

Hon. Clément Gascon, C.C., Ad. E.

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Expertises

- Arbitration and Alternative Dispute Resolution Methods
- International Law
- Insolvency and Restructuring

Languages

French, English

Bar admission

Quebec, 1982

The Honourable Clément Gascon brings over forty years of legal experience, both as an appellate and trial judge and as a litigator in commercial disputes. His more than seventeen-year tenure on the Canadian bench, culminating at the Supreme Court of Canada, earned him a reputation for rigorous analysis, fairness, and independence.

Prior to his judicial appointments, he practiced law for over twenty years, handling a wide range of complex commercial litigation. This dual experience – as both decision-maker and practitioner – provides him with a deep understanding of the strategic and procedural considerations inherent in dispute resolution.

Now counsel at Woods, the Honourable Clément Gascon leverages his bilingual (French and English) and bijural (civil law and common law) expertise to serve as an arbitrator in both domestic and international disputes, and to provide strategic guidance to the firm's lawyers and clients in arbitration proceedings and the resolution of commercial disputes.

Admitted to the Quebec Bar in 1982, he worked for twenty years in the fields of civil and commercial litigation and labour law in a national firm and has earned a reputation as an efficient, well-prepared and very involved counsel. While working as a lawyer, he taught business law, labour law and construction law at the *Département des sciences comptables* of the *Université du Québec à Montréal*, at the McGill University Faculty of Law and at the Barreau du Québec. In addition, he co-authored several books, publications and articles on the individual contract of employment that dealt in particular with termination of employment, restrictive covenants, fiduciary duty and unfair competition.

He was appointed to the Quebec Superior Court in October 2002. While on that court, he sat regularly as a member of the Commercial Division, and he acted as the Division's coordinating judge from 2008 to 2011. The Commercial Division hears all commercial law cases, including restructurings under the *Companies' Creditors Arrangement Act* (CCAA), proceedings under the *Bankruptcy and Insolvency Act* (BIA) and disputes between shareholders. He also served as the Superior Court's representative on the committee on

class actions of the CBA's Quebec Branch from 2007 to 2010. He assumed the same role in the working group that studied the *U.S.-Canada Cross-Border Class Action Protocols*.

He was appointed to the Quebec Court of Appeal in April 2012, and to the Supreme Court of Canada in June 2014. During his years at the Supreme Court, he notably acted as the Court's representative within the international organization regrouping the supreme courts of the member states of the Francophonie.

Professional activities and associations

- Quebec Bar
- Canadian Bar Association
- The Advocates' Society
- American College of Trial Lawyers
- *Institut de médiation et d'arbitrage du Québec* (IMAQ)
- Insolvency Institute of Canada (Honorary Member)

Distinctions

The Honourable Clément Gascon has received numerous awards and distinctions throughout his career, the most recent of which are:

- Named Companion of the Order of Canada in 2023
- Recipient of the honorary title of *Advocatus Emeritus* (Ad. E.) by decision of the Quebec Bar Selection Committee in 2022
- Recipient of the Canadian Bar Association President's Award in 2022
- Named "Lawyer of the Year" in Insolvency and Financial Restructuring Law (ed. 2023) and in Alternative Dispute Resolution (ed. 2025) by The Best Lawyers in Canada
- The Canadian Legal Lexpert® Directory in Arbitration, Litigation - Commercial Litigation and Insolvency and Financial Restructuring since his return to private practice
- The Best Lawyers in Canada in Alternative Dispute Resolution, Corporate and Commercial Litigation and Insolvency and Financial Restructuring Law since returning to private practice

Education

McGill University, Faculty of Law, Bachelor of Civil Law (B.C.L.), 1981

- Upper Second Class Honours and University Scholar.

Teaching and Speaking Engagements

A sought-after speaker on a wide range of topics, the Honourable Clément Gascon has taught and delivered lectures on advocacy, business law, labor law, construction law, commercial litigation, and insolvency and restructuring at the Université du Québec à Montréal, McGill University Faculty of Law, and the Civil Law Section of the University of Ottawa, as well as at national and international insolvency institutes, The Advocates' Society, the Canadian Bar Association, and the Barreau du Québec.

During his judicial career, he remained actively involved in legal education for lawyers from various provincial bars and for law students, particularly in matters relating to written and oral advocacy, commercial litigation, and insolvency and restructuring. He has regularly participated as a speaker in continuing education seminars for Canadian judges on commercial law, class actions, and judgment writing, organized by the National Judicial Institute and the Canadian Institute for the Administration of Justice. From 2007 to 2012, he notably co-chaired the Judgment Writing Seminar of the Canadian Institute for the Administration of Justice, and has continued to contribute as a speaker since 2013. He has also been a regular faculty member at the Seminar for New Federally Appointed Judges of the National Judicial Institute.

Since 2019, he has devoted further time to speaking at conferences and events aimed at promoting dialogue on mental health and wellness within the Canadian legal community, including the judiciary, law societies, and law faculties.