



THE **VOICE** OF
THE **CRIMINAL**
DEFENCE BAR

MEMBER PROFILE QUESTIONS

INTRO :

Member Name : Michelle Psutka

Year of call: 2017

Twitter: @michelleemilie_

QUESTIONS :

1- How did you get into criminal law?

I kind of fell into it. I did my undergraduate degree in music composition and decided I didn't want to do that as a career, so I went to law school. In first year, I absolutely fell in love with criminal law and knew from that point forward that I wanted to do criminal defence.

2- What type of cases do you enjoy defending the most and why?

I'm a law nerd so I really enjoy cases that raise novel issues and complex evidentiary issues, whether at the trial or appeal level.



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3- How did the practice of criminal law change you?

It made me see things as much less black-and-white. There is so much grey in criminal law. Accused and convicted people are not inherently bad, and the state is not inherently good. It also definitely made my humour darker which is necessary to get by sometimes in this line of work. I try to temper it around non-criminal lawyers but I don't always succeed.

4- If there is one thing only you would like to see change in criminal law, what would it be?

Public understanding. It was so refreshing to see the public discourse around the presumption of innocence and the importance of defence lawyers shift when Nader Hasan and Alexandra Heine secured **Umar Zameer's** acquittal. Yet weeks later when the LCBO theft in Durham led to the fatal police chase on the 401, I saw the same old throw-away-the-key discourse questioning why the alleged thief was out on bail due to prior alleged robberies. It was disheartening.

5- What advice would you give to your younger self when you first started practising criminal law?

Don't be afraid to branch out to other areas of law adjacent to criminal law. It will only enhance your skills and knowledge as a criminal lawyer.



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6- How do you deal with bad work days?

Painfully stupid reality TV that lets me turn my brain off, and cat cuddles.

7- What do you think of Zoom court?

It's great for remand appearances in terms of saving client resources and using less gas. Aside from that, I'm team in-person.

8- Any embarrassing embarrassing court story you're willing to share?

I articulated in Ottawa and there was a Tim Horton's in the courthouse. I had a bagel BELT or something like that for lunch then went back into court. After I made my submissions, I exited the courtroom and realized I had a piece of lettuce stuck to my cheek the entire time. No one told me.

9- Who is your role model/inspiration in criminal law?

David Doherty, an encyclopaedic mind. Howard Krongold, a wonderful mentor and legal genius. Scott Fenton, an out-of-the-box thinker and meticulous cross-examiner.

10- What's your favourite song?

Nude – Radiohead.



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11- How do you maintain work life balance and how do you deal with the stress of the job?

I view work life balance as less of a day-to-day thing, rather on a larger scale. Sometimes it will be very hard to maintain because I'm in the middle of a big file, but then I'll take a vacation afterward to reward myself. The stress of the job isn't so bad when you're doing good work and working with people you like.

12- What do you do outside of the law?

Aside from reality TV described above -- play piano, snowboard, travel, and watch the Habs when they aren't playing like trash. Laura Metcalfe recently got me into hot yoga.