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THE ART AND SCIENCE OF ADVOCACY

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The service provides a comprehensive Canadian approach to pre-trial and trial advocacy for both civil and criminal law practitioners alike. It combines authoritative commentary, practical checklists and concise extracts from real-life cases in an easy-to-use how-to format. All aspects of the litigation process are covered from the first client interview to the final jury address, complete with helpful strategy suggestions. Written by an experienced advocate, it features winning techniques for dealing successfully with: trial preparation, discovery and preliminary inquiries, expert witnesses, opening and closing addresses, cross-examination, demonstrative evidence, and procedures before administrative tribunals.

What's New in this Update:

This release features valuable updates to the case law and commentary in Chapter 1 (Commencing the Case); Chapter 5 (Discovery in the Civil Case: the First Salvo in the Campaign) and Chapter 10 (The Examination-in-Chief).

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Highlights:

- **Discovery in the Civil Case: the First Salvo in the Campaign — Discovery of Documents — Documentary Discovery** — However, the disclosure requirement is not limitless. The disclosure rules are not intended to allow every stone or every potential, possible, speculative stone to be turned over. The Alberta courts have held that the courts should not be overly strict in assessing relevance and materiality. If a party can show a rational strategy in which the disputed document plays a material part, that should be sufficient, as the purpose of the rule is to avoid abusive, excessive and unnecessarily expensive discovery. The rule is not intended to cut off legitimate lines of inquiry. The proposed discovery should not be unrealistic, speculative or without any air of reality. *The Canada Trust Co. (McDiarmid Estate) v. Alberta (Infrastructure)*, 2022 ABCA 247 (Alta. C.A.).
- **The Examination-in-Chief: The Techniques — The Powers of the Trial Judge — Appointing an Amicus Curiae** — In this release the author has added a new section discussing *amicus curiae*. He discusses the role and duties of an *amicus curiae* as well as how an *amicus curiae* is appointed.

ProView Developments

Your ProView edition of this product now has a new, modified layout:

- The opening page is now the title page of the book as you would see in the print work
- As with the print product, the front matter is in a different order than previously displayed
- The Table of Cases and Index are now in PDF with no searching and linking
- The Table of Contents now has internal links to every chapter and section of the book within ProView
- Images are generally greyscale and size is now adjustable
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