The Emond name has been synonymous with legal learning for 45 years, and our publications form the foundation of law school, paralegal, and law clerk curriculums across Canada. Our customers have told us that our texts have served them well beyond their academic careers and have been important resources to them in their law practice. Of course, not all of our titles fall into this category, and that is why this catalogue is unique. I have hand-selected every title to ensure that only the resources well suited to practising professionals are included.

Several years ago, Emond began publishing practical, accessible, and affordable legal guides designed specifically for the busy practitioner. A selection of titles from our Criminal Law Series and Immigration Law Series are included in this catalogue, as well as resources for personal injury, administrative law, and mediation. Please stay tuned for new practice publications from us in the months to come.

Sincerely,

Marc Emond
President
Emond Publishing
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Administrative Law: Principles and Advocacy, 5th Edition offers a comprehensive overview of key legal issues that arise in Canadian administrative law. This text introduces readers to the principles and procedures of this area of law as well as to some of the specific agencies, boards, and tribunals that have been created for the administration of justice.

This text is divided into three parts: Principles and Theory, Advocacy, and Challenging Administrative Decision-Making and Enforcing Orders. Readers are provided with a foundational overview of administrative law in Canada, practical information on participating in tribunal hearings, and the mechanisms in place for challenging decisions. This edition incorporates important changes to the judicial review framework that were introduced by the Supreme Court of Canada in its 2020 decision in Canada (Minister of Citizenship and Immigration) v Vavilov.

View a sample chapter online at emond.ca/al5.

FEATURES

- A new appendix on judicial review in the federal courts.
- Added coverage on virtual hearings and online dispute resolution.
- More examples from provinces across Canada.
- Information on Indigenous rights and title as they relate to administrative law.
- End-of-chapter exercises, figures, and review questions.

Written for lawyers, paralegals, and other legal professionals.
**TRIBUNAL PRACTICE AND PROCEDURE, 2ND EDITION**

Kandace Bond Wileman  
Margot Davis  
Cherie A. Daniel  
Alison Kossowski  
Lynn Fournier-Ruggles  
Rochelle Ivri  
Deborah Pressman

Tribunal Practice and Procedure, 2nd Edition is a comprehensive, practice-oriented handbook designed to help readers effectively advocate for clients at administrative tribunals. Each chapter provides an in-depth and up-to-date examination of a specific board or tribunal, covering its history, scope, procedures, hearing and appeal processes, and key cases.

The second edition includes a new chapter devoted to Canada's first fully online tribunal, the Condominium Authority Tribunal. Each chapter now contains a comprehensive Case in Point box, along with shorter examinations of relevant case law, new practice tips, new tables, and new figures.

This text includes scenario questions that allow readers to apply the concepts and skills they learn in each chapter. With this comprehensive understanding of tribunals, readers will be prepared to effectively participate in proceedings before select federal and provincial tribunals.

“[These authors] have pulled together a wealth of information regarding many of the busiest tribunals in Canada and Ontario. .... I recommend this book to all who have reason to appear before our administrative tribunals.”

—Sean Weir, Executive Chair, Tribunals Ontario

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Chapter 11: Ontario Land Tribunal  
Chapter 12: Canadian Human Rights Tribunal  
Chapter 13: Social Security Tribunal  
Chapter 14: Immigration and Refugee Board

**FEATURES**

- Expanded discussion on virtual court processes and procedures.
- Sample completed forms in select chapters.
- Updated statutes, regulations, and procedural rules.
- A new chapter devoted to The Condominium Authority Tribunal.
- Step-by-step guidance on initiating proceedings and the hearing process.
- Additional charts and figures to enhance the appeal for visual learners.
- Case-in-Point feature boxes highlighting facts, issues, and decisions of real-life cases.
- Additional Practice Tip boxes and scenario-based questions.

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Chapter 10: Advocacy for Arbitration
Chapter 11: Selecting the Right ADR Process
Chapter 12: Selected Topics in ADR

ADR for Legal Professionals, 2nd Edition recognizes and addresses the specific needs of legal professionals involved in the growing field of alternative dispute resolution. A recurring case scenario guides readers through each stage of a dispute, from determining a conflict resolution style to drafting settlement agreements or preparing for arbitration.

With practice tips, highlight boxes, checklists, and sample documents, this practical resource provides an in-depth review of the three main ADR processes—mediation, negotiation, and arbitration—teaching readers the fundamental principles of alternative dispute resolution and demonstrating different opportunities to resolve conflicts.

The 2nd edition features a new chapter devoted to current issues in the field of ADR, including Indigenous practices, the use of ADR in administrative tribunals, training and career opportunities in ADR, and more. This edition also features industry-specific legal role plays focusing on common legal issues such as landlord and tenant, personal injury, contractor and owner, neighbours, and employment disputes.

With information, tips, and resources designed for legal professionals, readers will be better equipped to effectively advocate on behalf of their clients. This must-have collection of specialized materials is the perfect resource for any current or future legal professional learning about conflict resolution.

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Features

- New material on drafting settlement agreements.
- More comprehensive coverage of online dispute resolution and access to justice.
- Expanded content on administrative tribunal procedures.
- Legal role plays focused on common legal disputes between neighbours, employers and employees, contractors and homeowners, clients and service providers, landlords and tenants, and more.
- End-of-chapter summaries, key terms, review questions and exercises.

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Mediation: A Comprehensive Guide to Effective Client Advocacy is an essential reference tool that provides litigators and other legal professionals with the practical mediation strategies that will help them best serve their clients in out-of-court dispute resolutions.

This detailed resource offers step-by-step guidance in navigating the mediation process, including case and client assessment, how to choose an effective mediator, mediation preparation, ethical considerations, how to overcome barriers to settlement, and when to end mediation.

The text draws on expert knowledge and extensive experience from renowned litigators, academics, and mediators from across Canada to deliver the ultimate practical guide for mediation advocates.

“Mediation: A Comprehensive Guide to Effective Client Advocacy is a ‘must read’ for lawyers who are, or plan to be, advocates for their clients in mediation...After reading this book, lawyers will be well aware of the advantages and the risks of mediation and how to engage in the process strategically. They will know how to select a mediator, and they will appreciate the importance of adjusting their negotiation approach to the situation at hand. If an impasse occurs, they will be able to reach into their toolbox and explore ways to move beyond the hurdle.”

