

NOVA VOICE



Volume 37, No. 1 | FALL 2018

The Voice of the Legal Profession in Nova Scotia



TOUCHSTONES

REFLECTING ON THE STATUS OF WOMEN
IN THE LEGAL PROFESSION, 25 YEARS LATER

2018-19 SECTIONS
MEETING SCHEDULE

SEXUAL HARRASSMENT
WORK GROUP

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Published by the Canadian Bar Association –
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PRESIDENT'S MESSAGE



GAIL
GATCHALIAN, QC

Pink Larkin

We've had a great start to the 2018-2019 year! One of our priorities for the year is to address sexual harassment in legal workplaces through bystander intervention training. A working group has been struck and we've met several times already, with the goal of having the training up and running within the next 12 months. For more on this, see page 8 in this issue of *Nova Voce*.

I was honoured to attend, on behalf of the Branch, the swearing-in ceremonies for The Honourable Judge Christopher Manning of the Nova Scotia Provincial Court on September 7, 2018 and The Honourable Justice John Bodurtha of the Supreme Court of Nova Scotia on October 18, 2018. Judge Manning, a very well-respected criminal defence lawyer with 33 years of experience, will obviously be a great asset to the Provincial Court. Justice Bodurtha's swearing-in ceremony was a particularly significant and historic event in that Justice Bodurtha is the first Black judge to be appointed to the Supreme Court of Nova Scotia in its approximately 250 year history. The Bar's loss is a gain for all Nova Scotians.

In our continuing effort to reach out to law students, we again sponsored the Dalhousie Schulich School of Law Orientation Week lobster dinner in September 2018. All of the Branch Officers and Executive Director Tina Tucker spoke to all first year students at Orientation Week about the benefits of being a member of the CBA, and Executive Members, Section Chairs, Executive Director Tina Tucker, and Branch staff members Ian MacDermid and Jill Thomson attended the Orientation Week Societies Fair. By

the end of Orientation Week, 120 new students signed up to become members of the CBA!

We were very pleased to be invited to speak to the Western Counties Bar Association AGM and annual professional development conference, which took place on Saturday, October 20, 2018. Membership Chair Janet Curry and I delivered a presentation on how to capitalize on the benefits of CBA membership. We also gave out two free Annual Conference registrations for correctly answering questions about the presentation!

I also want to tell you about the Executive's commitment to honouring the Truth and Reconciliation Calls to Action. At our September 2018 Executive meeting we approved a motion to, whenever we meet, acknowledge that we are meeting in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq people. We have also committed to discussing the response to the Calls to Action as a potential area for collaboration with other organizations. We will continue to respond, as well, through PD conferences, section meetings and events. For those of you who might be interested in how you or your legal workplace might respond to the Calls to Action, I recommend taking a look at the [CBA – BC Truth and Reconciliation Working Group Final Report to Council, June 2018](#).

I look forward to seeing you at the Annual Conference this coming December 6 and 7, 2018, where I am especially interested

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EDITORIAL BOARD

Jennifer Keliher, Burchells LLP
Tammy Wohler, Nova Scotia Legal Aid
Michael Murphy, McInnes Cooper
Damien Barry, Sampson McPhee



Dan Wallace,
McInnes Cooper

VICE PRESIDENT On September 1, 2018, I became the Vice President of the CBA-NS. As Vice President, I supervise the Branch’s section activities and chair the Professional Development Committee.

I would like to thank the Branch’s many volunteers as Section Chairs and Vice-Chairs, and members of the Professional Development Committee. Their work is so important because so many members experience the CBA through its section meetings and conferences.

I am pleased to report that the sections have been quite active so far this year with over 25 section meetings in September and October.

Registration is open for the much-anticipated 2018 Annual Conference, which is scheduled for December 6 and 7, 2018 at the Halifax Marriott Harbourfront Hotel. Also, planning is underway for two great conferences in spring 2019: 20th Anniversary of the Family Division Conference (April 5, 2019) and the Legal Support Staff Conference (May 13, 2019).



Agnes MacNeil,
Department of
Justice

SECRETARY - TREASURER I am pleased to say the CBA-NS branch is in good shape financially. With the reorganization at the National level our funding model has changed, but should provide our Branch with funding comparable to historic levels.

We are looking at innovative and cost-effective ways to do outreach to increase membership and to communicate the mandate and strategic priorities of the Branch. So far this year, we provided copies of *Nova Voce* to all new law students, and also promoted the CBA-NS by sponsoring the LEAF breakfast fund-raiser. Seeking to maximize member benefits we are also pleased to announce that registrations for call-ins to section meetings will be free of charge going forward.



Jennifer Taylor,
Stewart McKelvey

YOUNG LAWYERS It’s been a busy fall for the Young Lawyers Section! By the time you read this, we’ll be gearing up for the Annual Conference, where the YLS will be presenting three sessions about the nuts and bolts of privacy law. We’re also proud to be hosting the Bench & Bar Mixer, which will feature a tribute to Chief Justice MacDonald ahead of his retirement. We have lots of sessions planned

for 2019 on a wide variety of topics, so please stay tuned! Our events are always open to lawyers of all ages and stages of practice (and law students, too!).



M. Jean Beeler, QC
Weldon McInnis

PAST PRESIDENT Following the Annual Meeting in June, I took over the role of “Past President” of the CBA-NS. The Past President is a member of the Executive and attends and participates at the monthly Executive meetings. The Past President also chairs the Nominating Committee, which reviews and makes recommendations

on various nominations and applications. The Committee includes President Gail Gatchalian, QC, VP Dan Wallace, and Equity Chair Jack Townsend. The Branch recently posted a call for nominations for the CBA-NS Annual Awards. These are to be presented at the Annual Conference on December 6 and 7. The awards are the Distinguished Service Award, the Community Service Award, and the Zöe Odei Young Lawyers Award. The Committee hopes to receive many nominations for these coveted awards! As the year progresses the Committee will also be looking for nominations and applications from interested lawyers in joining committees and the Executive. I am looking forward to my continued participation on the Executive and my final year on the four year “ladder”.

Janet Curry,
Workers’
Compensation
Board of Nova
Scotia

MEMBERSHIP & MEMBER SERVICES

In September, members of the CBA Executive and the Executive Director had the opportunity to attend at the Dalhousie Schulich School of Law to address and meet with the first year law class. The opportunity provided a chance to share information about the activities of the CBA and the benefits of membership for lawyers and more particularly for students who are looking for learning opportunities and the chance to build relationships with other CBA members. After the sessions approximately 100 members of the first year class took advantage of the free membership the CBA-NS offers to students.

The Membership Committee is currently exploring ways to reach out and connect with the new student members to ensure they can remain aware of the benefits available to them with CBA membership, which may include access to *Nova Voce* at the law school.

On October 20, the CBA President, Executive Director and the Membership Committee Chair were pleased to have a chance to attend at Whitepoint Lodge for the Annual General Meeting of the Western Counties Bar Association to make a presentation about how to capitalize on the benefits of CBA membership.



Jennifer Keliher,
Burchells LLP

COMMUNICATION & PUBLIC RELATIONS The CBA-NS has an active presence on Twitter (follow us @CBA_NS) and has surpassed 1,000 followers! This year we will be focusing our social media efforts on promoting Section meetings and other professional development opportunities, as well as promoting CBA practice tools and resources. We are also considering expanding to use Instagram, which CBA National has recently done (follow them @CBA_News). Finally, we are continuing to recruit members to join our Communications Committee and assist with the preparation of *Nova Voce*. I invite any interested members to contact me for more details.



Jack Townsend,
Cox & Palmer

EQUITY The Equity Committee (consisting of myself, Jacqueline Ruck, Sara Nicholson, Ben Perryman, and Heidi Walsh-Sampson) is currently looking at ways by which the Branch can help to implement the Truth and Reconciliation Commission's Calls to Action, particularly by way of one or more continuing legal education sessions. We are also looking at ways by which we can help our members to implement the equity and diversity components of the Barristers' Society's new regulatory model.

PRESIDENT'S REPORT

CONTINUED FROM PAGE 2

in learning from the many female leaders in our legal community who have kindly agreed to speak: Twila Gaudet, Mi'kmaq Rights Initiative Negotiation Office; Beata Dera, Director of Consultation, Nova Scotia Office of Aboriginal Affairs; Amy G. Gibson Saab, BoyneClarke LLP; Erin MacIntyre, Land Development & Subdivision Program Manager/Current Planning/Planning and Development, HRM; The Honourable Justice LouAnn Chiasson, Supreme Court of Nova Scotia (Family Division); Sandra O. Arab Clarke, Cox & Palmer; Erin O'Brien Edmonds, QC, TEP, Crowe Dillon Robinson; Angéle LeBlanc, MD Financial Management; Nancy G. Rubin, QC, Stewart McKelvey; Caroline McInnes, Prothonotary, Supreme Court of Nova Scotia; Kate Harris, QC, Patterson Law; Jennifer Talbot, Patterson Law; Robyn L. Elliot, QC, Elliott Law Inc.; Janice E. Beaton, QC, Patterson Law; Ellen R. Burke, Patterson Law; Megan Leslie, President & Chief Executive Officer, World Wildlife Fund Canada; Thilairani (Tilly) Pillay, QC, Executive Director, Nova Scotia Barristers' Society; Jennifer L. Cox, National Inquiry into Missing and



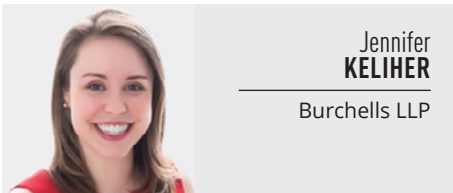
CBA-NS President Gail Gatchalian, QC and CBA National President Ray Adlington with The Honourable Justice John Bodurtha at his robing ceremony on October 19, 2018.

Murdered Indigenous Women and Girls; Trinda L. Ernst, QC, Waterbury Newton; Daniela Bassan, Stewart McKelvey; Aileen K. McGinty, Nova Scotia Public

Prosecution Service; Holly Allardyce, MD Financial Management; and Noelle England, Legal Counsel & Privacy Officer, IWK Health Centre.

GETTING THE MOST OUT OF YOUR CBA MEMBERSHIP

PRACTICE TOOLS



The CBA offers a wealth of online resources to assist lawyers in managing their practices and staying up-to-date on substantive areas of law. In between the Google searches and the trips to the Barristers' Society library, I would encourage you to log-in to the CBA website and browse their practice tools. In this issue of Nova Voce we wanted to highlight some of those practice tools and where to find them.

Toolkits

The CBA has published several online toolkits to assist lawyers in various areas of practice, including the following:

- [How to Innovate in Small & Solo Firms Toolkit](#)
- [Mortgage Instruction Toolkit](#)
- [Successfully Parenting Apart Toolkit](#)
- [CBA Tax Matters Toolkit](#) (for separating or divorcing clients);

- [Asylum Seekers Toolkit](#)

- [Child Rights Toolkit](#)

Some of the toolkits are publically accessible while others require CBA log-in credentials. Additional toolkits are also available on a wide range of issues including the collateral consequences of criminal convictions, how to make partner, and legal ethics.

