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Campion's TLA certificate teaches litigators to broaden their legal minds

By AdvocateDaily.com Staff

John Campion

In a time of increasing specialization in the legal profession, Toronto barrister John Campion wants civil litigators to think big.

Campion, a heavyweight of the local legal scene and partner with Gardiner Roberts LLP, has teamed up with the Toronto Lawyers Association (TLA) to create the Advanced Skill Certificate for Young & Mid-Career Civil Litigators: Analysis, process and strategy.

He says he was inspired by the legendary figures of his early career, such as Doug Laidlaw, John Sopinka and Walter Williston, who were equally as comfortable acting in court on a family law file, defending a murder charge, or advocating for a large corporation.

"The group of great, expansive generalist barristers has been pared down to a very small group, but for the profession to be well-served, I believe we need to have a way to give lawyers a view on those other pieces of the law," Campion says. "My job is to reopen the notion of the generalist barrister, not to allow people to switch, but to make sure they have the proper training and perspective to thrive in their own practice areas."

Toronto Lawyers Association

In offering the certificate, the TLA is helping Campion bring to fruition an idea almost five decades in the making. He conceived of an inexpensive lecture series for up-and-coming litigators back in the early 1970s, when he was a trustee of the TLA, or as it was then known, the County of York Law Association.

"That shows how far back I go," jokes Campion.

In the intervening years, he has been sidetracked by a career that generated more than 300 reported cases as counsel, while also serving as a bencher of the Law Society of

In fact, he says the future of the profession may depend on their ability to adapt.

"I want young lawyers to think about what their careers might look like in 40 years' time because if you don't start thinking today and begin making changes towards that new world, then it will arrive and you won't be ready," Campion says.

Campion says the theme of the certificate talks — and any civil litigation matter — can be broken down into three concepts: analysis, process and strategy.

Analysis

"This is about teaching people to look at all of the law that currently exists and applying it to the problem that walks through their door," explains Campion, who says that lawyers should be thinking about characterizing their claim in the context of four major sources of law: jurisprudence, statute, the Charter, and the *Courts of Justice Act*.

"This is like law school on super-drugs with huge stories in each section," adds Campion, who illustrates his points with career highlights, including his successful role as counsel defending a $9-billion negligent misrepresentation action.

"You want people to be able to think through problems in an innovative way that captures the breadth of options available to them," he says.

Process

Campion analyzes how the modern litigation process gets bogged down in the "evidence-gathering" phase, which falls between the pleadings and the final argument of a matter.

"They're completely wound up in the mass of documents and lengthy examinations, but it doesn't need to be done that way," he says. "If you can hone your ability to find the essence of a problem and have the courage to carry it forward, you don't need to spend so much time chasing down every single fact into a million different corners, very few of which will ever matter at trial."

By taking a broader view of the litigation process, he says young lawyers might find useful routes they hadn't considered before. For example, Campion once advanced one of his cases involving the production of radioisotopes by having questions put to the prime minister in the House of Commons.

"When you see questions in Parliament as a potential part of the legal process, it opens your eyes to the vast, integrated world in which we live," he adds.

Strategy

To execute a successful strategy, litigators must juggle "a thousand different factors that come into play," including choices in the court process, economic factors, corporate considerations and personal and psychological pressure, Campion says.

"The essential point of strategy is that it is uniformly applied regardless of the process or stage of the litigation, arbitration, mediation or settlement," he adds.

The series, which began Oct. 30 and runs until February 2019, is accredited by the Law Society of Ontario and will be held at the offices of Gardiner Roberts LLP.

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