— Leslie H. Macleod, Co-Director, LLM in Dispute Resolution, Osgoode Professional Development, Toronto, Ontario
The Theory and Practice of Representative Negotiation blends the key ingredients of a theoretical framework with a practical focus. With a respected lineup of contributors and a Canadian focus, this book will be of interest to the legal community and to anyone working in a field where strong representative skills are essential. Paying particular attention to ethics and professional responsibility, the authors allow readers to consider the inherent risks and potential gains associated with various approaches to strategic negotiations.
**ACCIDENT BENEFITS: A PRACTICAL DESK REFERENCE**

*Darryl Singer  
Andrea Sesum  
Meena Saini*

**ACCIDENT BENEFITS: A PRACTICAL DESK REFERENCE** is an easy-to-use reference tool designed to help lawyers, paralegals, law clerks, and insurance adjusters properly file, negotiate, and complete accident benefits claims.

This indispensable resource analyzes the many forms of compensation available to injured parties after motor vehicle accidents and includes insightful practice tips for all parties involved in a claim. It contains OCF forms, application documents, model letters, and precedents.

The author team has drawn on their extensive knowledge and experience to create a comprehensive guide for all stakeholders in an accident benefits claim.

“I recently purchased Accident Benefits, and as a newly called lawyer, I find this book fantastic. I have been looking for such a text for a long time. It’s an excellent reference for lawyers.”

—Kristofer B. Angle, D’Angela Fox Vanounou LLP

“As a busy practitioner in accident benefits, navigating the complexities of the SABS legislation can be daunting, especially if you have limited knowledge of the system. Accident Benefits: A Practical Desk Reference has filled a void in the legal field and has made it easier for me to find answers to specific questions, provided me with great practice tips and has helped me improve my understanding of the regulations. I would recommend that anyone who is considering representing SABS claims purchase this book to help guide them toward the best resolution for their clients.”

—Crystal Krandel, Grillo Barristers Personal Injury Lawyers

**FEATURES**

- Procedural and tactical focus, including practice tips for plaintiff, defence, law clerks, paralegals, and insurance adjusters.
- Analyzes the different types of compensation provided to injured parties after motor vehicle accidents:
  - Income replacement, non-earner benefits, caregiver benefits.
  - Medical benefits, rehabilitation benefits, attendant care benefits, disability benefits.
  - Housekeeping benefits, home maintenance benefits.
  - Optional benefits, dependent care benefits, indexation benefits.
  - Other expenses related to the injuries sustained in a car accident.
- OCF forms and application documents.
- Model letters, helpful tables, and precedents.
- Rules of professional conduct for paralegals are dispersed throughout the text.

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Civil Litigation, Revised 4th Edition, prepares law clerk students for litigation as well as to assist lawyers for civil court. The Abigail Boar fact situation guides students from the initial act of hiring a lawyer to the final stage of appealing a trial judgment. This text addresses crucial topics, including the procedure before the commencement of proceedings, client management, motions, Documentary Discovery and e-Discovery, trial preparation, statement of account, the simplified procedure under Rule 76, and the Commercial List.

The revised fourth edition captures the 2021 amendments to the Rules of Civil Procedure (Reg 689/20 and Reg 248/21) and includes updated court forms, court fees, and figures. Ontario Regulation 689/20 (passed on January 1, 2021) and Ontario Regulation 248/21 (passed on April 1, 2021) reflect the procedural changes generated by the COVID-19 pandemic.

This revised edition provides law clerk students with a clear and concise guide to the new online procedures in Ontario’s civil litigation process, including e-signature authorizations, electronic document processes, remote affidavit approval, and virtual-hearing requests.
THE ONTARIO PERSONAL INJURY DESK REFERENCE: A PLAINTIFF’S HANDBOOK

Darryl Singer
Stanley Razenberg
Meena Saini

An essential handbook for anyone practicing in the field of personal injury and insurance law, The Ontario Personal Injury Desk Reference is the only book of its kind to offer a straightforward, plaintiff-focused, and practice-oriented approach to these types of claims.

Chapters are subdivided into easily searchable and digestible sections, each containing important legal and procedural considerations. This information is supplemented with practical tips based on the knowledge and experience of the author team. This strategic advice will help readers apply abstract concepts to various aspects of practice, including advocacy, client management, practice management, and professional responsibility.

This guide is sure to benefit all plaintiff-side practitioners and their staff by offering practical and procedural content on a wide range of personal injury claims.

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FEATURES

• Foreword by the Honourable Mark L. Edwards.
• Practice tips on the real-life application of the law and procedures.
• Forms and precedents that function as usable templates.

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Small Claims Court, 5th Edition provides a step-by-step guide to trial preparation and trial presentation in Small Claims Court. Readers will learn about rules and forms specific to Ontario, as well as common practices, including how to draft Small Claims Court pleadings. Covering a range of key topics, this go-to resource addresses everything from preliminary considerations to enforcing Small Claims Court judgments.

This edition reflects changes to the Rules of the Small Claims Court and to the monetary jurisdiction of the Court. It also features updated sample pleadings, more complex fact situations and sample documents, additional references to case law, and new drafting exercises.

FEATURES

- Regulation changes, including new monetary jurisdiction of the Small Claims Court and updated amount of Fees and Allowances
- Additional jurisprudence
- New drafting exercises
- New content, including expanded discussion of settlement conferences
- Sample forms with more complex scenarios, such as cases with multiple defendants and cases where one defendant is a corporation
- An instructor package: Test Bank, Instructor’s Guide, and PowerPoint presentations

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Chapter 9: Assessments Hearings, Trials, and Motions After Trial
Chapter 10: Enforcing Small Claims Court Judgments

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**Advanced Corporate Legal Procedures, 2nd Edition**

**Elizabeth Gillis**

*Advanced Corporate Legal Procedures, 2nd Edition* provides a complete overview of the fundamental legal issues and procedures associated with the Canadian business sector. Author Elizabeth Gillis discusses the key legislation that affects different types of businesses—from larger corporations to not-for-profit organizations—as well as the legal steps involved in the formation and maintenance of a business, including registration, minute books, and share types. The text clarifies the relevant provisions of the business corporations legislation and the *Ontario Securities Transfer Act*, describes the role of related government departments, and includes a chapter on not-for-profit organizations and charities. Additionally, it offers sample forms relating to corporate legal procedures.