Webinars

The CBA currently offers six series of webinars that are available live or on-demand. These include:

- **Skilled Lawyers Series:** Webinars designed for corporate and commercial lawyers.
- **Law Series:** Substantive law webinars that touch on new developments, new case law, best practices, legal ethics, and current events.
- **Solutions Series:** Practice management webinars that touch on everyday problems and solutions to help lawyers work less stressfully, more productively, and more profitably.

- **Canadian Securities Regulation**

Series: Webinars covering securities practice, legislation, and policy.

- **Better Client Service Series:**

Webinars designed to help lawyers establish and maintain effective relationships with clients.

Besides the series, several other ad hoc webinars on corporate law, litigation, and practice management are also available to watch on-demand.

Podcasts

New to the CBA is “[The Every Lawyer](#)” podcast series, available on Apple Podcasts, Stitcher, and Spotify. Episodes published to date have focused on solutions for law students (wellness, personal branding, and mentorship) and diversity in law. We especially encourage you to tune in to one of the most recent episodes featuring CBA-NS member and CBA National President, Ray Adlington, who discusses his history battling depression and his plans for his tenure as CBA President, including his focus on championing inclusivity and diversity in the legal profession.

BECAUSE YOU DON'T NEED "STRAIGHT PRIDE"



JACK
TOWNSEND
Cox & Palmer

It's an argument which has always perplexed me: "Why do you get a pride week? There's no such thing as Straight Pride. Why shouldn't we get a pride week, too?"

It's also an argument that a small community in New Brunswick recently accepted as meritorious.

On October 21, 2018 the Village of Chipman raised a "straight pride" flag in the centre of the community. This gesture, which was unanimously approved by the Village's Council, was the brainchild of Glenn Bishop, a local resident who meets with a group of like-minded individuals to try to "find ways to show support for straight people."

The flag was taken down the next day after public outcry garnered national media attention. Mr. Bishop has claimed that this amounts to discrimination against heterosexuals, given that the Village raised an LGBT pride flag earlier this year, and is considering (amongst other steps) legal action.

I'd like to offer the following comments in response to Mr. Bishop's arguments.

Equality can be conceptualized in two ways. First, there is formal equality, under which everyone is treated in the exact same manner, regardless of their underlying differences. Second, there is substantive equality, under which differences are taken into account.

The concept of substantive equality recognizes that groups sometimes need to be treated differently in light of their underlying circumstances in order to achieve an ultimately equal, or equitable, outcome. The need to treat two groups differently to achieve true equity can be particularly acute in circumstances where one of the groups has historically suffered from prejudice, discrimination, or disadvantage due to the characteristic that distinguishes them from the other group. Since the advent of the Charter, Canadian courts have embraced this latter approach for purposes of interpreting and applying our equality and non-discrimination laws.

Mr. Bishop's arguments are rooted in a formalistic approach to equality: if a municipal council agrees to fly a pride flag for the LGBT+ community, it should also be required to fly a straight pride flag. However, that approach is superficial and wrong at law. Again, treating two groups differently does not, in and of itself, amount to discrimination. Rather, the law requires a deeper analysis into why the two groups are being treated differently. In the circumstances of this case, this begs the following question: why do we have LGBT+ pride, and not "straight pride"?

One of the major roots of LGBT+ pride is the Stonewall riots, which occurred during an era in which systemic discrimination on the basis of sexual orientation, gender identity, and gender expression was particularly rampant. This was a time when members of the armed forces were screened and discharged for signs of homosexuality; when homosexuality was a statutory

basis on which to refuse immigration to Canada; when gays and lesbians were pushed out of the civil service in droves due to paranoia over their susceptibility to blackmail by Soviet agents; when consensual intimacy between two adults of the same gender was a criminal offence; and when homosexuality was considered a mental illness.

The Stonewall Inn was one of relatively few establishments in 1960s New York that tolerated LGBT+ patrons. As such, it was frequently raided by local police officers, who would subject patrons to various forms of degrading and dehumanizing treatment. During a particularly violent raid on June 28, 1969, the community decided it had had enough of this discrimination, and fought back against the police. The officers inside the bar had to admit defeat, and ultimately had to be rescued by a riot patrol.

The first anniversary of the riots was commemorated by marches in New York, Los Angeles, and Chicago, followed by more marches in other North American and European cities the next year. This gave strength to LGBT+ advocacy groups as they organized their efforts to combat discrimination, and eventually provided community members with a forum to celebrate their hard-earned victories.

Obviously, there is still much work to be done. Despite significant advances towards equality, LGBT+ people continue to suffer from significant disadvantage and prejudice relative to heterosexuals. For example, LGBT+

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CALL FOR COMMUNICATION AND PUBLIC RELATIONS STANDING COMMITTEE MEMBERS

Chair: Jennifer L. Keliher

Available Immediately for Fiscal Year 2018/19 (1/9/2018 – 31/8/2019) | POSITIONS AVAILABLE – 2

TERM: One-year term renewable to a maximum three years of service

SELECTION: In deciding on its nominations, the Nominating Committee shall have regard to regional representation, and representation on the basis of gender, race, language, sexual orientation and disability.

Please submit a one-page cover letter and a resume outlining your qualifications to serve on this Committee.

SUBMIT TO:

Tina Tucker, Executive Director
 Email: tina.tucker@cbans.ca
 Canadian Bar Association Nova Scotia
 1809 BARRINGTON ST., SUITE M102
 HALIFAX, NS B3J 3K8

COMMUNICATIONS AND PUBLIC RELATIONS STANDING COMMITTEE MEMBER RESPONSIBILITIES

Under the direction of the Chair, assignment of duties could include any of the following:

- Monitor news coverage involving lawyers, judges and the judicial system. Identify issues requiring a response from the CBA. Co-ordinate such response with the Branch Executive Director, Branch Executive and CBA national.
- Contribute to Nova Voce three times yearly with executive director. Involvement may include topic development and/or serving as contributors for articles/columns/photos.
- Communicate with branch members on particular issues such as initiatives of the Executive, accomplishments of particular sections, etc.
- In conjunction with the Membership Committee, help to identify opportunities for improving/increasing communication with branch members and non-members regarding the benefits of membership in the CBA.
- In conjunction with the Professional Development Committee, identify opportunities for communication with branch members regarding upcoming CLE programs.

CALL FOR VOLUNTEERS – AD HOC NOVA SCOTIA BRANCH FINANCE COMMITTEE

Chair: Agnes MacNeil, Secretary-Treasurer

TERM: 1 year (renewable based on need to complete mandate)

PURPOSE OF AD HOC COMMITTEE: Work with the volunteer Secretary-Treasurer to carry out the mandate and duties described below.

MANDATE:

- Assist the CBA Nova Scotia Executive Committee members to discharge their fiduciary responsibilities – as well as to build a structure that will best promote the CBA's financial management and investment goals.
- Develop effective policies and procedures that can be used by Executive Committee members to oversee investments while still delegating authority and encouraging teamwork among staff and volunteers.
- Recognize that while each CBA branch is responsible for managing its own finances, all branch budgets and financial statements will periodically be reviewed by the National Board of Directors who are charged with the overall fiscal health of the entire Association.
- Take into account the capacity of the Branch to follow-through on any recommendations requiring on-going management, reporting and monitoring.

SPECIFIC DUTIES OF THE AD HOC COMMITTEE:

1. Develop an Investment Policy and Guidelines which will include:
 - Investment goals, time frames, and restrictions
 - Approved short- and long-term investment instruments
 - Tolerance for risk
2. Develop an Operations Fund Policy which will include:
 - Guidelines for setting the reserve fund
 - Guidelines for how to use surplus operating funds
 - Guidelines for earmarking funds for special projects
3. Evaluate the need for and appropriate amount of branch levies
4. Establish minimum balances for chequing and savings accounts
5. Work with the staff to develop useful and readable formats for financial reports
6. Review current travel and member reimbursement policies and make recommendations

Please submit a one-page cover letter and a resume outlining your qualifications to serve on this Committee.

SUBMIT TO:

Tina Tucker, Executive Director
 Email: tina.tucker@cbans.ca
 Canadian Bar Association Nova Scotia
 1809 BARRINGTON ST., SUITE M102
 HALIFAX, NS B3J 3K8



SEXUAL HARASSMENT WORK GROUP



**GAIL
GATCHALIAN, QC**

Pink Larkin

At our May 9, 2018 meeting, the CBA-NS Executive Committee approved the following motion to implement the 2015 CBA National Resolution on Sexual Harassment in Canadian Workplaces: “Given the Me Too Movement and recent media reports concerning sexual harassment in workplaces generally and law firms in particular, we will form a work group to develop activities or projects that will enact CBA Resolution 15-05-M – Sexual Harassment in Canadian Workplaces. The focus will be on public education and culture change.”

Given my personal and professional interest in effectively addressing workplace sexual harassment, I am pleased to be chairing this work group. The following CBA-NS members were appointed to the Sexual Harassment Work Group in September: Elizabeth Cusack, Q.C., of Cusack Law Office Inc. practising in the Cape Breton Regional Municipality; Susan MacKay of the Nova Scotia Public Prosecution Service; and Kathryn Piché of Patterson Law. We are delighted that Josie McKinney from the Public Prosecution Service has also agreed to join our group.

Bystander intervention recognizes that sexual harassment thrives in a culture of silence, that there are many barriers that prevent victims from reporting harassment, and that policies, complaint and investigation procedures, while

necessary, are not enough. Bystander intervention could be indirect, for example, interrupting unwanted attention or remarks by asking the victim for the time or some other innocuous question. It could be more direct, for example, stating to the harasser, “Wow, that is so inappropriate.” Or, if you are a person with relatively more power or privilege in the workplace, you could ask the victim whether they would like you to take the complaint to management yourself or address the harassment in another way.

We’ll be working hard to develop training within the next 12 months. However, we plan to start meeting with legal workplace leaders now to obtain their input and ideas. If you have any thoughts you would like to share with our group, please do not hesitate to contact one of us.

EQUITY

CONTINUED FROM PAGE 6

people are still two times more likely to experience a major life event (e.g. losing a job) related to prejudice; are more likely to experience sexual and physical assault, robbery, and property crime; and are more likely to experience poorer health and suffer from elevated rates of depression, PTSD, anxiety, anger, and suicidal ideation.

By contrast, straight people have not lost their jobs because of their sexuality. Straight children are not being bullied because of their

sexuality. Heterosexuals do not face the same restrictions on blood donation as gay and bisexual men. A heterosexual couple who holds hands in public is not subject to the same risk of being verbally or physically attacked. The LGBT+ pride flag gives its community something to rally around while they continue to combat these inequities.

