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CONFLICTS OF INTEREST

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Release No. 4, September 2022

Publisher's Special Release Note 2021

The pages in this work were reissued in June 2021 and updated to reflect that date in the release line. Please note that we did not review the content on every page of this work in the June 2021 release. We will continue to review and update the content according to the work's publication schedule. This will ensure that subscribers are reading commentary that incorporates developments in the law as soon as possible after they have happened or as the author deems them significant.

Changes to chapter and heading numbering may have occurred. Please refer to the Correlation Table in the front matter if you wish to confirm references.

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A practical guide that analyzes conflict of interest dilemmas. Find solutions regarding issues of loyalty and confidentiality with *Conflicts of Interest: Principles for the Legal Profession*. This service is designed as a handbook and covers all major legal areas regarding conflicts of interest. The text includes: guidance on and practical resources for identifying and resolving conflict of issues; thorough analysis of the rules governing legal ethics; and resources for managing conflicts arising in legal practice.

What's New in this Update:

This release features the addition of a new Chapter 12: Judges and the addition of a Model Factum to Appendix F: Precedents.

Highlights:

- **CHAPTER 12: JUDGES**—This release features the addition of a new chapter entitled *Judges* that addresses the ethical setting in which judges sit – one that both requires judicial independence and demands impartiality. Topics addressed in the new chapter's 24 sections include: The Canadian Judicial Council and *Ethical Principles for Judges*; the *Judges Act*; the Test for Judicial Recusal (and procedures for bringing recusal or removal applications); Costs for Recusal or Removal Applications; Conduct During Trial; Judge's Disability or Illness; Personal Relationships; Political or Academic Activity; Pre-Disposition and Prior Rulings; Pre-Judgeship Employment or Conduct and Former Clients; and Sitting on Boards of Directors or Charities. Section 12:24 of the chapter consists of an exhaustive set of research references consisting organized under seven headings: books, law reform commission and related reports; judicial codes of ethics, articles, legal topics (Westlaw Canada), *Canadian Encyclopedic Digest*, and *Canadian Abridgement* case digests.
- **APPENDIX F: PRECEDENTS—MODEL FACTUM**—With this release, a Model Factum in support of a motion or application for the recusal or removal of a judge due to a reasonable or apprehension of bias or other conflict of interest has been added to Appendix F (to align with new Chapter 12: Judges and as discussed at section 12:23 of that new chapter). The 39-page model factum includes “boilerplate” paragraphs for the “Law” section of a factum (or other submissions or argument) that have been thoroughly researched and supported with pinpointed references to caselaw, legislation and secondary sources.

Legislation, Code of Professional Conduct and Related

Highlights:

None.

Practice Notes:

None.

December 2021

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
- Footnote text only appears in ProView-generated PDFs of entire sections and pages