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- Chapter 12: Annual Matters
- Chapter 13: Corporate Changes
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- Chapter 15: Not-for-Profit Organizations, Corporations, and Charities

**FEATURES**

- Step-by-step guide to incorporating a range of company types, including federal non-profits.
- Sample forms and checklists for inclusion in federal and provincial corporate registrations, name searches, issuance of shares, and annual returns filing dates.
- Addresses the relevant provisions of provincial and federal business legislation, with substantive law underlying corporate procedures presented alongside applicable documents and forms required to complete the transaction.
- Comparative table of incorporation provisions across Canada.

**TABLE 8.1 PROVISIONS FOR RECORD KEEPING UNDER THE CBCA AND THE OBCHA**

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<td>• Articles and all amendments&lt;br&gt;• Bylaws and all amendments&lt;br&gt;• Unanimous shareholder agreements&lt;br&gt;• Minutes of meetings and shareholder resolutions&lt;br&gt;• Copies of all notices of registered office and directors&lt;br&gt;• Securities register containing the information set out in CBCA s. 50</td>
<td>• Articles and all amendments&lt;br&gt;• Bylaws and all amendments&lt;br&gt;• Copy of any unanimous shareholder agreement known to the directors&lt;br&gt;• Minutes of meetings and shareholder resolutions&lt;br&gt;• A register of directors in which are set out the names and residence addresses while directors, including the street and number, if any, of all persons who are or have been directors of the corporation with the dates on which each became or ceased to be a director&lt;br&gt;• A securities register that complies with OBCHA s. 141(1)</td>
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Debtor–Creditor Law and Procedure, 6th Edition covers the laws and processes related to debt collection. Produced to meet the specific needs of legal professionals, this text offers practical insights, realistic examples, and step-by-step instructions, covering the respective duties of paralegals and law clerks in both Superior and Small Claims Courts. As such, it thoroughly outlines commencement of proceedings, obtaining default judgment, documenting debt settlements, schedules for repayment, debt calculations, and debtor remedies.

This edition reflects updated regulations governing court procedures, as well as legislative changes at the provincial and federal level, including to the Criminal Code, the Payday Loans Act, and the Collection and Debt Settlement Services Act. New Case-in-Point boxes illustrate how the court deals with various issues.

“Kudos to the authors—this is a tough area of law and they have done a good job making it accessible to the students.”

—Ardel Johnston, Georgian College

“This textbook made changes to the math for calculating pre and post judgement interest. I wanted to give you feedback and say that I got 100% on those calculations on my debtor creditor mid term and I found the breakdowns very helpful in understanding how to do the math (this is coming from someone who has math phobia!!).”

—Safa, Law Clerk Student at Seneca College
Criminal Law for Legal Professionals, 3rd Edition presents a broad overview of criminal law and procedure in Canada. The text strikes a balance between theory and practice while covering key subjects, including the Criminal Code, corporate liability in organizations, court jurisdiction, and appeals.

This edition includes legislative updates, including Bill C-75 that has brought sweeping changes to both substantive criminal law and the manner in which criminal offences are prosecuted. It also presents new case law, administrative sources, and an updated Appendix that fully explains and reflects the current state of paralegal scope of practice and regulation in Ontario.

The appendix also includes a detailed and comprehensive list of summary convictions and hybrid offences (where the Crown proceeds by way of summary conviction) that fall within the scope of practice for paralegals in Ontario.

FEATURES

- Recent Bill C-75 changes, which affect pre-trial release and bail provisions, special sentencing provisions for intimate partner violence, appearances by audioconference or videoconference, preliminary inquiries to the most serious offences, jury selection process, remediation agreements for organizations, and reclassifying offences.
- Practical exercises, including real-life scenarios, discussion questions, forms, and checklists.
- Additional case law and administrative sources.
- A complete list of offences within the Paralegal Scope of Practice.
- Key terms that are highlighted and defined throughout.
- Instructor package: Test bank, Instructor’s Guide, and PowerPoint presentations.

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Chapter 23: The Youth Criminal Justice Act

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Chapter 24: Common Office Procedures

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Crime and Intelligence Analysis in Canada provides a comprehensive introduction to the twin fields of crime analysis and intelligence analysis from a Canadian perspective. Written for both students and practitioners in public law enforcement and corporate security, this resource examines analytical methods, information systems, technologies, and governance issues, with a particular focus on Canadian institutional practices and contexts.

FEATURES

- Thorough explanations of methodologies, including structured analytic techniques (SATs), link analysis, social network analysis (SNA), pattern analysis, trend analysis, and crime mapping.
- Discussions on the use of related technologies, such as geographic information systems (GIS).
- Chapter on advanced analytics.
- Chapter on Canadian careers in crime and intelligence analysis.
- Canadian cases and examples relevant to both traditional law enforcement (public) and corporate security (private).
- Highlight boxes in each chapter, emphasizing specific cases, concepts, and tips.
- Chapter summaries and learning outcomes.
- End-of-chapter discussion questions and multiple choice questions.
Written for paralegals, law clerks, and other legal professionals

PROVINCIAL OFFENCES FOR PARALEGALS, 3RD EDITION
Jennifer Zubick

Provincial Offences for Paralegals, 3rd Edition provides students with an up-to-date and comprehensive overview of the procedures involved in laying and prosecuting charges under provincial legislation. Designed to meet LSO requirements, this guidebook integrates the Paralegal Rules of Conduct and the LSO By-Laws directly into the content so that paralegal students can prepare to represent their clients before the Ontario Courts of Justice.

The topics covered in this text include the classification of offences and available defences, different procedural streams and charging documents, the preparation for and anatomy of a trial, and administrative monetary penalties.

The third edition includes a recurring case study that guides students through the steps of litigating regulatory offences, including the completion of relevant forms and new mock trial activities that provide context to content and allow students to apply their knowledge.