So why is it not discriminatory for you to raise your flag, Mr. Bishop?

Because you don’t need “straight pride”.

And you should be very grateful that you don’t.

2018-2019 CONFERENCE DATES

20th Anniversary of the Family Division Conference

April 5th, 2019
Casino Nova Scotia
Followed by a Bench and Bar Dinner

Legal Support Staff

Monday, May 13th, 2019
Casino Nova Scotia

FRANCES LILLIAN FISH, Q.C.



KELLY L.
GREENWOOD
Burchells LLP

Frances Lillian Fish was the first woman in Nova Scotia to graduate with a law degree, the first female lawyer in that Province, and the seventh woman in Canada to become a lawyer. She was born in Newcastle (now Miramichi), New Brunswick in December, 1888. She obtained degrees in classics from the Universities of New Brunswick (BA 1910) and Chicago (MA 1913) and was a teacher and principal before pursuing legal studies. She graduated from Dalhousie University and was called to the Nova Scotia Bar on September 10, 1918.

Miss Fish's Bar admission was front-page news in Halifax where the September 12, 1918 headline accompanying her photograph in the Evening Mail proclaimed "THE FIRST WOMAN TO BE ADMITTED TO THE BAR OF NOVA SCOTIA".

In the summer of 1918, Miss Fish worked at the law firm then known as MacLean, Paton, Burchell & Ralston (known as Burchells LLP since January 2010). While her employment at that firm was brief, Burchells LLP is proud of its connection to Miss Fish and of the role it played in Miss Fish's legal education and experience. Miss Fish was a trailblazer for women in the legal profession, which was at the time a man's profession in a man's world.

Midway through her third and final year at Dalhousie Miss Fish was on campus and a witness to the death and destruction wrought by the Halifax Explosion on December 6, 1917. Following her employment with MacLean, Paton, Burchell & Ralston, she went to work as Assistant Counsel to Robert Forsyth Yeoman, a fellow Newcastle native, who was Counsel to the Halifax Relief Commission which was set up to manage reconstruction in the aftermath of the Halifax Explosion. This was followed by many years of employment in Ottawa with the Department of Finance and later with Metropolitan Life Insurance Company. Following a move to Montreal, Miss Fish was employed as legal assistant to the Hon. Charles H. Cahan, secretary of state in the 1930-1935 cabinet of Prime Minister R.B. Bennett, at a time when women in Quebec were not yet recognized as "persons" in law in that Province and not eligible to gain admittance to that Province's Bar.

After the death of her father in 1933, Miss Fish moved back to Newcastle, was called to the New Brunswick Bar in 1934 and practiced law there for over 40 years. In the provincial election of 1935, Miss Fish became the first woman to run for the New Brunswick legislature and she ran for a federal seat that same year. In 1947, Miss Fish was appointed Deputy Magistrate for Northumberland County, holding the post until required to retire at age 75 in 1963, when she became a deputy judge of the Juvenile Court. Receiving her Q.C. designation in 1972, Frances Lillian Fish worked until a few months before her death on October 27, 1975.

There has been a "Fish" Meeting Room at Burchells LLP for many years. I knew the room was named after the first woman to be admitted to the Bar in Nova Scotia, but I did not know much about the background or history of Frances Lillian Fish.

In recognition of the recent 100th anniversary of Frances Lillian Fish's call to the Nova Scotia Bar, I wanted to have a photograph and biography of Miss Fish framed for display in our offices. I am pleased to share the biography with the readers of Nova Voce.

*Kelly L. Greenwood
Co-Managing Partner,
Burchells LLP*

TOUCHSTONES FOR CHANGE: WHAT HAS CHANGED?

An interview with Gail Rudderham Chernin, Q.C. and Elizabeth Cusack, Q.C.



DAMIEN BARRY
Sampson McPhee

The CBA marked an important anniversary in 2018. Twenty-five years ago, *Touchstones for Change: Equality, Diversity and Accountability* was released, a ground-breaking report on equality in the legal profession. This report was the culmination of two years of work by a task force chaired by the Honourable Bertha Wilson, the first woman appointed to the Supreme Court of Canada. Nova Scotia’s own Judge Corrine Sparks—a former recipient of the CBA’s Touchstone Award—also sat as a member of the eight-person task force.

So what changes have occurred, if any, in the intervening 25 years? The report’s conclusions raised issues of discrimination against women lawyers across all sectors of the profession and on a national basis. In light of its findings the Task Force made the following recommendation:

Given the broad dimension of gender bias



Gail Rudderham Chernin, QC

in the profession and the anticipated points of resistance, a multi-faceted strategy for achieving change should be devised. In order to transform the legal profession, we must envision change at a number of levels: behaviours, attitudes, institutional policies and practices and in the structure of the profession itself. (See Touchstones for Change, p. 271)

Have these changes actually occurred in the legal profession, especially in light of the recent #MeToo movement in society-at-large?

I had the opportunity to discuss the Touchstones Report as well as what changes have occurred in the intervening 25 years since its release with Gail Rudderham-Chernin, Q.C. and Elizabeth Cusack, Q.C.

Gail Rudderham Chernin, Q.C. practises with the Breton Law Group in Sydney. She was called to the bar in 1987 and served as President of the Nova Scotia Barristers’ Society (NSBS) from 2003 to 2004. Gail was only the third woman to serve as NSBS President, and did so at a time when a female president was still the exception, not the norm. Since then, however, five other female lawyers have also served as President, certainly challenging—if not establishing—a new norm.

Gail recalls vividly when the Touchstones Report was published. Prior to becoming a lawyer, she had worked in the business world, and her initial experiences upon joining the legal profession were positive. She did not personally feel held back because of her gender, but at the same time was extremely conscious of female colleagues not having the same experience. As Gail recalls, it was

not uncommon for female lawyers to sign employment contracts containing so called “non-breeding” clauses, and during her first chambers appearance as a practising lawyer she was the sole female present in the courtroom.

Gail has seen a dramatic change with respect to female representation in management, executive, and senior regulatory positions across the profession. When she first started practising, she and many others viewed the late Bertha Wilson and the late Constance Glube as the main role models for female lawyers. Today, Gail can point to more role models across the profession for female lawyers, such as the growing number of women on the judiciary and esteemed colleagues like Marjorie Hickey, Q.C. and Catherine Walker, Q.C.

The more women persevered,
it allowed the rest of us to
persevere and be tenacious
Gail Rudderham Chernin

Notwithstanding positive changes at the more senior levels of the profession, Gail remains concerned about the number of female lawyers still leaving the profession after starting families. With recent technological changes, she feels that more flexibility should be afforded to both male and female lawyers in how they run their practices rather than having to subscribe to more traditional models. Gail also alluded to the fact that supernumerary members of the judiciary are given the opportunity to effectively work on a job



Elizabeth Cusack, Q.C.

share basis in retirement, and questions why this same opportunity is not given to sitting members of the judiciary.

Elizabeth Cusack, Q.C., is a Cape Breton based, Cape Breton native lawyer with Cusack Law Office Inc. who has practised law in Nova Scotia since 1974. She has taken on numerous leadership and volunteer roles within the NSBS and CBA-NS. Most recently, Elizabeth joined the CBA-NS Sexual Harassment working group (see Page 8 for more information on this CBA-NS initiative).

Elizabeth has observed many changes on a regulatory level in relation to the issue of barriers to entry for female lawyers in the profession. For example, she cites the explicit reference in the Federation of Law Societies of Canada's Model Code of Professional Conduct (Clause 6.3.3) (the "Code") to sexual harassment in the workplace as a positive development. She notes, however, that the issues of gender bias and gender identification bias need to be developed further, especially in the current commentary to the Code.

Whilst regulatory advances have been made, Elizabeth believes that sexual harassment in the workplace remains an ongoing issue.

A further issue Elizabeth sees is that of supervising a returning lawyer from parental leave. This can be a burden both for the lawyer involved as well as the supervising lawyer. Arranging a

supervising lawyer can be quite difficult, especially in rural areas of Nova Scotia.

Elizabeth highlighted the issue of partnerships and would like to see law societies implement policies concerning compulsory reporting of gender data concerning time for lawyers to achieve partnerships. Quite often female lawyers may be streamed into less remunerative areas of private practice at an early stage in their career, which in turn impacts their ability to progress within their firms. Finally, Elizabeth also noted that some female lawyers are hesitant to disclose having taken courses in women studies while in university for fear that this could have a detrimental effect on their ability to obtain an articling or associate position.

While Elizabeth recognizes that great strides have been made with respect to education and to the creation and identification of standards and obligations over the past 25 years, she is of the view that a lot of work still remains to be done in implementing change.

The CBA National Women Lawyers Forum has received a grant through the CBA's Law for the Future Fund to conduct a study on gender-based compensation amongst partners in Canadian law firms. A final report is expected in Spring 2019.

The CBA-NS invites your comments on how far the legal profession has come since the release of Touchstones for Change and how it can continue to make progress. Please send any comments to tina.tucker@cbans.ca or to jkelihier@burchells.ca.

2018/2019 EXECUTIVE COMMITTEE / BRANCH COUNCIL / AGM CONFERENCE SCHEDULE

Executive Committee Meeting Dates/Times *(to be held at CBA Office unless preceding Council or AGM):*

Thursday, December 20, 2018
Pre-Council Executive Meeting,
3:30 – 4:15 p.m.

Thursday, January 17, 2019
4:30 – 6 p.m.

Thursday, February 21, 2019
4:30 – 6 p.m.

Thursday, March 21, 2019
Pre-Council Executive Meeting,
3:30 – 4:15 p.m. (TBA)

Thursday, April 18, 2019
4:30 – 6 p.m.

Thursday, May 16, 2019
4:30 – 6 p.m.

Thursday, June 13, 2019
Pre-AGM Executive Meeting,
4 – 4:15 p.m. (Venue TBA)

COUNCIL

Thursday, December 20, 2018
4:30 – 6:30 p.m. (Venue TBA)

Thursday, March 21, 2019
4:30 – 6:30 p.m. (Venue TBA)

AGM

Thursday, June 13, 2019
5 – 6 p.m.; immediately followed
by the President's Reception
(Venue TBA)

JADE PICTOU

Called to the Bar: June 2016

Firm/company: Boudrot Rodgers Law Inc.

Areas of Practice: Criminal, Aboriginal/Indigenous, Civil, Personal Injury and Municipal Law.

Describe your professional experience to date: Since I was called to the Nova Scotia Bar I have practiced various areas of law including wills and estates, real estate, labour and employment, human rights, etc. As time has progressed my practice has narrowed into concentrated areas of litigation.

Describe your current practice: I have a litigation-based practice that is predominately focused on criminal, civil, Indigenous/Aboriginal and municipal law. While I am a defence lawyer, I am also a per diem Crown Attorney with the Nova Scotia Public Prosecution Service. I have also acted as a prosecutor for the municipal government. I am in court almost daily and I also complete shifts for Legal Aid's non-custody duty counsel, cells duty counsel, and after hour's duty counsel. Further to this, I am on the roster of lawyers for the Independent Legal Advice Program where I provide legal advice to survivors of sexual assault.

