



firm profile

McMillan is a modern and ambitious business law firm serving public, private and not-for-profit clients across key industries in Canada, the United States and internationally. With recognized expertise and acknowledged leadership in major business sectors, we provide solutions-oriented legal advice through our offices in Vancouver, Calgary, Toronto, Ottawa, Montréal and Hong Kong. Our firm values – respect, teamwork, commitment, client service and professional excellence – are at the heart of McMillan's commitment to serve our clients, our local communities and the legal profession. For more information, please visit our website at www.mcmillan.ca.

contacts

David Debenham, CFF
613.691.6109

appellate advocacy

overview

Mounting an appeal to a court or administrative tribunal decision can be a costly, time-consuming proposition with no guarantee of success. The same is equally true of responding to an appeal. What is certain—whichever side of the equation you are on—is that an appeal requires a thorough review of the evidence presented to, and the decision made by, the lower court.

Uncompromising legal research and legal analysis must be undertaken. Technical principles must be broken down to their simplest form and adapted for review by the higher court. A successful appeal or defence requires finely tuned, articulate and convincing advocacy.

McMillan's Litigation Group is made up of expert litigators who have acted on behalf of appellants and respondents to appeals, judicial reviews and references, often relating to lower court proceedings in which we were not involved. Our lawyers have represented individuals, corporations in multiple industries, and organizations across Canada. We have appeared before provincial courts of appeal as well as the Supreme Court of Canada.

Our lawyers approach each appeal with an uncompromising inspection of the lower court decision, carefully looking for potential errors in judgement or procedure. We search for errors of law and fact, instances of improperly admitted or refused evidence and new evidence that may lead to a different outcome.

McMillan professionals help clients lead by:

- Advising on the viability, risks and costs of a potential appeal
- Representing appellants on leave to appeal motions and appeals
- Representing respondents on appeal
- Acting on behalf of interveners in matters before appellate courts
- Representing appellants and respondents in procedural applications related to appeals