FEATURES
- Mock trial in-class activities.
- A recurring case study that guides students through the steps in dealing with an offence.
- Updated POA sample forms and documents, including a sample retainer agreement.
- Additional scenarios, case summaries, and Case in Point Boxes.
- A revised end-of-chapter review questions.
- Updated coverage of offences, legislation, statistics, cases, and examples.

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- Chapter 9: Sentencing and Appeals
- Chapter 10: Specific Offences and Specialized Courts

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**Summary Conviction Law for Paralegals, 2nd Edition**

Gargi Mukherji

*Summary Conviction Law for Paralegals, 2nd Edition* provides a clear and comprehensive guide to the criminal justice process, outlining every aspect of a summary conviction, from preliminary matters to sentencing and appeals. This all-in-one resource, designed specifically for paralegal diploma programs, balances the theoretical and practical application of criminal law from a paralegal perspective, addressing the elements of an offence, search and arrest, court attendance, witness provisions, disclosure, pre-trial conferences and applications, remedies, trial strategies, sentencing procedures, appeals, and more.

**Features**

- A strong focus on matters permitted in the paralegal scope of practice.
- A new scenario-based chapter dedicated to the common offences within the paralegal scope of practice and overview of mental health, drug, and Gladue courts.
- Discussion of the Jordan Framework’s analysis on trial delay.
- Updated material on Bill C-75 and its impact on criminal law.
- A chapter on drafting pre-trial Charter and non-Charter applications, and the rules for serving and filing them in court.
- Relevant updates and excerpts from the *Criminal Code*, the Criminal Rules of the Ontario Court of Justice, the *Charter*, and the LSO Paralegal Rules of Conduct.

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Written for students and legal professionals

CYBERCRIME: AWARENESS, PREVENTION, AND RESPONSE
Kathy Macdonald

Cybercrime: Awareness, Prevention, and Response is the first Canadian resource of its kind to effectively address the role of crime within this increasingly digitally-dependent age and networked world. A wide spectrum of cybercrimes, including online fraud and exploitation, identity fraud, social engineering, phishing, and cyberbullying, are explained and thoroughly mapped out with prevention strategies, intelligence-gathering tactics, and response plans. With each chapter highlighting real incidents and referencing Canadian content, students and professionals will be equipped to tactfully approach cyber-related crimes from a law enforcement perspective.

This comprehensive resource is essential for anyone working in or being introduced to this growing field, providing readers with an overview of how cybercrimes affect individuals, businesses, governments, institutions, and organizations.

FEATURES
• Definitions related to cybercrime, technology, and cybersecurity.
• Case studies of Canadian incidents and investigations.
• Checklists and tips for safeguarding against cybercrime.
• A discussion of the process of investigating cybercrime.
• An overview of social media’s relationship with cybercrime.

Common Fraud Schemes

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<th>Description</th>
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<td>Lottery scam</td>
<td>A scam in which victims are told they have won a lottery and need to wire or send a cheque in an amount of a few thousand dollars to possibly tens of thousands of dollars to pay taxes or administrative fees and collect winnings.</td>
</tr>
<tr>
<td>Romance scam</td>
<td>A scam in which a perpetrator, who is very persistent, claims to have fallen in love with and wants to marry the victim and follows this up with a problem, such as loss of travel documents, sickness, or injury, and a request for the victim to provide financial help.</td>
</tr>
<tr>
<td>Military scam</td>
<td>A scam in which victims are contacted by an official-sounding agency trying to return military officers and their property and are told there is a problem, such as a soldier being arrested and jailed, and money is needed to bail out the soldier.</td>
</tr>
<tr>
<td>Grandparent scam</td>
<td>A scam in which perpetrators phone a victim, pretend to be a grandchild, and claim to have been arrested and in need of money for bail; alternatively, callers playing the role of a police officer or lawyer direct victims to wire money to help their grandchild.</td>
</tr>
<tr>
<td>Inheritance scam</td>
<td>A scam in which perpetrators contact victims by telephone or email claiming to be dying and leaving their estate to the victim but first requiring money for inheritance documents to prove the lawful beneficiary.</td>
</tr>
<tr>
<td>Tax scam</td>
<td>A scam in which perpetrators send a fake refund cheque and then request that a portion be returned or use threatening language, scare tactics, and urgency to advise victims that they need to immediately wire funds to cover a discrepancy in their taxes.</td>
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DIVERSITY AND INDIGENOUS PEOPLES IN CANADA, 5TH EDITION
Darion Boyington

Diversity and Indigenous Peoples in Canada, 5th Edition provides a firm foundation for criminal justice students and law enforcement to understand cultural and identity issues within the Canadian context. Through examining the concepts of diversity, human rights, and Indigenous issues, students will learn to responsibly manoeuvre through Canada’s evolving social landscape—a necessary skill in law enforcement.

This text consists of two parts: Part I explores diversity, multiculturalism, and human rights within Canada; Part II reviews past and present interactions between Indigenous peoples and Canadian settlers.

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FEATURES
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The Practical Guide to Evidence and Proof in Criminal Cases, 9th Edition offers a clear and concise explanation of the different types of evidence admissible in criminal cases, the rules excluding certain categories of evidence, and the exceptions to those rules.

The ninth edition brings clarity to the rules of criminal evidence, reflecting significant amendments in case law, legislation, and policy. It includes up-to-date coverage of the Criminal Justice Reform and Evidence (Amendment) Bills passed in 2018. This edition also includes updated material on evidence protection at trials for complainants of sexual assault and child abuse offences.

Authored by evidence law experts Honourable Roger E. Salhany and Edward W. Claxton, this essential resource serves as an ideal study aid for law students learning about the criminal process, graduates preparing for the bar exam, or legal practitioners in need of a handy courtroom reference.

FEATURES

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—Justice David H. Doherty
There are many procedural and ethical considerations that practitioners need to be aware of when working on a criminal case involving youth, especially when the young persons involved are from vulnerable populations that require special care. *Prosecuting and Defending Youth Criminal Justice Cases* provides practical commentary and analysis alongside updated policy, case law, and legislation in order to guide readers through a youth criminal justice case from beginning to end.