Describe the unique qualities you bring to your practice: As an Indigenous lawyer I am able to look at files with a different cultural lens. I understand that the justice system can be traumatizing for everyone involved and that it is a complicated system to navigate. I am committed to my practice and my diverse experience enables me to be creative



in my approach with clients and the law. I am constantly trying to push boundaries and invoke change in a positive way.

What other activities and volunteer pursuits occupy your time? I am a member of the Race and Equity Committee with the Nova Scotia Barristers' Society and the Dalhousie Pro Bono Advisory Committee. I am also a co-chair of the sub-committee for the Race and the Law Essay Prize. I am also a member of the CBA and the Nova Scotia Criminal Lawyers Association.

What do you consider to be the greatest challenges facing young lawyers? The law is constantly changing so it can be difficult to stay up to date with all of the changes. I have learned that it is

important to connect with others, both within and outside of the legal community, as well as different organizations that can assist you with that endeavor.

What words of wisdom do you have for new lawyers? It is extremely important to have a network of people around you to whom you can reach out. Most times, other lawyers are open to discussing an issue and providing support. Most importantly, remember to stay motivated and focused on your goals.

What are your goals for your career as you become a more seasoned lawyer? My commitment and goal as a lawyer moving forward in my career is to help foster change in the justice system through advocacy.

HIGHLIGHTING CHANGES TO RESIDENTIAL AGREEMENT OF PURCHASE AND SALE AND RELATED FORMS



**DAMIEN
BARRY**
Sampson McPhee

Updated Residential Agreement of Purchase and Sale and Related Forms were approved by the Board of the Nova Scotia Real Estate Commission (“NSREC”) on December 14, 2017, following recommendations made by the NSREC Mandatory Forms Committee, a body comprised of Nova Scotia real estate licensees and lawyers. These forms have been in use by Nova Scotia real estate licensees since July 1, 2018.

The main change from the previous Agreement of Purchase and Sale forms system is a move from a two-part to a one-part Agreement of Purchase and Sale.

The updated forms are as follows:

- *Form 400 – Agreement of Purchase and Sale;*
- *Form 210 – Equipment Schedule;*
- *Form 402 – Resale Condominium Schedule;*
- *Form 404 – Vacant Land Schedule;*
- *Form 406 – Mini/Mobile Home Schedule;*
- *Form 407 – Multi-Unit Res. Inc. Property Schedule;*
- *Form 410 – Counter Offer;*
- *Form 420 – Addendum Schedule;*
- *Form 421 – Amendment to the APS;*

- *Form 430A – SOBP Schedule;*
- *Form 430B – SOBP Seller Notice to Buyer;*
- *Form 430C – SOBP Buyer Notice to Seller;*
- *Form 431 – Water and Septic Schedule; and*
- *Form 440 – Termination of APS & Release of Deposit.*

Under the new system, the *Form 400 – Agreement of Purchase and Sale* (“Form 400”) completes the process, unless certain schedules are required, depending on the nature of the property being sold.

Many of the clauses previously included in the old Part Two forms have now been incorporated into Form 400, resulting in more concise documentation. The minimum number of pages now required is three rather than five. The schedules to be attached, if any, using the new forms, are now referenced at the top of the new Form 400.

The new Form 400 will also contain both the civic address and the lot number. The parcel identification number (PID) will be considered the definitive identifier and all PID’s should be included, if more than one.

Other notable changes include the following:

- All closing and conveyancing clauses are now grouped together in Clause 2;
- The pre-closing requirement term of “empty” is now replaced with “clean and vacant”;

- The buyer’s previous due diligence conditions are now grouped together in one clause;
- The new Clause 5 respecting HST clearly places the responsibility with the seller for determining whether HST is applicable or not;
- The new Clause 8 – *Lawyer Review*, replaces the old Clause 8 – *Lawyer Approval*;
- Migration must be done at least seven clear business days prior to closing;
- The new standard clause allows five business days after the later of migration completion and PID(s) received for the buyer’s lawyer to investigate title;
- The new *Form 421 – Amendment of Agreement of Purchase and Sale* has now been simplified to remove the Notice section which was contained at the top of the old form; and
- The new *Form 440 – Termination of Agreement of Purchase and Sale and Release of Deposit* no longer indemnifies the parties involved or the specific brokerage.

Overall, the main changes made to Form 400 focus on grouping clauses in a more concise and organized manner more akin to commercial agreements.

FREE LEGAL CLINICS ACROSS NOVA SCOTIA – MAKING ACCESS TO JUSTICE A REALITY

The Free Legal Clinic began at the Halifax Law Courts just over four years ago. The Sydney Free Legal Clinic followed in 2017, and this summer, the Yarmouth Free Legal Clinic opened its doors. The Clinics operate regularly throughout the year, either one day weekly or bi-weekly.

The Clinics began as an initiative of The Honourable Chief Justice Michael MacDonald with the support of the CBA-NS and the Nova Scotia Barristers’ Society. The service began with one goal in mind—to create an opportunity to improve access to justice for all Nova Scotians.

Courtney Barbour

“Fairness is what justice really is”. Those words are written on the corner of my notepad each time I attend the Free Legal Clinic at the Halifax Law Courts. They remind me why I volunteer and speak to what access to justice means to me.

The Halifax Clinic provides legal information and advice to people representing themselves on civil matters before the Nova Scotia Supreme Court or Court of Appeal. It also provides advice on family law matters going before the Court of Appeal. The Clinic serves people who are planning to take their legal problems to court, who have already started a legal action, or who are already in court but have little or no experience with the process. A person must contact the Clinic to

complete an application and schedule a one-hour appointment in advance.



**Courtney Barbour,
Wickwire Holm**

There is no income requirement to qualify for the Clinic. The reality is that that even for people with decent incomes, the cost of legal representation is still out of reach and makes self-representation the only feasible option. For us in

the legal profession, it’s humbling to step back and really think about how intimidating that can be for someone. The rules and procedure involved can be overwhelming and when one side is unrepresented, it often becomes the Achilles’ heel of moving the matter forward efficiently.

Taking that step back helps us understand the concept of fairness and its role in the justice system.

At its core, fairness means working towards greater access to our courts and improved public education on the rules and procedures governing our legal system. The Free Legal Clinic plays a vital role in achieving that fairness. When self-represented litigants understand the process and their obligations, it results in more efficient administration of justice and public confidence in our judicial system. This benefits both our profession and the greater public.

Without the support of the lawyers, articled clerks, and law students who volunteer their time, these Clinics would not exist. It’s a rewarding experience to volunteer and see how the Clinics are shaping the path towards greater fairness and access to justice. When you see the next call for volunteers, I encourage you to step up and give a small portion of your time to help keep these Clinics going.



**Nicole Heelan,
Wickwire Holm**

I joined the Free Legal Clinic in Halifax as a volunteer in September 2017, a mere three months post-Bar call. It was my opportunity to give back and, perhaps selfishly, a way to gain client experience. Unsurprisingly, access to justice in Nova Scotia is a serious problem. The Clinic opened my eyes to the challenges facing individuals without representation, and I found the issues significantly more jarring than

I expected. The Clinic shows the disparity of access to legal resources and provides a forum for lawyers to help those individuals most in need.

Questions raised at the Clinic range from residential tenancy issues to complex estate litigation. This requires lawyers to be flexible and to respond to various issues. One of the most challenging aspects of the Clinic is advising a client that their case has little chance of success. For any number of reasons, a client may think that their case should succeed despite the facts and the law. This experience, despite its challenges, has refined my ability to respond firmly

and kindly to a client with a weak case. More often, however, I am able to assist the clients in tangible ways.

While the legal profession is demanding and time consuming, I highly recommend this experience to any lawyer, junior or senior. The Clinic underscores the importance of pro bono work, and provides access to those most in need. That being said, it is unwise to look at volunteering at the clinic as a singularly altruistic activity. My volunteer hours provide me with a sense of purpose that carries over to my regular legal practice and my life outside the law.

The Sydney Pro Bono Legal Clinic provides summary legal advice to individuals seeking information on civil law. Prior to its formation, low-income individuals could only access free legal assistance through legal aid, if they qualified, and only in the areas of criminal and family law. The Sydney Pro Bono Legal Clinic fills a gap in that individuals now have the benefit of receiving summary advice on civil cases. While anyone can attend the Clinic, in my experience the vast majority of individuals I have seen are attempting to navigate the litigation process themselves because of the prohibitive costs of retaining a lawyer. Many of the individuals that use this service are marginalized.

The Clinic provides both substantive and procedural advice to individuals. For prospective litigants, the substantive advice they receive can have a significant amount of influence on whether the individual commences

litigation. This benefits both the individual, who gets an honest and skilled assessment of their case, and the Courts, who will not be burdened by claims that have little chance of success.

The procedural advice provided to individuals can be invaluable. It is very difficult for self-represented litigants who have commenced litigation to know the Civil Procedure Rules, which is necessary to ensure litigation proceeds in a timely and efficient manner. Courts often refer self-represented litigants to our Clinic so that they can be informed of their obligations under the Rules and prepare the proper documentation to move the matter forward. This has a significant benefit to the judiciary, as judges spend less time trying to inform self-represented litigants about the Rules.



**Liam Gillis,
Sampson McPhee**

Lawyers at the Clinic typically volunteer one morning every two months. Volunteering at this Clinic allows me to give back to the community. Clients of the Clinic often experience great satisfaction with the direction and clarity they receive. Lawyers

experience great satisfaction by helping individuals with significant legal problems that are struggling to navigate complex court processes.

Volunteering at the Clinic is personally rewarding. It is an opportunity to deal with people who may have significant personal stakes in their litigation, unlike institutional clients. The people and legal issues are often interesting. It is a small way for lawyers, who often hold a privileged position in society, to give back to the profession and to their community.

SECTION MEETINGS



Tentative dates are outlined in the Section agendas. **MEETING DATES AND TOPICS CAN CHANGE!** Notices will be sent to those who register for particular Sections prior to each meeting, with date, topic, speaker, and location confirmed. In addition, notices of upcoming meetings can be found at and registered for in the following location:

http://www.cba.org/pd/province_en.aspx and choose Nova Scotia.

The Section program year begins in September and concludes in June.

To Receive Proper Notice of Meetings, Please Return Your Section Registration Form! If you have not received your form, please contact the CBANS office at (902) 422-1905. CBA members can attend any Section meeting by confirming attendance with the Branch Office and paying the attendance fee. In addition, in May and June we host the “**Bring a Buddy**” event, where CBA members are able to bring a non-member buddy to a Section Meeting. Sections provide opportunities for lawyers to further their professional education and to keep ahead of current developments within the profession. The Nova Scotia Branch wants to show non-members what they’re missing!!

