

Audrey Boctor

(she·her·elle)

— Partner

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Assistant

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Education and Associations

- Law Society of Ontario — 2006
- New York Bar — 2009
- Quebec Bar — 2010
- LL.B., McGill University, 2005
- B.C.L., McGill University, 2005
- B.A. (Hons) in Political Science and French (Gold Medalist), Western University, 2001
- American College of Trial Lawyers
- Canadian Bar Association
- The Advocates' Society

Audrey acts in complex trials and appeals, in all areas of public, civil and commercial law. In 2020, she was listed as one of the Top 25 Most Influential Lawyers in Canada by Canadian Lawyer and was named Woman of the Year at the *Canadian Law Awards*. She has appeared numerous times before the Supreme Court of Canada including as *amicus curiae* in *Vavilov*, *Bell* and *NFL*, a landmark set of three administrative law appeals that reshaped the standard of review in Canadian administrative law. In 2019, Audrey successfully represented Instrubel, N.V. before the Supreme Court of Canada in a major appeal in private international law.

Audrey is a Fellow of the American College of Trial Lawyers and is recognized as a top litigator in every major industry publication including *Chambers*, *Lexpert*, *Benchmark* (Top 50 Women in Litigation), *Best Lawyers* and *Who's Who Legal*.

A former law clerk to Chief Justice Beverley McLachlin, PC, Audrey is also past president of the Canadian Bar Association, Québec Division and has taught civil procedure at the Faculties of Law of the University of Montreal and McGill.

Areas of Expertise

- Administrative law
- Appellate advocacy
- Arbitration and mediation
- Civil and commercial litigation
- Constitutional law
- Employment law

Audrey is a frequent speaker at continuing legal education programs across Canada. In 2021, she received the CBA SOGIC Ally Award for her work as lead counsel in public interest litigation advancing equality for LGBTQ2+ people in Canada.

Clerkship

- Law Clerk to the Right Honourable Beverley McLachlin, P.C., Chief Justice of Canada, at the Supreme Court of Canada, 2005-2006

Languages

- English
- French

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Awards

- 2021 Canadian Bar Association SOGIC Ally Award for excellence within the Canadian legal profession in advancing the cause of equality for lesbian, gay, bisexual, transgendered and two-spirit (LGBTQ2+) people
- Top 25 Most Influential Lawyers in Canada 2020 by Canadian Lawyer Magazine
- 2020 Co-gold winner of the Gowling WLG Award for Woman of the Year at the Canadian Law Awards
- Phénicia Award 2018 (with Martine Roy), from the Quebec LGBT Chamber of Commerce, in recognition of the Ross, Roy, Satalic class action against the Government of Canada for the purge of LGBT members from the Canadian Armed Forces, RCMP and Federal Public Service

Industry Recognition

- 2024 Best Lawyers in Canada: Lawyer of the Year (Montreal) Administrative and Public Law
- 2024 Best Lawyers in Canada: Appellate Practice, and Corporate and Commercial Litigation
- 2023 LEXPERT: Most Frequently Recommended: Litigation – Regulatory & Public Law
- 2023 Chambers and Partners: Administrative and Public Law; Commercial Law
- 2023 Best Lawyers in Canada: Administrative and Public Law, Appellate Practice, Corporate and Commercial Litigation
- 2023 Benchmark Litigation Top 100 Women in Litigation and Litigation Star
- 2022 Benchmark Litigation Top 50 Women in Litigation and Litigation Star
- 2022 LEXPERT: Consistently Recommended: Litigation – Regulatory & Public Law

Industry Recognition

- 2022 Chambers and Partners: Administrative and Public Law
- 2022 Best Lawyers in Canada: Lawyer of the Year in Administrative and Public Law
- 2022 Best Lawyers in Canada: Corporate and Commercial Litigation
- 2021 Benchmark Litigation: Top 50 Women in Litigation in Canada and Litigation Star
- 2021 LEXPERT: Consistently Recommended: Litigation – Regulatory & Public Law
- 2021 Chambers and Partners: Administrative and Public Law
- 2021 Best Lawyers in Canada: Administrative and Public Law
- 2020 Benchmark Litigation: Top 50 Women in Litigation, Litigation Star and 40 & Under Hot List
- 2020 LEXPERT: Consistently Recommended: Litigation – Regulatory & Public Law
- 2020 Chambers and Partners: Administrative and Public Law
- Refer to Her (Class Actions and Public Law)
- 2020 Best Lawyers in Canada: Administrative and Public Law
- 2019 LEXPERT: Consistently recommended: Litigation – Public Law
- Who's Who Legal: Future Leaders – Partners, 2018 and 2019
- Benchmark "40 & Under Hot List" 2017, 2018 and "2019 Future Star"
- 2017 LEXPERT Rising Star: Leading Canadian Lawyers Under 40
- 2017 LEXPERT Zenith Award Celebrating Women in Law

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Professional Activities

Canadian Bar Association (National)
Board Member, (2022- present)

Chair, CBA National Equality Sub-Committee (2022- present)

Canadian Bar Association, Quebec Division, Equality Committee,
President (2019 - 2021)

Canadian Bar Association, Quebec Division,
President (2018-2019),
Vice-President (2017-2018)