The third edition’s chapters on bail, youth records and privacy, sentencing, and youth trials have been updated to include new information on the treatment of youth in the welfare system, adult sentencing applications, court remedies surrounding privacy violations, unreasonable delay in court proceedings, the admissibility of youth statements, and more. This text also explores the ways in which landmark decisions such as *R v TJM*, *R v KJM*, and *R v Joseph* will impact future youth criminal justice cases from both crown and defence perspectives.

Apart from this new content, readers can rely on the text’s valuable checklists, charts, precedents, and advice to assist them through procedures and issues surrounding interviewing clients, arrest and bail matters, trials, and sentencing. This incredibly comprehensive and balanced resource will enhance the practice of lawyers, judges, and other legal professionals who interact with the youth criminal justice system.

This text is Volume 1 in Emond’s Criminal Law Series.
CRIMINAL APPEALS: A PRACTITIONER’S HANDBOOK

General Editors
Brian H. Greenspan
Justice Vincenzo Rondinelli
Mark C. Halfyard
Michael Dineen
Jonathan Dawe

Criminal Appeals: A Practitioner’s Handbook is an essential guide to the strategic and procedural process of criminal appeals at all levels of court in Canada.

With a practical focus, this book explores the different types of criminal appeals and outlines the procedural steps involved in a criminal appeal. It delivers concrete instruction on drafting appeal factums, motions of appeal, and written and oral argument strategies, supported by samples and tactical guidance.

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“[T]his incredibly helpful handbook ... is written by very experienced and winning appellate lawyers, who share their knowledge, insights, and tips with their readers. This guide provides lawyers with everything they need to know about how to conduct an appeal. It combines the law and rules that relate to criminal appeals with excellent strategic advice about appellate advocacy. If you argue appeals, or want to, you will find Criminal Appeals: A Practitioner’s Handbook to be an unparalleled resource at every stage of the appellate process and in every appellate court.”

—Jill R. Presser
BA (Hons), LLB

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The extradition process involves many checks and balances to uphold international obligations and protect the rights of the person sought. Because these cases are a unique form of international cooperation that deals with the liberty of an individual, it is of paramount importance that practitioners are knowledgeable on all aspects of the process.

Prosecuting and Defending Extradition Cases: A Practitioner’s Handbook

General Editors
Brian H. Greenspan
Justice Vincenzo Rondinelli
Nancy L. Dennison
Seth Weinstein

The authors have created an incredibly practical guide. The book includes useful documentary precedents, references, and leading extradition jurisprudence across Canada and is organized to follow the multiple-step process of an extradition proceeding. These features make it incredibly useful to those who litigate and preside over extradition cases. That the book is presented from both the Crown and defence perspective only underscores its value. It is a balanced, clearly executed, and thorough guide that will undoubtedly become the ‘go-to’ resource for anyone who deals with extradition in Canada.”

— Richard Kramer, Department of Justice, Government of Canada

FEATURES

- In-depth analysis of relevant case law.
- Sample forms and materials used in extradition proceedings.
- Information on treaties and their role in the process.
- A foreword by John Norris.

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PROSECUTING AND DEFENDING SEXUAL OFFENCE CASES, 3RD EDITION

General Editors
Brian H. Greenspan
Justice Vincenzo Rondinelli
Daniel Brown
Jill Witkin

In Prosecuting and Defending Sexual Offence Cases, 3rd Edition, Justice Jill Witkin (Ontario Court of Justice) and defence lawyer Daniel Brown offer a current and comprehensive examination of the legal processes involved in litigating sexual offences. This bestseller is designed to help practitioners focus on the procedural, evidentiary, and strategic elements unique to sexual offence cases. These elements include publication bans, search issues, children’s evidence, expert evidence, cross-examination on private records, sentencing, and more.

The third edition contains a new chapter on sexual offence appeals, addressing commonly raised issues and landmark cases from the Supreme Court of Canada, such as R v JJ. Additionally, this guide includes new discussion of Bill S-12 and reflects recent changes in Bill C-51 pertaining to preliminary hearings and in Bill C-75 pertaining to third party records, sexual history, and consent.

Analysis of case law and relevant Criminal Code provisions are integrated throughout to effectively guide readers through the flow of a sexual offence case, from arrest to appeal.

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FEATURES

- A new chapter dedicated to the practice and procedure for sexual offence appeals, including discussion of indictable appeals, summary conviction appeals, bail, common grounds, complainant rights, fresh evidence, and Crown appeals.
- Expanded discussion of evidentiary issues on the developing law on rape myths and stereotypical reasoning.
- Extensive updates pertaining to new legislation, including the Bill C-51 and Bill C-75 amendments to the Criminal Code.
- Key commentary, from both Crown and defence, on advocacy and trial strategy.
- A Foreword by Marie Henein.
As digital evidence becomes a routine component in every criminal case, all practitioners must keep pace with the constant changes to the law and practice of digital evidence in Canada. By addressing both current and emerging challenges in the field, *Digital Evidence*, 2nd Edition provides a clear, comprehensive, and up-to-date examination of digital evidence in the context of criminal law. Authors Gerald Chan and Justice Susan Magotiaux clarify key legal principles and offer practical suggestions for criminal practitioners handling and utilizing digital evidence through every stage of a criminal proceeding.

This bestseller is designed to equip criminal practitioners with a solid understanding of the procedural, tactical, and strategic elements of gathering, admitting, and presenting digital evidence. It addresses privacy rights, private communications, search and seizure of digital data, disclosure of digital evidence, authentication and admissibility of digital evidence, digital presentations, and more. This handbook also discusses the practical constraints that affect Crown and defence counsel, including delay, cost, undertakings, and disclosure with an in-custody accused.

This edition has been updated to reflect all recent digital evidence cases from the Supreme Court of Canada, including *R v SH*, *R v CB*, and *R v Bridgeman*. In addition, it explores the ways in which cases *R v Mills* and *R v Shergill* impact search and seizure powers for law enforcement. This handbook also features discussions on *R v Marakah*, a landmark decision on the search and seizure of text messages, and more broadly, privacy in the digital age.