Your buddy must register and pay the registration fee as well – spread the word so as not to miss out on this opportunity!

TELECONFERENCING OF SECTION MEETINGS

For those registrants unable to attend Section meetings in person, teleconferencing is available for free. Selection of this option should be made at time of registering.

MANDATORY CONTINUING PROFESSIONAL DEVELOPMENT

NSBS CPD REQUIREMENT

The Nova Scotia Barristers’ Society requires all practising lawyers to create an **annual professional development plan** and commit it to writing (see Regulation 8.3.6). Each year, lawyers will be asked to indicate on their Annual Lawyer Report whether they have prepared and written their CPD Plan and implemented their plan from the previous year.

For the current year ending on May 31, 2016, all practising lawyers are still expected to complete 12 hours of CPD and to keep a record of these hours for audit purposes. You will not be required to enter these hours on the CPD Log as in the past several years.

Commencing June 1, 2016, you will be expected to have your CPD Plan in place for the reporting year. You will be asked about this plan on your 2016 Annual Lawyer Report. If you report that you do not yet have a plan, the Society will follow up with you to ensure that you have a plan in place before the end of August.

• See the new **FAQs: NSBS CPD Requirement** (posted April 11, 2016)

Pursuant to Regulation 8.3.4, all practising lawyers are expected to complete a minimum of 12 hours of professional development in each reporting year.

DEVELOPING A CPD PLAN

Use any type of professional development plan that works for your type of practice, as long as it is in writing and can be produced should the need arise. If you or your firm or other legal entity already have a structure for creating and implementing plans, you don’t need to change your methods. The Society will ask you to report each June if you have a plan, but your plan does not need to run from June 1 to May 31. Some organizations create professional development plans that operate over a calendar year. As long as you are able to report that you have a professional development plan in place at all times that you are practising, it need not coincide with the Society’s fee year.

Although there are no strict requirements for what may be included in your CPD Plan, it’s a good idea to include the following elements:

- substantive legal education and skills development;
- risk and practice management; and
- professionalism and cultural competency

See the **CPD Plans: General information** section for model plans, samples, templates and suggestions for creating and assessing your plan.

Our Education & Credentials staff are also happy to assist you or your organization in creating a unique plan. For assistance, email us at CPD@nsbs.org or phone the CPD line at 902 422 1491 (ext. 371) and leave a message. We will respond as quickly as possible.

The NSBS CPD Requirement is a flexible and convenient method to ensure lawyers meet both their professional duty of competence and the Society’s public interest mandate, by implementing a regulatory program to ensure the ongoing competence and professionalism of lawyers in Nova Scotia. As the Society regulates lawyers in the public interest, it is important to be accountable and demonstrate to the public that lawyers maintain and strive for high levels of professionalism and competence in the practice of law.

EXTENSIONS FOR DECLARING YOUR PROFESSIONAL DEVELOPMENT PLAN

To request formal extension for declaring (on your ALR) you have implemented your plan from the previous year and / or you have created your plan for the upcoming year, please use the **CPD Exemption Request form**.



SECTION CHAIRS & VICE-CHAIRS 2018-19

Aboriginal Law

Rosalie Francis
Roy Stewart

Administrative Law

Kathryn Raymond, QC
Jeremy Smith

Business Law

Jennifer Hamilton Upham
Roy Argand

Canadian Corporate Counsel

M. Patricia Towler
Cristina Firmini

Charities & Not-for-Profit Law

Selina Bath
Peter L'Esperance

Civil Litigation / ADR

Donn Fraser
Guy Harfouche

Constitutional and Human Rights

Kelly McMillan
Balraj Dosanjh

Construction & Infrastructure Law

Kevin Gibson
Jeff Aucoin

Criminal Justice

Brian Bailey
Douglas Lloyd, QC

Elder Law

Peter Rumscheidt
Grace MacCormick

Environmental, Energy & Resources

Matthew Clarke
Ryan Brothers

Family Law

Jennifer Kooren
Laura Kanaan

Health Law

Mary Anne Persaud
Ryan Baxter

Immigration Law

Sarah McInnes
Lana Roberts

Insolvency Law

Pamela Branton
Theresa Graham

Insurance Law

Philip Chapman
Lawrence Rubin

Intellectual Property

To Be Announced
Anthony Rosborough

Labour and Employment Law

Bradley Proctor
Andrew Taillon

Law Students

Emma MacIntosh
Sydney Hull

Military Law

Lt. Derek Schroeder
Nicholas Burke

Municipal Law

Jack Townsend
Marc Dunning

Privacy and Access Law

David Fraser
Matthew Saunders

Public Sector Lawyers

Katherine Carrigan
Sean Foreman

Real Property

Jane Gourley-Davis
Kristin Pike

Securities Law

H. Jane Anderson
Chika Chiekwe

Sexual Orientation Gender Identity

Heather Burchill
Mary Burnet

Small, Solo & General Practice

Jennifer Schofield
Peter Duke

Taxation Law

Eric Feunekes
To Be Announced

Wills, Estates and Trusts

Tanya Butler
Allen Fownes

Women's Forum

Jennie Pick
Anne McFarlane

Young Lawyers

Jennifer Taylor
Courtney Barbour





2018 - 19 SECTIONS MEETINGS SCHEDULE

ABORIGINAL LAW

Terms of Reference: This Section deals with law and practice of aboriginal law including federal and provincial legislation relating to aboriginal people; aboriginal and treaty rights including native land claims; constitutional reform; administration of justice, traditional aboriginal law and selected matters.

Chair: Rosalie Francis
Burchells LLP
1800-1801 Hollis Street, Halifax, NS B3J 3N4
Phone: 902-423-6361
Email: rfrancis@burchells.ca

Vice-Chair: Roy Stewart
Burchells LLP
1800-1801 Hollis Street, Halifax, NS B3J 3N4
Phone: 902-423-6361
Email: rstewart@burchells.ca

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, November 14, 2018, 12:00 noon – 1:00 pm
(Joint Meeting with the Women Lawyers Section)
Location: Burchells LLP, 1800-1801 Hollis Street, Halifax, NS B3J 3N4
Topic: Shared Perspectives as Counsel and Witness before the National Inquiry into Missing and Murdered Indigenous Women and Girls
Speakers: Natalie Clifford, Clifford Shields Legal and Roy Stewart, Burchells LLP

ADMINISTRATIVE LAW

Terms of Reference: Administrative Law deals with legislation conferring judicial or rule-making powers upon any public official and the administration thereof; the jurisdiction, procedure and organization of administrative tribunals and the practice of lawyers before such tribunals; the organization of government insofar as it affects the foregoing or the practice of lawyers; judicial review of the exercise of administrative powers.

Chair: Kathryn Raymond
BoyneClarke LLP
600-99 Wyse Rd, PO Box 876, Dartmouth, NS B2Y 3Z5
Phone: 902-469-9500
Email: kraymond@boyneclarke.ca

Vice-Chair: Jeremy Smith
Department of Justice (NS)
PO Box 7, Halifax, NS B3J 2L6
Phone: 902-424-6293
Email: jeremy.smith@novascotia.ca

Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 4, 2018, 5:30pm
(Joint Dinner Meeting with the Sexual Orientation & Gender Identity Community and Constitutional & Human Rights Law Sections)
Location: Prince George Hotel
Topic: Law Society of BC v. Trinity Western University, 2018 SCC 32 – Balancing Individual Freedoms Against the Profession’s Statutory Objectives. A Panel Discussion

Speakers: Brian Casey, QC, BoyneClarke LLP; Marjorie Hickey, QC, McInnes Cooper; Jack Townsend, Cox & Palmer
Date & Time: ✓ Thursday, November 8, 2018, 12:00 noon – 1:00pm
Location: Cox & Palmer, Purdy’s Wharf Tower 1, 1959 Upper Water St, Suite 1100, Halifax, NS
Topic: Contents of “The Record” in Judicial Reviews and Statutory Appeals
Speakers: Jack Townsend, Cox & Palmer and Sean Foreman, Department of Justice (NS)

BUSINESS LAW

Terms of Reference: This Section deals with law and practice affecting business, commerce, trade, mercantile pursuits and banking.

Chair: Jennifer Hamilton Upham
Patterson Law
PO Box 1068, 10 Church Street, Truro, NS B2N 5G9
Phone: 902-897-2000
Email: jupham@pattersonlaw.ca

Vice-Chair: Roy Argand
Cox & Palmer
1100-1959 Upper Water Street, Halifax, NS B3J 3E5
Phone: 902-421-6262
Email: rargand@coxandpalmer.com

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, September 12, 2018, 12:00 noon – 1:00pm
Location: Registry of Joint Stock Companies, 8th Floor Maritime Centre
Topic: Registry of Joint Stock Companies (RJSC) Modernization Update: Regis Replacement
Speaker: Hayley Clarke, Service Nova Scotia
Date & Time: ✓ Thursday, September 27, 2018, 12:00 noon – 1:00pm
Location: McInnes Cooper, 1300-1969 Upper Water Street Halifax, NS
Topic: Protecting and Leveraging IP in M & A
Speaker: Robert Cowan, McInnes Cooper
Date & Time: ✓ Thursday, October 18, 2018, 12:00 noon – 1:00pm
(Joint Meeting with Securities Law and Young Lawyers Sections)
Location: Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS
Topic: Basics of Securities Law
Speaker: Chika Chiekwe, Cox & Palmer
Date & Time: ✓ Wednesday, November 21, 2018, 12:00 noon – 1:00pm
(Joint Meeting with Taxation Law Section)
Location: PwC Law LLP, Cogswell Tower, 1101C-2000 Barrington St, Halifax, NS
Topic: Recent Tax Changes: What a Business Lawyer Should Know
Speaker: Sarah Campbell, McInnes Cooper and Darren Baxter, McInnes Cooper



CANADIAN CORPORATE COUNSEL

Terms of Reference: This Section deals with particular problems of concern to in-house lawyers who are employed by a single client, such as a corporation, a major business concern, or, to some extent, by federal, provincial or municipal governments and boards.

Chair: M. Patricia Towler
Chartered Professional Accountants of Nova Scotia
300-1871 Hollis Street, Halifax, NS B3J 0C3
Phone: 902-425-7273
Email: ptowler@cpans.ca

Vice-Chair: Cristina Firmini
IMP Group International Inc.
400-2651 Joseph Howe Dr., Halifax, NS B3L 4T1
Phone: 902-493-3504
Email: cristina.firmini@impgroup.com

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, November 7, 2018, 8:00 am – 9:00am
Location: Halifax, NS
Topic: Social Host Liability
Speaker: James Green, Cox & Palmer

CHARITIES AND NOT-FOR-PROFIT

Terms of Reference: The scope of CBA Nova Scotia Charities and Not-For-Profit section is to address various key practice issues for those lawyers who are involved with charitable and not-for-profit organizations. This is performed in one or more of the following ways:

- Acting for charities and not-for-profit organizations as part of their regular clientele, either as a staff lawyer or as outside counsel, whether for fee or pro bono. Volunteering in a leadership or other role in an organization where he or she brings unique expertise and skills to these organizations.
- Advising and representing clients who volunteer or are employed by these organizations.
- Advising charitably inclined clients on the most effective means of charitable giving as part of their estate and tax planning, or who wish to create a charitable organization or foundation as part of their charitable giving goals.

