

# Paralegals, Advocacy & Arbitration

Mick Hassell  
Arbitrator



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## Arbitration is:

1. Effective
2. Fun
3. Growing



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## Types of Arbitration

1. Domestic
2. International
3. Labour
4. Family
5. FSCO

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## Competence

1. Arbitration Act
2. Substantive law
3. Evidence
4. Rules

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## Arbitration Act, 1991

1. Domestic
2. Party autonomy
3. Appeals optional
4. No \$25,000 cap

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## Sample Arbitration Clause

Should any dispute arise out of or in relation to this contract, the parties agree to confidential, binding arbitration in accordance with Hassell Arbitration's rules, available online at:  
[www.hassellarbitration.ca](http://www.hassellarbitration.ca)

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## Arbitration Rules

1. Agreement
2. Summaries
3. Documents
4. Witness statements
5. Hearing

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## Custom Arbitration Rules

Party autonomy

[insert any rules you want]

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## Arbitration Ethics

Rule 3.02(12) of the Paralegal  
Rules of Conduct

Ethical issues at the arbitration

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## Arbitrating Legal Fee Disputes

Retainer agreements  
Consumer Protection Act  
Insurance implications  
Confidential  
Converts A/Rs to cash

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## Paralegal Rights of Appearance at Arbitration

By-Law 4, section 6

LSUC says not allowed

Public policy suggests  
should be allowed



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## Conclusion

It's time for an  
arbitration revolution !



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Thank you!

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