**FEATURES**

- A foreword by the Honourable Thomas A. Cromwell.
- “Questions to Consider” sections outlining key factors for framing arguments on digital evidence access and admissibility.
- Sample disclosure requests in digital evidence cases.
- Checklists detailing various considerations for counsel when presenting evidence and submissions in a digital format.
- A chapter discussing the procedural constraints on disclosure from both Crown and defence perspectives.
- A summary of law enforcement’s search and seizure powers for accessing digital data in the hands of third parties.
- Discussion on the limits of social media evidence.
- Relevant excerpts from the *Criminal Code* and the *Canada Evidence Act*.

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• A new chapter on cyber fraud in Canada.
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• Updated sentencing charts and case law tables on various topics, including for “Other Fraudulent Means,” breach of trust sentencing, major fraud sentencing, fine in lieu of forfeiture, and time to pay.
• First-ever chapter published on criminal organizations and fraud, which distinguishes a conspiracy from a criminal organization and includes sentencing considerations.
• Content covering victim impact statements and community impact statements.
• Boilerplate for s.29 CEA bank affidavits to accompany documentary evidence from a Production Order.

PROSECUTING AND DEFENDING FRAUD CASES, 2ND EDITION

General Editors
Brian H. Greenspan
Justice Vincenzo Rondinelli
Jonathan Shime
Ian Smith
Grace Hession David

In the current age, crime—specifically fraud—is becoming more common, organized, and complex. The increase in white-collar offences has changed the way society is tackling fraud, from police services across Canada developing specialized units for fraud investigation to regulatory bodies pursuing severe disciplinary measures.

Prosecuting and Defending Fraud Cases, 2nd Edition prepares readers to properly litigate fraud cases, examining both prosecutorial and defence perspectives. Guiding readers step by step throughout the process of a fraud case, this practical resource weaves strategic information with case law analysis and relevant provisions of the Criminal Code.

This edition features up-to-date legislation, additional content, updated charts, and a new chapter on cyber fraud in Canada. This handbook is designed to assist Crown attorneys, defence counsel, and trial judges in understanding the principles of fraud.

“What I particularly like about the text is its avoidance of unnecessary legalese. Advice is imparted in clear, unambiguous, and user-friendly language. It alerts the reader to pitfalls to be avoided and points the way to creative advocacy at trial and on sentencing.”

—Mark Sandler, LLB

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Indigenous people are the most overrepresented population in Canada’s criminal justice system. Their experiences within the system are interwoven with issues of colonialism and discrimination. *Indigenous People and the Criminal Justice System, 2nd Edition* examines these issues and their impact to provide lawyers and judges with a deeper understanding of this area of the law.

In this bestseller, Jonathan Rudin provides a practical review of leading case law and day-to-day considerations for practitioners who are working with Indigenous clients. A host of key topics are explored in the text, including but not limited to major inquiries and cases, Indigenous courts, Aboriginal justice programs, and the challenges surrounding sentencing circles.

The second edition contains a new chapter devoted to Fetal Alcohol Spectrum Disorder (FASD) and the experiences of FASD-affected individuals in the Canadian Criminal Justice system. It also includes a practical review of the 2019 Final Reports by the National Inquiry into Missing and Murdered Indigenous Women and Girls (MMIWG) and the Public Inquiry Commission on relations between Indigenous Peoples and certain public services in Québec: listening, reconciliation, and progress. This bestseller also features expanded coverage of overrepresentation, sentencing, plea bargains, Gladue principles, and Charter challenges.

Practitioners using this guide will be equipped with invaluable tools and the most up-to-date information designed to help them navigate cases involving Indigenous people within the Canadian criminal justice system.
Charter remedies are available across all types of offences in criminal proceedings. Charter Remedies in Criminal Cases, 2nd Edition examines the relevant principles and technical rules that need to be considered when seeking out or trying to resist applicable remedies. National in scope, this practical resource will also assist practitioners in deciding which remedy might be more appropriate or just.

The breaches and remedies featured in this text cover a wide range of issues, including—but not limited to—police misconduct, unconstitutional legislation, sentence reduction, recouping costs from the Crown, habeas corpus applications, and declarations of invalidity. This text also provides detailed analysis of the criteria for exclusion of evidence under section 24(2) of the Charter, including the “obtained in a manner” criterion established in R v Pino. Additionally, the availability of judicial stays of proceedings is discussed at length, with close examination of the types of cases where stays are likely, and unlikely, to be granted.

This edition features new discussion on the 2022 Supreme Court of Canada case, R v Sullivan, exploring the ways in which this landmark decision will impact judicial comity and rules of horizontal stare decisis. It also features more comprehensive coverage of entrapment and enhanced sentence credit.

This text’s in-depth and up-to-date coverage is unparalleled, making it a must-have for lawyers and judges working within the criminal justice system.

This text is Volume 8 in Emond’s Criminal Law Series.

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IMPAIRED DRIVING AND OTHER CRIMINAL CODE DRIVING OFFENCES, 2ND EDITION

General Editors
Brian H. Greenspan
Justice Vincenzo Rondinelli
Karen Jokinen
Peter Keen

Following the 2018 repeal and replacement of driving provisions in the Criminal Code, the COVID-19 pandemic generated significant changes to the justice system, including its approach to drinking and driving cases. During the last three years, numerous aspects of the legislation have been challenged, upheld, overturned, and restored on appeal.

Impaired Driving and Other Criminal Code Driving Offences, 2nd Edition is a balanced and comprehensive guide to new legislation and case law, designed to assist all members of the criminal bar and judiciary. Incorporating both Crown and defence perspectives, this resource explores all aspects of impaired driving law, including the different types of offences, the investigation process, provincial procedural differences, trial strategies and issues, sentencing, and ethics.

National in scope, this resource analyzes all new provisions and relevant cases in context, replete with vital analysis, strategy, and tactical advice. Karen Jokinen and Peter Keen review and present these legislative changes, leveraging their knowledge and experience to provide a truly practical treatment of the legal issues and constitutional difficulties surrounding driving offences.

This second edition includes two new chapters devoted to Charter issues, including rights to counsel and remedies. Each chapter explores the strengths and weaknesses of arguments often presented by Crown and defence, and alternatives to these arguments. This guide also features up-to-date legislation, additional content, and more case law from western Canada.