Like other areas of law, the law relating to charities and not-for-profit organizations is becoming increasingly complex. This new section was created to assist lawyers in addressing these new complexities while continuing profession's proud tradition of service for charities and not-for-profit organizations.

Chair: Selina Bath
Wickwire Holm
300-1801 Hollis Street, Halifax, NS B3J 2X6
Phone: 902-429-4111
Email: sbath@wickwireholm.com

Vice-Chair: Peter L'Esperance
McInnes Cooper
1300-1969 Upper Water Street, Halifax, NS B3J 2V1
Phone: 902-425-6500
Email: peter.lesperance@mcinnescooper.com

Dates and Proposed Topics:

Date & Time: ✓ Thursday, November 22, 2018, 12:00 noon – 1:00pm
Location: Wickwire Holm, 300-1801 Hollis St., Halifax, NS
Topic: The Registry's Role and Requirements for Societies, Charities and Not-For-Profits
Speaker: A Representative from the Registry of Joint Stocks

CIVIL LITIGATION/ADR

Terms of Reference: This Section deals with any matter of substantive law, not of a criminal nature, and not coming within the work of another section; the administration of civil justice in all the courts of Canada with particular reference to the jurisdiction, procedure and organization of the courts, and the practice of lawyers before the courts.

Chair: Donn Fraser
MacIntosh MacDonnell & MacDonald
260-610 East River Rd., PO Box 368, New Glasgow, NS B2H 5E5
Phone: 902-752-8441
Email: dfraser@macmacmac.ns.ca

Vice-Chair: Guy Harfouche
Intact Insurance Co
200-20 Hector Gate, Dartmouth, NS B3B 0K3
Phone: (902) 494-0411
Email: Guy.harfouche@intact.net

Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 25, 2018, 12 noon – 1:00pm
(Joint Meeting with the Public Sector Lawyers Section)
Location: NS Department of Justice, 1690 Hollis St., 9th Floor, Halifax, NS
Topic: Objections Based on Crown Immunity and Confidential Informant Privilege
Speaker: Peter C. McVey, QC, NS Department of Justice
Date & Time: ✓ Thursday, November 8, 2018, 12 noon – 1:00pm
(Joint Meeting with the Insolvency Law Section)
Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS
Topic: The Effect of Bankruptcy on Personal Injury Heads of Damage
Speakers: Theresa Graham, Wickwire Holm and Jeff Waugh, Stewart McKelvey

Date & Time: January 2019
(Joint meeting with the Young Lawyers Section)
Location: To Be Determined
Topic: Civil Procedure Anniversary Party – Celebrating 10 Years of the “New” Rules!
Speakers: To Be Determined

CONSTITUTIONAL & HUMAN RIGHTS

Terms of Reference: The purpose of the Section is to examine all constitutional and human rights law issues, including division of legislative powers, judicial review of the Constitution, constitutional reform, the Canadian Charter of Rights and Freedoms, human rights codes, and international human rights law.



2018 - 19 SECTIONS MEETINGS SCHEDULE

Chair: Kelly McMillan
Nijhawan McMillan
100-2085 Maitland Street, Halifax, NS B3K 2Z8
Phone: 902-405-5145 Fax: 902-405-5144
Email: kelly@nmbarristers.com

Vice-Chair: Balraj Dosanjh
Pink Larkin
201-1463 South Park Street, Halifax, NS B3J 3S9
Phone: 902-423-7777 Fax: 902-423-9588
Email: bdosanjh@pinklarkin.com

Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 4, 2018, 5:30pm
(Joint Dinner Meeting with the Sexual Orientation & Gender Identity Community and Administrative Law Sections)

Location: Prince George Hotel

Topic: Law Society of BC v. Trinity Western University, 2018 SCC 32 – Balancing Individual Freedoms against the Profession’s Statutory Objectives. A Panel Discussion

Speakers: Brian Casey, QC, BoyneClarke LLP; Marjorie Hickey, QC, McInnes Cooper; Jack Townsend, Cox & Palmer

Date & Time: ✓ Thursday, October 11, 2018, 12:00 noon – 1:00pm
(Joint Meeting with Taxation Law and Wills, Estates & Trusts Sections)

Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS

Topic: Re: Evans Estate: A Tale of Crown Prerogative, Income Taxes and Funeral Taxes

Speakers: Scott Campbell and Timothy Matthews, QC, Stewart McKelvey

CONSTRUCTION & INFRASTRUCTURE LAW

Terms of Reference: The purpose of this Section is to examine the law and practice relating to problems in the construction industry, including negotiation and conclusion of contracts, bonding and insurance, claims, arbitration and litigation.

Chair: Kevin Gibson
McInnes Cooper
1300-1969 Upper Water St., PO Box 730, Halifax, NS
Phone: 902-425-6500 Fax: 902-425-6350
Email: kevin.gibson@mcinnescooper.com

Vice-Chair: Jeff Aucoin
McInnes Cooper
1300-1969 Upper Water St., PO Box 730, Halifax, NS
Phone: 902-425-6500 Fax: 902-425-6350
Email: jeff.aucoin@mcinnescooper.com

Dates and Proposed Topics: *No meetings scheduled*

CRIMINAL JUSTICE

Terms of Reference: This Section deals with federal and provincial legislation creating offences and crimes, jurisdiction, procedure, and organization of all criminal courts in Canada, the establishment of such courts and the practice of lawyers before such courts; any other matters of a criminal nature.

Chair: Brian Bailey
Bailey & Associates
800-46 Portland Street, Dartmouth, NS B2Y 1H2
Phone: 902-465-4888
Email: bbailey@baileylawyers.com

Vice-Chair: Douglas Lloy, QC
NS Legal Aid
116 George Street, New Glasgow, NS B2H 2K6
Phone: 902-755-7020
Email: doug.lloy@ns.sympatico.ca

Dates and Proposed Topics:

Date & Time: Thursday, April 4, 2019, 12 noon – 1:30pm
(Joint meeting with the Young Lawyers Section)

Location: Stewart McKelvey, Suite 900, 1959 Upper Water St., Halifax, NS

Topic: “Criminal Court Do’s & Don’ts”

Speaker: The Honourable Ronda van der Hoek, Nova Scotia Provincial Court

ELDER LAW

Terms of Reference: The objectives of the Elder Law Section are tri-fold: to improve the law affecting seniors; to educate the public, the individual Bars, the Judiciary and members of the Association on important Elder Law issues; and to foster professionalism in the practice of Elder Law through communication among Elder Law practitioners. The Elder Law Section addresses legal issues and problems of the elderly, including:

- Age Discrimination;
- General Planning for Aging: A Case-Management and Multidisciplinary Approach;
- Elder Abuse and Exploitation;
- Undue Influence;
- Housing of Older Persons and Care Facility Regulation;
- Ethical and Practical Aspects of Advising the Older Client;
- Mental Capacity and Consent;
- Guardianship and Court Appointed Substitute Decision Making;
- HealthCare Decision-Making;
- Powers of Attorney/ Mandates;
- Elder Divorce and Separation; and Lawyer referral panels, and advocacy and pro bono work for the elderly of low or middle incomes.

Chair: Peter Rumscheidt,
Weldon McInnis
118 Ochterloney Street, Dartmouth, NS B2Y 1C7
Phone: 902-469-2421
Email: prumscheidt@weldonmcinnis.ca

Vice-Chair: Grace MacCormick
Patterson Law
10 Church Street, Truro, NS B2N 5G9
Phone: 902-717-7027
Email: gmaccormick@pattersonlaw.ca

Dates and Proposed Topics:

Date & Time: ✓ Thursday, September 27, 2018, 12:00 noon – 1:00pm

Location: Patterson Law, 1801 Hollis St, Halifax, NS

Topic: Voluntary Stoppage of Eating and Drinking and Its Legal Implications with Reference to Medical Assistance in Dying



Speaker: Professor Jocelyn Downie, Dalhousie University Faculty of Law

Date & Time: ✓ Thursday, November 8, 2018, 12:00 noon – 1:00pm

Location: Patterson Law, 10 Church St, Truro, NS

Topic: Civil Legal Needs for Aging Prisoners

Speaker: Professor Adelina Iftene, Schulich School of Law, Health Law Institute

ENVIRONMENTAL, ENERGY & RESOURCES LAW

Terms of Reference: Environmental, Energy & Resources Law deals with matters of legal reform and legal education and management relating to the environment, as well as law and practice relating to natural resources and energy and the development and distribution thereof.

Chair: Matthew Clarke
McInnes Cooper
1300-1969 Upper Water Street, Halifax, NS B3J 2V1
Phone: 902-425-6500
Email: matthew.clarke@mcinnescooper.com

Vice-Chair: Ryan Brothers
Department of Justice (NS)
PO Box 7, 1690 Hollis Street, Halifax, NS B3J 2L6
Phone: 902-424-4776
Email: ryan.brothers@novascotia.ca

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, October 31, 2018, 12:00 noon – 1:00pm

Location: McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS

Topic: Key Legislative Changes for Offshore Energy resulting from Bill C-69 (the enactment of the Impact Assessment Act, Canadian Energy Regulator Act, and key amendments to various other related legislation)

Speaker: Daniel W. Watt, McInnes Cooper

Date & Time: Thursday, November 29, 2018, 12:00 noon - 1:00pm

Location: McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS

Topic: Social License and the Energy Sector

Speaker: David S. MacDougall, McInnes Cooper

FAMILY LAW

Terms of Reference: This Section deals with law and practice relating to the family unit, relations between members of the family and the family and society, and matters related thereto; the establishment, jurisdiction, procedure and organization of the courts and other tribunals dealing with these matters, and the practice of the lawyers before such courts and tribunals.