Canadian Bar Association, National Administrative Law Section,
Chair (2017-2018),
Vice-Chair (2016-2017), Treasurer (2015-2016),
Secretary (2014-2015)

Canadian Bar Association,
Quebec Administrative Law Section, Chair
(2011-2014)

Canadian Civil Liberties Association, Member of the Board of
Directors and Pro Bono counsel (since 2014)

Supreme Court of Canada Advocacy Institute,
Advisor (2013 - present)
Sessions Coordinator (2016-2019)

Tyndale Community Center, Member of the Board of Directors
and Legal Clinic volunteer
(2013-2017)

Publications

Audrey Boctor and Johanna Mortreux, "Recognition and Enforcement of Foreign Judgments in Quebec: Family Law Considerations", in Safa Ben Saad, David Koussens and Benjamin Prud'homme eds., *La religion en droit de la famille*, (Montréal, Éditions Thémis, 2020), 197-221

"The Abolition of the Death Penalty in Rwanda", *Human Rights Review*, Vol. 10 No.1, March 2009 (Springer Netherlands) 99-118, chosen in 2013 to be part of the Ashgate International Library on Capital Punishment, Policy and Governance, Volume III (published November 2013)

Teaching

Sessional Lecturer, Judicial Institutions and Civil Procedure,
McGill University (2017-2018)

Sessional Lecturer, Common Law Civil Procedure,
University of Montreal
(2013, 2014, 2015)

Professional Training

Straus Institute for Dispute Resolution, STAR: A Systematic Approach to Mediation Strategies (Pepperdine School of Law, June 2016)

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Speaking Engagements

Diversity on the Bench (Moderator), Canadian Bar Association Equality Committee (December 6, 2022 – virtual)

Exclusion and Limitation of Liability Clauses, OsgoodePD's National Annual Symposium on Canadian Contract Law: Essential Updates and Practical Analysis (December 1, 2022 - Toronto)

Fireside Chat with the Honourable Justice Mahmud Jamal, CBA National Administrative Law & Labour and Employment Law Conference (November 5, 2022 - Ottawa)

Think Like an Appellate Lawyer: Strategic Considerations on Appeal, The Advocates Society (October 19, 2022 - Toronto)

Class Actions (2022): The Great Debate, OsgoodePD's National Class Actions Symposium (April 29, 2022: virtual)

Litigating and Defending Systemic Discrimination Cases, Canadian Bar Association Constitutional Law and Human Rights Section (April 19, 2022: virtual)

(Un)reasonable Disagreement: Administrative Law Before the SCC, Agree to Disagree: Dissent in Canada's Appeal Courts (Hosted by Torsys LLP and Lerner LLP) (October 19, 2021: virtual)

Remote Appellate Advocacy: Best Practices for Virtual Appearances : Canadian Bar Association Skilled Lawyer Series (April 20, 2021)

La mention du sexe à l'État civil: révolution?: Salon VISEZ DROIT 2021 du Barreau de Montréal (March 29, 2021)

Keynote Address: University of Toronto Women's Association Law Government & Public Policy Forum (March 8, 2021)

The Vavilov Impact: One Year Later : Canadian Bar Association (February 24, 2021)

The Year in Review: Key Cases from the Past Year : The Advocates' Society Spring Symposium (May 7, 2020)

Making Your Mark: How to Build Your Reputation: The Advocates' Society Symposium for Women in Litigation, November 14, 2019 (Montréal)

Supreme Court's View on Standard of Review: CBA National Administrative Law, Labour and Employment Law Conference, November 8, 2019 (Ottawa)

The Rights of Trans, Non-binary and Intersex People in Quebec: CBA-Québec and SOQUIJ: Emerging Legal Issues Conference, October 31, 2019 (Montréal)

Contractual Disputes and Judicial Review: Canadian Institute Advanced Administrative Law and Practice, October 30, 2019 (Ottawa)

Administrative Law Update Plenary Session, Canadian Council of Administrative Tribunals 35th Annual Symposium, May 27, 2019 (Montréal)

Who's Sorry Now? The Lavender Scare and its Aftermath: A Case Study of the LGBT Purge Canadian Class Action, American Bar Association Section of International Law Annual Conference, April 12, 2019 (Washington, D.C.)

The 6-Minute Administrative Lawyer, Law Society of Ontario, March 5, 2019 (Toronto)

Colloque sur la responsabilité du juriste, Quebec Court of Appeal, Le mandat de l'avocat, October 12, 2018 (Montréal)

Co-Chair, The Advocates' Society Symposium for Women in Litigation, May 31, 2018 (Montreal)

Rights and Status of Transgender, Intersex and Non-binary Individuals in Quebec, Annual Conference of Young Bar of Montreal, May 10, 2018 (Montréal)

Co-Chair, CBA National Administrative, Labour and Employment Law Conference, November 17-18, 2017 (Ottawa)

Standard of Review: Where Are We Now?, Canadian Bar Association National Administrative Law and Nova Scotia Branch Spring Event, June 16, 2017 (Halifax)

Lightning Round: Update on Privilege, The Advocates' Society Fall Convention, November 11, 2016 (Sonoma)

L'indépendance des tribunaux administratifs, Déjeuner causerie, Quelques aspects du statut juridique des juges et des décideurs administratifs, Canadian Bar Association – Quebec Branch, February 18, 2014 (Montreal)