



Where is the line between lay & expert opinion?



Expert Opinion Evidence: A Refresher & the Lay-Expert Faultline

with Professor Rob Currie

Thursday, January 26, 2023

Live webinar with chat

includes 60 day replay*

9:00 am – 10:30 am (Pacific)

10:00 am – 11:30 am (Mountain)

11:00 am – 12:30 pm (Central)

12:00 pm – 1:30 pm (Eastern)

1:00 pm – 2:30 pm (Atlantic)

1:30 pm – 3:00 pm (Newfoundland)

*This program features real-time audio of the presenter with synchronized presentation slides, and a chat feature that allows for live Q & A. SK attendees please verify whether you align with Central (MB) or Mountain (AB) time based on season and location.

WHO SHOULD ATTEND

All litigators will find this presentation helpful.

ABOUT THE PROGRAM

Are you new to litigation and expert evidence law? Maybe you're an experienced litigator looking for an update on developing issues? Attend this condensed presentation and get up to speed on the law regarding the admissibility of expert opinion evidence in Canada, as well as controversies around the line between lay and expert opinion. Noted Law Professor Rob Currie of the Schulich School of Law will provide a refresher on the admissibility of expert opinion evidence, along with an analysis of conflicting cases that address the questions: who is the ordinary person and what do/can they know?; what does an ordinary lay person know vs. what requires expertise?; and, what if the witness is "speaking from their experience"? The course will include a recap of the SCC decision in *White Burgess*, as well as a survey of relevant cases from the NLCA, NSCA, PECA, ONCA, MBCA, SKCA, and BCCA, plus a consideration of relevant academic literature. Professor Currie's energetic and entertaining commentary will offer a fresh look at expert evidence law that is sure to aid any lawyer in preparation for their next trial. Don't miss this highly practical presentation designed to refresh your knowledge of the rules of expert opinion evidence and provide rare insight into the increasingly confusing line between lay and expert opinion.

SCHEDULE (Eastern)

12:00 pm - 1:30 pm

Welcome and Introduction

Refresher on Admissibility of Expert Opinion

- *White Burgess*

The Line between Expert & Lay Opinion and "Expert Fact Witnesses"

- Lay Opinion
- Expert Opinion vs. Lay Opinion
- "Expert Factual Observations"

Practical Take-aways

Program Wrap-Up and Evaluation

MEET YOUR PRESENTER



Rob Currie is Professor of Law at the Schulich School of Law, Dalhousie University, where his teaching areas include Canadian, International and Cross-border Criminal Law; Civil Procedure; Evidence; International Law; and Advocacy. He is a member of the Nova Scotia Barristers' Society and has appeared as counsel at all levels of court in Nova Scotia and the Federal Court. In 2017-2018 he served as Special Appeals Counsel at Nova Scotia Legal Aid in Halifax. He is a member and former Director of the Law & Technology Institute, and a former co-Editor of the *Canadian Journal of Law & Technology*. His 2010 book, *International and Transnational Criminal Law*, was short-listed for the Walter Owen Book Prize for Outstanding Legal Literature in 2011. The 3rd edition of that book (now co-authored with Joseph Rikhof) was published in 2020. Professor Currie is also a co-author of the *Annual Review of Criminal Law* (Thomson Reuters). He has authored and co-authored numerous articles and comments and his scholarly work has been cited at all levels of court, including the Supreme Court of Canada. In July 2021 Professor Currie was designated a Dalhousie Distinguished Research Professor, in recognition of his contributions to research and scholarship. He is a frequent contributor to CPD and judicial education seminars and is a past recipient of the Dalhousie Law Students' Society and Alumni Association Award for Excellence in Teaching.

ON: This program contains 1.5 Substantive hours.

BC: This program has been approved for 1.5 CPD hours.

SK: This program has been approved for 1.5 CPD hours. **NB:** CPD application is pending.

Lawyers in other mandatory CPD jurisdictions may count their attendance towards their CPD requirement/plan.



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✓ Yes, I want to attend **Expert Opinion Evidence: A Refresher & the Lay-Expert Faultline** **Thursday, January 26, 2023 • Live webinar (slides and audio) with chat and 60 day replay***

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* Materials will be distributed electronically in advance. Live webinars feature real-time audio of the presenter with synchronized presentation slides, and a chat feature that allows for live questions and verbal responses by the presenter. The recording of the webinar is available for 60 days.

REGISTRATION FEE:

On or before January 6, 2023: \$140.00 + \$18.20 (13%) HST* = \$158.20 - Save \$25.00!

After January 6, 2023: \$165.00 + \$21.45 (13%) HST* = \$186.45

*With ON HST. Please adjust tax for attendee's province as follows: 5% in AB, BC, MB, NWT, NU, SK, YK. 13% in ON. 15% in NS, NB, PEI & NL.

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