Chair: Jennifer Kooren
Sealy Cornish Coulthard
200-56 Portland Street, Dartmouth, NS B2Y 1H2
Phone: 902-466-2500
Email: jkooren@scclaw.ca

Vice-Chair: Laura Kanaan
MDW Law
300-5657 Spring Garden Road
Halifax, NS B3J 3R4
Phone: 902-704-4604 Fax: 902-422-5882
Email: laura@mdwlaw.ca

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, September 19, 2018, 5:30pm

Location: Halifax Marriott Harbourfront Hotel, 1919 Upper Water St., Halifax, NS

Topic: Updates from Family Division

Speaker: Associate Chief Justice Lawrence I. O'Neil, Supreme Court of Nova Scotia (Family Division)

Date & Time: ✓ Wednesday, October 24, 2018, 5:30pm

Location: Halifax Marriott Harbourfront Hotel, 1919 Upper Water St., Halifax, NS

Topic: The Domestic Violence Court

Speaker: The Honourable Amy Sakalauskas, Provincial Court of NS

Date & Time: ✓ Wednesday, November 28, 2018, 5:30pm (Joint Meeting with Small, Solo & Small Firm Section)

Location: Halifax Marriott Harbourfront Hotel, 1919 Upper Water St., Halifax, NS

Topic: The New Birds & Bees – Fertility Law in Canada

Speaker: Terrance Sheppard, BoyneClarke LLP

Date & Time: Wednesday, January 23, 2019, 5:30pm

Location: Prince George Hotel, 1725 Market St., Halifax, NS

Topic: To Be Announced

Speaker: To Be Announced

Date & Time: Wednesday, February 27, 2019, 5:30pm

Location: Prince George Hotel, 1725 Market St., Halifax, NS

Topic: To Be Announced

Speaker: To Be Announced

Date & Time: Wednesday, May 22, 2019, 5:30pm

Location: Prince George Hotel, 1725 Market St., Halifax, NS

Topic: To Be Announced

Speaker: To Be Announced

HEALTH LAW

Terms of Reference: Any aspect of the law relating to health care, institutions, and professions.

Chair: Mary Anne Persaud
Nova Scotia Health Authority
1276 South Park Street, Room 1-031
Halifax, NS B3H 2Y9, Phone: 902-473-7537
Email: Maryanne.persaud@nshealth.ca

Vice-Chair: Ryan Baxter
McInnes Cooper
1300-1969 Upper Water Street, Halifax, NS B3J 2V1
Phone: 902-425-6500
Email: ryan.baxter@mcinnescooper.com

Dates and Proposed Topics: No meetings scheduled



2018 - 19 SECTIONS MEETINGS SCHEDULE

IMMIGRATION LAW

Terms of Reference: The primary objects of this Section are to:

- Maintain a dialogue with the Immigration and Refugee Board and to conduct continuing liaison with its Senior Officials;
- discuss existing legislation and proposed legislative changes;
- ensure that abuses in the enforcement and administration aspects of immigration are publicly voiced;
- conduct continuing legal education seminars;
- enhance the professionalism of lawyers dealing in the area of Immigration Law.

Chair: Sarah McInnes
 McInnes Cooper
 1300-1969 Upper Water Street, Halifax, NS B3J 2V1
 Phone: 902-425-6500
 Email: sarah.mcinnnes@mcinnnescooper.com

Vice-Chair: Lana Roberts
 EY Law LLP
 500-1871 Hollis Street, Halifax, NS B3J 3S1
 Phone: 902-421-6258
 Email: lane.roberts@ca.ey.com

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, November 14, 2018, 12 noon – 1:00pm
 Location: EY Law LLP, 1871 Hollis St, Halifax, NS
 Topic: Labour Market Impact Assessments: Current Trends
 Speakers: Andrea Baldwin, EY Law LLP and Cameron MacLean, North Star Immigration Law Inc.

INSOLVENCY LAW

Terms of Reference: The purpose of this Section is to examine the law practice related to bankruptcy, receivership and insolvency.

Chair: Pamela Branton
 NS Department of Justice
 PO Box 7, Halifax, NS B3J 2L6
 Phone: 902-424-4030
 Email: pamela.branton@novascotia.ca

Vice-Chair: Theresa Graham
 Wickwire Holm
 300-1801 Hollis Street, PO Box 1054, Halifax, NS B3J 2X6
 Phone: 902-429-4111 Fax: 902-429-8215
 Email: tgraham@wickwireholm.com

Dates and Proposed Topics:

Date & Time: ✓ Thursday, November 8, 2018, 12 noon – 1:00pm
 (Joint Meeting with the Civil Litigation/ADR Section)
 Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS
 Topic: The Effect of Bankruptcy on Personal Injury Heads of Damage
 Speakers: Theresa Graham, Wickwire Holm and Jeff Waugh, Stewart McKelvey

Date & Time: Tuesday, December 4, 2018, 12 noon – 1:00pm
 (Joint Meeting with the Public Sector Lawyers Section)

Location: Nova Scotia Department of Justice, 1690 Hollis St, 9th Floor, Halifax, NS
 Topic: Crown Priorities in Bankruptcy and Insolvency
 Speakers: George Kinsman, Ernst & Young Inc. and Pamela Branton, Nova Scotia Department of Justice

INSURANCE LAW

Terms of Reference: The Insurance Law Section brings together CBA members with an interest in all facets of insurance law. Our members include in-house counsel and private practitioners from all parts of the country. Our members deal with all classes of life, accident, and casualty insurance, as well as corporate governance, human rights, insolvency and administrative law issues for insurance industry stakeholders.

Chair: Philip Chapman
 Wickwire Holm
 300-1801 Hollis Street, Halifax, NS B2N 5H1
 Phone: 902-482-7020
 Email: pchapman@wickwireholm.com

Vice-Chair: Lawrence Rubin
 Lawyers' Insurance Association of NS
 801-2000 Barrington Street, Halifax, NS B3J 3K1
 Phone: 902-423-1300
 Email: lrubin@lians.ca

Dates and Proposed Topics: *No Meetings Scheduled*

INTELLECTUAL PROPERTY

Terms of Reference: Law and practice relating to all forms of ownership, licensing, transfer and protection of intellectual property and related property rights, including patents, trademarks, copyright, industrial designs, plant breeders' rights, as well as trade secrets.

Chair: To Be Announced

Vice-Chair: Anthony Rosborough
 Wickwire Holm
 300-1801 Hollis Street, Halifax, NS B3J 2X6
 Phone: 902-429-4111
 Email: arosborough@wickwireholm.com

Dates and Proposed Topics: *No Meetings Scheduled*

LABOUR & EMPLOYMENT LAW

Terms of Reference: Law and practice affecting labour-management relations and trade unions and their members; jurisdiction, procedure and organization of boards and tribunals dealing with labour-management relations, employment standards and the like; the establishment of and appointments to boards and tribunals and the practice of lawyers before such boards; and, principles and practice relating to collective agreements and arbitration of labour disputes.

Chair: Bradley Proctor
 McInnes Cooper
 1300-1969 Upper Water Street, Halifax, NS B3J 2V1
 Phone: 902-425-6500
 Email: brad.proctor@mcinnnescooper.com



Vice-Chair: Andrew Taillon
 Department of Justice (NS)
 800-1690 Hollis Street, Halifax, NS B3J 2L6
 Phone: 902-722-5162
 Email: andrew.taillon@novascotia.ca

Dates and Proposed Topics: *No Meetings Scheduled*

LAW STUDENTS

Terms of Reference: The current goals of the CBA Student Section are to increase awareness of the Section among law students, promote the benefits of becoming a CBA member and recruit law students to the section. The Section's ultimate purpose is to supplement law students with resources to excel in their law degree and effectively transition into the workforce.

Chair: Emma MacIntosh
 7 Crichton Park Road
 Dartmouth, NS B3A 2N7
 Phone: 902-452-9003
 Email: emmamacintosh@icloud.com

Vice-Chair: Sydney Hull
 127 Lochmoor Lane
 Halifax, NS B2W 6C8
 Email: sy890773@dal.ca

Dates and Proposed Topics:

Date & Time: ✓ Tuesday, October 23, 2018, 4:30pm – 5:30pm
 Location: Weldon Law Building, Room 204, 6061 University Ave, Halifax, NS
 Topic: Wellness Podcast Screening and General Meeting

Date & Time: ✓ Monday, November 5, 2018, 6:00pm – 7:30pm
 (Joint Meeting with Women Lawyers Forum Section)
 Location: Weldon Law Building, Faculty Lounge, 6061 University Ave, Halifax, NS
 Topic: Connect: Women in Law

MILITARY LAW

Terms of Reference: This Section deals with military law, including the military system of justice and operational law, as well as uniquely military aspects of established substantive bodies of law practised by civilians such as criminal law, tort law, intellectual property, employment and human rights law, air law, maritime law and international law.

Chair: Lt. Derek Schroeder
 Office of the Judge Advocate General
 505-6080 Young Street, Halifax, NS B3K 5X5
 Phone: 902-261-6829
 Email: derek.schroeder@forces.gc.ca

Vice-Chair: Nicholas Burke
 Lorway MacEachern
 112 Charlotte Street, Sydney, NS B1P 1B9
 Phone: 902-539-4447
 Email: nicholas_burke6@hotmail.com

Dates and Proposed Topics:

Date & Time: Wednesday, January 9, 2019, 12:00 noon
 Location: 6080 Young Street, Young Tower, 5th Floor, Halifax, NS
 Topic: Finalize winter Professional Development event

MUNICIPAL LAW

Terms of Reference: Municipal lawyers practise entirely or substantially in areas of law relating to local government. The Municipal Law Section serves as a co-ordination and communications focus for issues of common interest to lawyers practising in the many areas which touch on the work of municipalities. If you are a member of the Municipal Section you are automatically a member of the National Municipal Section.

Chair: Jack Townsend
 Cox & Palmer
 1100-1959 Upper Water Street, Halifax, NS B3J 3E5
 Phone: 902-421-6262
 Email: jktownsend@coxandpalmer.com

Vice-Chair: Marc Dunning
 Wickwire Holm
 300-1801 Hollis Street, Halifax, NS B3J 2X6
 Phone: 902-429-4111
 Email: mdunning@wickwireholm.com

Dates and Proposed Topics:

Date & Time: ✓ Thursday, November 15, 2018, 12:30 – 1:30pm
 (Joint Meeting with the Public Sector Lawyers Section)
 Location: HRM Legal, Scotia Square, Duke Tower, 3rd Floor, Duke 1 Boardroom
 Topic: Cannabis Legalization in HRM
 Speaker: John Traves, QC, CD, Municipal Solicitor and Director of the Legal Municipal Clerk and External Affairs Business Unit

PRIVACY & ACCESS LAW

Terms of Reference: This Section deals with domestic and international law, policy and education related to privacy matters and access to information. Where there is an overlap of interests concerning privacy or access to information matters, the Section works in consultation and communication with other Sections.