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FEATURES

• A foreword by Justice Joseph Di Luca.
• Expanded discussion of sentencing, including mandatory minimums.
• Updated content on drug-impaired driving, including discussion of R v Robertson.
• Coverage of procedural changes to drinking and operating trials generated by the COVID-19 pandemic.
• The differences between impaired driving, drinking and driving, and drugged driving.
• Exploration of the strengths and weaknesses of arguments often presented by Crown and defence.

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Children have a unique status when participating in the criminal justice system. In order to clarify the issues and challenges that arise in these specific circumstances, *Prosecuting and Defending Offences Against Children*, 2nd Edition breaks down the numerous factors and considerations that legal professionals must be aware of when working on cases where children have been victims of crime.

The author and contributor team—composed of Crown, defence, and judiciary—thoroughly examines multiple facets of child abuse, including neglect, sexual abuse, Internet exploitation, physical abuse, and homicide. Additionally, this text considers how children interact with the criminal justice system differently than adults through its exploration of child witness preparation, the special features of children’s evidence, testimonial aids, and sentencing.

The second edition covers all recent case law developments and includes additional case law from western and eastern Canada. This edition also contains new chapters that discuss defending clients accused of offences against children, authored by Judge Kasandra Cronin, as well as child forensic interviewing, authored by Sick Kids Hospital social workers: Meredith Kirkland-Burke and Janeen Moddejonge.

This practical and procedural guidance is an invaluable resource to anyone seeking a comprehensive and up-to-date understanding of how criminal law applies to cases involving the abuse of children.

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**FEATURES**

- A new chapter on forensic interviewing of children, focusing on forensic interviewing protocols, child development, child memory, child trauma, and more.
- A new chapter on defence perspectives, outlining the main considerations that counsel need to keep in mind at each stage of child abuse cases.
- Summaries on the rules of law, evidence, practice, and procedure specific to child abuse cases.
- Practical advice for Crown, defence counsel, and judges on how they can be more effective in their respective roles when dealing with child witnesses.
- Discussion of expert medical evidence issues pre- and post-Goudge inquiry.

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Drug-related offences are one of the single largest areas of activity within criminal law. The COVID-19 pandemic exacerbated Canada’s opioid crisis, with overdose-related deaths increasing by almost 95% following the onset of the pandemic. This grim reality has led to new approaches in Canadian drug policy and the prosecution of drug-related offences.

Bestseller *Prosecuting and Defending Drug Cases*, 2nd Edition offers practical and up-to-date guidance on different types of drug offences, including possession, trafficking, importing, exporting, and production offences, as well as conspiracy and criminal organization offences in the context of drug distribution offences. These cases are addressed from both a prosecution and defence perspective, and provincial differences in practice or procedure are noted in each chapter.

This all-in-one resource also provides an in-depth exploration of issues surrounding bail, disclosure, the Charter, and sentencing, alongside practice-oriented coverage of the Cannabis Act and Garofoli applications. This edition features up-to-date content, current legislation, and additional case law—perfect for all practitioners working on cases involving drug-related offences.

**FEATURES**

- Insights from expert contributors Janani Shanmuganathan and Aaron Shachter.
- New discussion on changes to mandatory minimum sentencing.
- New material on anti-black racism in sentencing, including decisions in *R v Anderson* and *R v Morris*.
- Updated coverage of bail conditions, including ankle monitors, consideration of the COVID pandemic, and section 493.2 of the Criminal Code.
- Additional material on the proceeds of crime and forfeiture, including *R v Vallières* and *Vellone v R*.

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SENTENCING:
PRINCIPLES AND PRACTICE, 2ND EDITION

General Editors
Brian H. Greenspan
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Erin Winocur
Danielle Robitaille
Maya Borooah

Sentencing: Principles and Practice, 2nd Edition serves as a concise and practical treatment of all sentencing issues in the Canadian criminal justice system, incorporating both Crown and defence perspectives. Building on general principles, this text tackles both common and unusual sentencing issues and questions, and pragmatically discusses plea negotiations, procedure and advocacy, dangerous offenders, types of sentences, Charter considerations, appellate issues, and ancillary orders, as well as post-sentencing issues.

In the second edition, Criminal defence counsel Danielle Robitaille and assistant Crown attorney Erin Winocur are joined by co-author Maya Borooah, a defence lawyer specializing in criminal and regulatory litigation. Drawing on their combined expertise, the authors inject their perspectives and experiences as front-line advocates, providing readers with a constructive and balanced discussion of the topic. The experienced authors and contributors have written chapters dedicated to various areas of practice, creating a comprehensive reference that thoroughly explores an array of themes relating to sentencing.

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FEATURES
• A new chapter on sentencing for specific offences, including offence specific guiding principles and tables of relevant cases from across the country.
• Insights from expert contributors across Canada: Mihael Cole, Sophia Cripouris, Chantal Desloges, Owen Goddard, Mark Halfyard, Heather Hansen, Sarah Leece, Emma Rhodes, Jonathan Rudin, Cathryn Sawicki, Alex Smith, and William Thompson.
• Sentencing charts simplifying statutory issues into manageable information.
• A chapter devoted to sentencing issues specific to Indigenous offenders.
• Discussions on the latest trends and issues affecting sentencing.
• Foreword by the Honourable Patrick Healy of the Court of Appeal for Quebec.

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Prosecuting and Defending Professional Regulation Cases is an essential resource for practitioners advising or representing professionals or institutions involved in regulatory proceedings. This guide equips practitioners with the legal knowledge and profession-specific requirements and context needed to manoeuvre through the regulation process. Matters addressed include registration and licensure requirements, complaints and investigation processes, incapacity and fitness to practise investigations and proceedings, special considerations for sexual abuse cases, discipline and parallel proceedings, penalties, and reinstatement procedures.

