

## Publisher's Note

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### CONFLICTS OF INTEREST

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Release No. 2, June 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.

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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 resource entitled Conflicts of Interest — Research References/Bibliography, as well as a newly re-written Chapter 20 focusing specifically on motions to disqualify counsel for conflicts of interest.

#### **Highlights:**

- **APPENDIX B — CONFLICTS OF INTEREST — RESEARCH REFERENCES/BIBLIOGRAPHY** — This new resource (current to November 2021) provides research references on conflicts of interest within the legal profession generally and across various practice areas (administrative law; bankruptcy and insolvency; class actions, civil litigation and alternative dispute resolution (ADR); construction law; corporate law; criminal law; employment and labour law; estate planning; family law; immigration law; insurance law; intellectual property; judges and courts). The bibliography contains comprehensive lists of all relevant Canadian, British, American and Australian law books, law reform and law society publications, and law journal articles. Additionally, the bibliography contains listings of entries relating to conflict of interest issues in Westlaw Canada's: *Legal Topics*; *Canadian Encyclopedic Digest* (CED) (and American legal encyclopedias); *Legal Memoranda*; *Causes of Action, Defences and Remedies*; *Proof of Facts*; and case digest categories from the *Canadian Abridgment*.
- **CHAPTER 20 — MOTIONS TO DISQUALIFY COUNSEL FOR CONFLICTS OF INTERESTS** — Within Part VIII (Remedies and Procedures), the newly re-written Chapter 20 of the text focuses exclusively on motions to disqualify counsel for conflicts of interest. The chapter addresses issues including jurisdiction, standing, the test for disqualification, burden of proof, evidence, remedies, costs, and appeals. Sections 20:18 to 20:27 focus the discussion of disqualification motions onto 10 specific practice areas. The chapter ends in section 20:28 with an introduction to a Model Factum containing boiler-

plate paragraphs for the “law” portion of a factum in support of (or in opposition to) a disqualification motion. The Model Factum was added to the text in the March 2022 release as part of the new collection of 22 precedents available at Appendix F: Precedents.

**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