



Working with Judges and the Courts:

WISHLIST

Judges → Lawyers

- Be on time! Be on time! Be on time!
- Introduce yourself clearly and slowly at the podium (not while rushing up to it).
- When making an application, say the point first and the context/detail second. If we need the history of the world, we will ask.
- Always submit to the judge background and written arguments in advance of the hearing.
- Make an extra copy (for the judge) of materials that you will be relying on – they may not be on the file, unless filed two or more weeks prior.
- Poor delivery and presentation: slow down, it is not a race. Be confident. Don't pace, click a pen, chew gum, or tap your fingers on the podium.
- We don't want to hear petty fights between you and the other counsel.
 - o On that note, never accuse other counsel of lying unless you are certain and you are aware of how serious it is.
- Number one mistake: lawyers who don't know their case. How do you know what the issues are, what evidence is required, what witnesses are needed to provide evidence, whether cross-examination is needed, what authority you require, or what advice you are to give your client, if you haven't spent time doing the necessary review and scrutiny.
- Be ready with grounds for your objections.
 - o Try to anticipate possible objections, the grounds for them, and the probable responses.
- Create strong closing statements: bad closing statements show that you are not prepared and you have not thought thoroughly about the case you are trying to prove.
- Watch the judge's body language: it can give clues. (Contact Assist if you need more information about this).
- Don't make it personal.
- In social settings (i.e. when people have been drinking), please keep your comments of cases to yourself.

Lawyers → Judges

- To hear: "Thank you (your name here), I will not have to hear from you today, as your brief was well considered, thorough, and eloquent."
- Please do not let ping-pong submissions take place where each side repeatedly goes back and forth making submissions and the Justice does not rule on the point.
- Usually we want the judge to actually decide on the issues being brought before them (Sometimes, the judge appears reluctant to decide some matters and they try to encourage counsel to have their clients reach a resolution).
- Try to be less tolerant of lawyers who take license with the evidence and waste the court's time on irrelevant issues.

Articling Students → Judges

- We are scared of you!
 - o And scared of looking like an idiot.
 - o Not everyone sees you as a parent, grandparent, friend, sister, or brother – most of us see you as a looming authority figure.
- We perform better when a judge is patient and gives us latitude.
- Most of what we do in court, we hear about 15 minutes before start time.
 - o We are starting to establish a reputation. Being more discreet with your lessons is more effective for us (and less embarrassing).

Alberta Lawyers' Assistance Society

- Professional Counselling for you and your family members (4 hours, per person, per issue, per year)
- Peer Support
- Education
- Resources (www.albertalawyersassist.ca)



The Alberta Lawyers' Assistance Society (Assist)

Assist is a charitable society providing help to lawyers, law and articling students, and their families with personal issues.

Our goal is to prevent crisis and keep lawyers and law students happy and healthy.

Assist is governed by an independent Board of Directors. Confidentiality is the corner stone of our programs and services.

FREE CONFIDENTIAL SERVICES

Professional Counselling

Assist provides up to four hours of professional counselling to you and your family. This time is given to each family member, per issue, per year, so that problems can be assessed and referrals made to long-term sources of help, if necessary. Our counsellors are located across the province, and are available for emergencies.

Peer Support

This is a program of lawyers helping lawyers. The goal is to develop a relationship of trust and confidentiality with another lawyer who relates to your experiences, providing encouragement and hope.

Resources

Assist offers information on various topics such as Career & Education, Physical & Mental Health, Work-Life Balance, Stress Management, and Overcoming Addictions.

VOLUNTEER OPPORTUNITIES

Peer Support Program

Join a network of support through lawyers helping lawyers. You will have the opportunity to provide one-on-one personal or career-related support. You will receive training outlining your responsibilities and required skills in offering peers help, encouragement, and referrals to appropriate resources.

Committees

Assist is supported by working committees. You will be able to contribute your background and skills to any one of these committees, such as Communications, Funding, Succession Planning, Law Schools, and Peer Support.

Representatives

Assist speaks at workshops and events, publishes a quarterly on-line newsletter, offers a website with resources, and contributes to various publications. Your contribution is welcomed.

Contact Information

For immediate help call **1 877 498 6898** (toll free) from anywhere in Alberta.

For more information on **Assist's** services and to access our online resources, visit our website at:

www.albertalawyersassist.ca

To speak with someone at **Assist** about our services or volunteer opportunities, call **403 537 5508** or **1 877 737 5508**.