FEATURES

- End-of-chapter “Takeaways” highlight key considerations for counsel.
- Up-to-date discussion on regulatory audits and reports that can affect registrants.
- Nation-wide overview of how regulators approach various issues.
- Highlighting of applicable codes, such as Health Professions Procedural Code, Professional Code, Model Code of Professional Conduct.
- Addresses relevant acts, including the Ontario Regulated Health Professions Act, 1991; Protecting Patients Act, 2017; Early Childhood Educators Act, 2007; Ontario College of Teachers Act, 1996; Registered Human Resources Professionals Act, 2013; the Criminal Code and the Controlled Drugs and Substances Act; and the Criminal Records Act.
SEARCH AND SEIZURE provides a practical examination of the evolving body of legal rules and principles that govern how reasonable searches and seizures are conducted. In particular, it considers the increased complexity of assessing a person’s reasonable expectation of privacy in the digital age. This handbook addresses central concerns and relevant topics such as Section 487 Search Warrants, computer device searches, warrantless searches, and exclusion of evidence.

This all-in-one comprehensive guide analyzes every perspective, including those of the rights-holder, the police officer conducting a search or seizure, prosecutors and defence counsel, and judges reviewing police conduct after the fact.

“Search and Seizure is not only a guide to the here and now; it will help chart a path through the uncertain terrain of the future. With its principled analysis, practical wisdom, and hands-on, how-to format, it is a must-have for anyone involved in the enforcement and administration of criminal justice.”

—Justice Renee M. Pomerance
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**QUALIFYING AND CHALLENGING EXPERT EVIDENCE**

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- Justice Vincenzo Rondinelli
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Qualifying and Challenging Expert Evidence is an essential guide for legal practitioners and expert witnesses participating in a criminal trial. Applicable to Crown, defence counsel, and the judiciary, this handbook uses clear and concise language to address all aspects of expert witness testimony from start to finish.

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A critical component of virtually every criminal trial, witness testimony has the power to make or break your theory of the case. Incorporating insights from Crown, defence, and judicial perspectives, Witness Preparation, Presentation, and Assessment offers readers practical guidance on handling the myriad of legal issues that may arise in the preparation, presentation, or assessment of witnesses.

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—Justice Michelle Fuerst, Ontario Superior Court of Justice

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- Discussion on the application of the rule in Browne v Dunn.
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*Chantal Desloges*  
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- Council for Refugees v Canada (Citizenship and Immigration), 2023 SCC 17
- AP v Canada (Minister of Citizenship and Immigration), 2020 FC 906
- Haer v Canada (Citizenship and Immigration), 2020 FC 530
- Khaniche v Canada (Public Safety and Emergency Preparedness), 2020 FC 559
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Authored by experienced immigration law experts Michael Battista and Adrienne Smith, this handbook examines recent policy reforms in the Immigration and Refugee Protection Act (IRPA) and the Immigration and Refugee Protection Regulations (IRPR), producing the most up-to-date resource for immigration practitioners and consultants looking for advice on Canada’s Family Class Sponsorship policies.

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- R v Wong, 2018 SCC 25 (CanLII), [2018] 1 SCR 696
- Kanthasamy v Canada (Citizenship and Immigration), 2015 SCC 61
- El Rahy v Canada (Citizenship and Immigration), 2018 FC 1058
- Kambasaya v Canada (Citizenship and Immigration), 2021 FC 664
- Canada (Citizenship and Immigration) v. Mason, 2021 FCA 156 (CanLII)
- Brown v Canada (Citizenship and Immigration), 2020 FCA 130 (CanLII)
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Each year, countless individuals from around the world aspire to make Canada their new home, drawn by its welcoming society, diverse opportunities, and high quality of life.

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**FEATURES**

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Dr. Kellinde Wrightson
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**COMMUNICATIONS FOR LEGAL PROFESSIONALS, 2ND EDITION**

Ashlyn O’Mara
John Roberts
Helen Wilkie

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**FIGURE 4.3 Negative and Affirmative Sentences**

<table>
<thead>
<tr>
<th>Negative</th>
<th>Affirmative</th>
</tr>
</thead>
<tbody>
<tr>
<td>The evidence was not sufficient to establish cause.</td>
<td>The evidence was sufficient to establish cause.</td>
</tr>
<tr>
<td>The judge did not fail to consider all the evidence.</td>
<td>The judge considered all the evidence.</td>
</tr>
<tr>
<td>The plaintiff established that he did not fail the test for default judgment against the defendant.</td>
<td>The plaintiff established that he met the test for default judgment against the defendant.</td>
</tr>
<tr>
<td>The article did not fail the test for publication.</td>
<td>The article passed the test for publication.</td>
</tr>
<tr>
<td>No person is permitted to board an aircraft unless he or she passes a security check.</td>
<td>A person is permitted to board an aircraft only if he or she passes a security check.</td>
</tr>
</tbody>
</table>

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Issues related to sexual orientation and gender identity impact almost all areas of legal practice. Members of the LGBTQ2+ community face unique hurdles, especially in areas of family, immigration, estates, and criminal law. *LGBTQ2+ Law: Practice Issues and Analysis* is the first text of its kind, offering a practical treatment of these specific challenges within a variety of legal contexts.

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“Joanna’s commitment to an intersectional analysis and to focussing on the real-world impact of law on people’s lives helps make this book an exceptional resource. ... The text belongs on the bookshelf of every lawyer who seeks to provide culturally-competent service, with the leading practitioners in LGBTQ2+ law sharing substantive and practical guidance.”

—Kathleen Wynne
Litigating Artificial Intelligence is the first resource of its kind in Canada to comprehensively review the diverse ways AI can interact with the litigation process, both in the courtroom and in legal practice. Presenting a realistic, even-handed treatment of the latest developments in AI and law, the General Editor team and expert contributors address four primary ways litigators can expect AI to influence their work: 1) challenging AI-informed decision-making, 2) navigating evidence law questions arising from AI, 3) bringing or defending lawsuits involving AI-based products, and 4) using AI tools to enhance aspects of legal practice.

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Judith M. Wolf

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Author Judith M. Wolf aims to assist lawyers and law clerks with a variety of tasks by providing a substantial number of sample documents, charts, and checklists. The text also covers changes to the law, like those regarding land transfer tax rates and professional obligations. This text’s unique approach to real estate law makes it a must-have resource on the shelf of anyone practising in this area.

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Judith M. Wolf
JoAnn Kurtz
Joan Emmans
Arlene Blatt

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---

**WORKING WITH THE RESIDENTIAL TENANCIES ACT, 5TH EDITION**

*John Dickie  
David Lyman*

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