPICS	**Citizenship** This panel will provide an update on current citizenship procedures, including discussion of: • Recent amendments • Residency issues • Case law update and litigation trends • Changes re: citizenship appeals	**Removals** CBSA continues to reinvent its practices involving investigations, arrests and detention. This session aims to bring you up to date with CBSA's current policies and will also provide tips from practitioners on how to advise clients in the midst of removal proceedings. Topics will include: • Trends and priorities for CBSA • Arrests and detention • Deferrals and deemed refusals • Assisted voluntary returns • Removals while Leave for Judicial • Review is pending or granted	**Family Ties: Key Issues for the Family Class** This session will discuss a number of key issues facing individuals who are pursuing family reunification, including: • Conditional PR status for sponsored spouses/partners and dealing with relationship breakdown • Advising individuals who have had their family class applications refused • Considerations when dealing with parents/grandparents: sponsorship vs. super-visa. • Other emerging family class issues
MODERATOR	**Suzanne Sinnamon, DOJ**	**Richard Wazana, CBA**	**Andrew Wlodyka, CBA**
SPEAKERS	**The Honourable Mary J.L. Gleason, Federal Court** **Dennis McCrea, CBA** **Tenny Dikranian, CIC**	**Raj Sharma, CBA** **Deborah Drukarsh, DOJ** **Stephen Bolton, CBSA**	**Robert Blanshay, CBA** **Justine Akman, CIC** **Alexis Singer, DOJ**

3:25 – 3:40 pm **Refreshment Break |** *Rideau Canal Atrium 2nd Floor Shaw Centre*

3:40 – 4:40 pm **Closing Keynote Speaker**
Ottawa Salon2nd Floor Shaw Centre
Chris Mathers, professional public speaker and trainer, author of the bestselling book, Crime School: Money Laundering and former undercover RCMP officer working in the US Drug Enforcement Administration, and the US Customs Service
Keynote Address: Crime in Business and the Business of Crime

4:40 – 4:45 pm **Final Remarks**

4:45 – 6:00 PM **Farewell Reception –** *open to all registered delegates* **|** *Rideau Canal Atrium 2nd Floor Shaw Centre*

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