Chair: David Fraser
 McInnes Cooper
 1300-1969 Upper Water Street,
 Halifax, NS B3J 2V1
 Phone: 902-425-6500
 Email: david.fraser@mcinnescooper.com

Vice-Chair: Matthew Saunders
 Cox & Palmer
 1100-1959 Upper Water St., Halifax, NS B3J 3E5
 Phone: 902-421-6262
 Email: msaunders@coxandpalmer.com

Dates and Proposed Topics:

Date & Time: ✓ Tuesday, November 27, 2018, 12:00 – 1:00pm
 Location: McInnes Cooper, 1300-1969 Upper Water St., Halifax, NS
 Topic: The New Federal Data Breach Notification Regulations (in effect November 1st)
 Speaker: David Fraser, McInnes Cooper



PUBLIC SECTOR LAWYERS

Terms of Reference: The Forum is a platform for CBA members who are employed as lawyers at various level of government or in public sector agencies. Its objectives are to provide mechanisms for public sector lawyers to exchange information and ideas; serve as a national network to enable public sector lawyers to connect on shared issues; advance the understanding of the roles played by public sector lawyers; raise the profile of its members by ensuring public sector lawyers interests are represented within the CBA; bring to the CBA the unique perspective of practicing law within a government setting; serve as the national voice of public sector lawyers within the activities of the Forum and those of the CBA; promote networking and delivery of programs through the Forum's provincial and territory branches.

Chair: Katherine Carrigan
NS Department of Justice
1690 Hollis Street, 8th Floor
PO Box 7, Halifax, NS B3J 2L6
Phone: 902-424-5092
Email: Katherine.carrigan@novascotia.ca

Vice-Chair: Sean Foreman
NS Department of Justice
1690 Hollis Street, 8th Floor, PO Box 7
Halifax, NS B3J 2L6
Phone: 902-424-5092
Email: sean.foreman@novascotia.ca

Dates and Proposed Topics:

- Date & Time: ✓ Tuesday, September 25, 2018, 12 noon – 1:00pm
- Location: NS Department of Justice, 1690 Hollis St., 9th Floor, Halifax, NS
- Topic: A Journey in Reconciliation: Update on the MMIWG (Missing & Murdered Indigenous Women & Girls) National Inquiry
- Speaker: Sean Foreman, NS Department of Justice
- Date & Time: ✓ Thursday, October 25, 2018, 12 noon – 1:00pm (Joint Meeting with the Civil Litigation/ADR Section)
- Location: NS Department of Justice, 1690 Hollis St., 9th Floor, Halifax, NS
- Topic: Objections Based on Crown Immunity and Confidential Informant Privilege
- Speaker: Peter C. McVey, QC, NS Department of Justice
- Date & Time: ✓ Thursday, November 15, 2018, 12:30 – 1:30pm (Joint Meeting with the Municipal Law Section)
- Location: HRM Legal, Scotia Square, Duke Tower, 3rd Floor, Duke 1 Boardroom
- Topic: Cannabis Legalization in HRM
- Speaker: John Traves, QC, CD, Municipal Solicitor and Director of the Legal Municipal Clerk and External Affairs Business Unit
- Date & Time: Tuesday, December 4, 2018, 12 noon – 1:00pm (Joint Meeting with the Insolvency Law Section)
- Location: Nova Scotia Department of Justice, 1690 Hollis St, 9th Floor, Halifax, NS
- Topic: Crown Priorities in Bankruptcy and Insolvency
- Speakers: George Kinsman, Ernst & Young Inc. and Pamela Branton, Nova Scotia Department of Justice

REAL PROPERTY

Terms of Reference: The Real Property Section is concerned with the problems inherent in the ownership, devising, mortgaging, loaning, using, leasing and other dealings with real property, including: Estates; uses; trusts and settlements; perpetuities; fixtures; titles; workers' and mechanics' liens; leaseholds; mortgages; easements and licenses; planning legislation and restrictions on use, realty taxes, registration and land titles system; vendor and purchaser; ecological control of land; financing problems on real property security

Chair: Jane Gourley-Davis
Patterson Law
10 Church Street, Truro, NS B2N 5G9
Phone: 902-896-6157
Email: jgourley-davis@pattersonlaw.ca

Vice-Chair: Kristin Pike
Patterson Law
2100-1801 Hollis Street, Halifax, NS B3J 3N4
Phone: 902-405-8171
Email: kpik@pattersonlaw.ca

Dates and Proposed Topics:

- Date & Time: ✓ Monday, October 17, 2018, 12:00 noon – 1:00pm (Joint Meeting with Solo, Small Firm & General Practice Section)
- Location: Location to be announced
- Topic: Commercial Leases
- Speaker: A. James Musgrave, QC, Cox & Palmer

SECURITIES LAW

Terms of Reference: This Section deals with sources of securities regulation applicable in Nova Scotia including The Securities Act and the regulations, notices and rules arising from it, and the rules and policies set out by any other securities regulatory organizations.

Chair: H. Jane Anderson
NS Securities Commission
Compliance & Enforcement
400-5251 Duke Street, PO Box 458, Halifax, NS B3J 2P8
Phone: 902-424-0179
Email: jane.anderson@novascotia.ca

Vice-Chair: Chika Chiekwe
Cox & Palmer
1100-1959 Upper Water Street, Halifax, NS B3J 3E5
Phone: 902-421-6262
Email: cchiekwe@coxandpalmer.com

Dates and Proposed Topics:

- Date & Time: ✓ Thursday, October 18, 2018, 12:00 noon – 1:00pm (Joint Meeting with Business Law and Young Lawyers Sections)
- Location: Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS
- Topic: Basics of Securities Law
- Speaker: Chika Chiekwe, Cox & Palmer



Date & Time: ✓ Tuesday, November 20, 2018, 12:00 noon – 1:00pm
Location: NS Securities Commission, 400-5251 Duke Street, Halifax, NS
Topic: What To Do When Your Client has Previously Not Complied with Securities Law Requirements?
Speakers: Representatives from the Enforcement and Corporate Finance Branches of the NS Securities Commission

SEXUAL ORIENTATION & GENDER IDENTITY

Terms of Reference: The purpose of the SOGI Section is to:

- address the needs and concerns of lesbian, gay, bisexual, transgendered and two-spirited members within the Association
- provide a forum for the exchange of information, ideas and action on legal issues relating to sexual orientation and gender identity
- encourage lesbian, gay, bisexual, transgendered and two-spirited lawyers to actively participate in the work of the Association
- develop and provide continuing legal education and other professional development programs on legal issues relating to sexual orientation and gender identity
- develop member services relevant to lesbian, gay, bisexual, transgendered and two-spirited members of the Association

Chair: Heather Burchill
 Department of Justice (NS)
 1690 Hollis St, PO Box 7, Halifax, NS B3J 2L6
 Phone: 902-424-0982
 Email: heather.burchill@novascotia.ca

Vice-Chair: Mary Burnet
 Pink Larkin
 201-1463 South Park St, PO Box 36036,
 Halifax, NS B3J 3S9
 Phone: 902-423-7777
 Email: mburnet@pinklarkin.com

Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 4, 2018, 5:30pm
 (Joint Dinner Meeting with the Administrative Law and the Constitutional & Human Rights Law Sections)
Location: Prince George Hotel
Topic: Law Society of BC v. Trinity Western University, 2018 SCC 32 – Balancing Individual Freedoms Against the Profession’s Statutory Objectives. A Panel Discussion
Speakers: Brian Casey, QC, BoyneClarke LLP; Marjorie Hickey, QC, McInnes Cooper; Jack Townsend, Cox & Palmer

Date & Time: ✓ Thursday, November 22, 2018, 6:00pm – 9:00pm
Location: Alter Egos Café, 2193 Gottingen Street, Halifax, NS
Topic: Annual Meet and Greet with the Schulich School of Law OUTLaw Society

Date & Time: Thursday, December 13, 2018, 5:30pm
Location: To Be Determined
Topic: LGBTQ2S + Issues and Health Law
Speakers: Carrie Ricker, Carrie Ricker Law Corp. Inc.

Date & Time: March 2019
Location: To Be Determined
Topic: Schulich School of Law OUTLaw Society & SOGIC Reception

Date & Time: June/July 2019
Location: To Be Determined
Topic: Pride Parade Sign Painting Party

Date & Time: Saturday, July 20, 2019
Location: Normal Parade Route
Topic: Halifax Pride Parade

Date & Time: Thursday, July 25, 2019 (To Be Confirmed)
Location: To Be Determined
Topic: 17th Annual Pride Reception

SOLO, SMALL FIRM & GENERAL PRACTICE

Terms of Reference: The General Practice, Solo and Small Firm Section addresses the needs of lawyers in general practice, ranging from sole and small firm practitioners in both rural and urban settings, to those practising law in medium and large firms. More than 10 per cent of CBA members identify themselves as being in general practice. The Section represents the common interests of general practitioners within the CBA.

Chair: Jennifer Schofield
 Kennedy Schofield & Associates
 5832 St. Margaret’s Bay Road
 Head of St. Margaret’s Bay, NS B3Z 2E4
 Phone: 902-826-9140
 Email: jschofield@kennedyschofield.ca

Vice-Chair: Peter Duke
 Highlander Law Group
 201-5288 St. Margaret’s Bay Rd, Upper Tantallon, NS
 B3K 2A7
 Phone: 902-826-3070
 Email: pduke@highlanderlaw.ca

Dates and Proposed Topics:

Date & Time: ✓ Monday, October 17, 2018, 12:00 noon – 1:00pm
 (Joint Meeting with Real Property Section)
Location: Cox & Palmer
Topic: Commercial Leases
Speaker: A. James Musgrave, QC, Cox & Palmer

Date & Time: ✓ Monday, November 28, 2018, 5:30pm
 (Joint Dinner Meeting with Family Law Section)
Location: Halifax Marriott Harbourfront Hotel, 1919 Upper Water St, Halifax, NS
Topic: The New Birds & Bees – Fertility Law in Canada
Speaker: Terrance Sheppard, BoyneClarke LLP

TAXATION LAW

Terms of Reference:

- Review federal and provincial legislation imposing taxes or duties and the practice under such legislation,
- the jurisdiction, procedure and organization of special courts and tribunals relating to taxes and duties,
- the establishment of such courts and tribunals, and
- the practice of lawyers before such courts and tribunals.



2018 - 19 SECTIONS MEETINGS SCHEDULE

Chair: Eric Feunekes
PwC Law
400-1601 Lower Water St, Halifax, NS B3J 3P6
Phone: (902) 491-7400
Email: eric.feunekes@pwc.com

Vice-Chair: To Be Announced

Dates and Proposed Topics:

Date & Time: ✓ Monday, September 10, 2018, 12 noon – 1:00pm
Location: McInnes Cooper, 1959 Upper Water St., Suite 1300, Halifax, NS
Topic: Working with Accountants
Speakers: Bryan Whalen and John Oakley, Collins Barrow, Chartered Accountants

Date & Time: ✓ Thursday, October 11, 2018, 12:00 noon – 1:00pm
(Joint Meeting with Constitutional & Human Rights Law and Wills, Estates & Trusts Sections)
Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS
Topic: Re: Evans Estate: A Tale of Crown Prerogative, Income Taxes and Funeral Taxes
Speakers: Scott Campbell and Timothy Matthews, QC, Stewart McKelvey

Date & Time: ✓ Wednesday, November 21, 2018, 12:00 noon – 1:00pm
(Joint Meeting with Business Law Section)
Location: PwC Law LLP, Cogswell Tower, 1101C-2000 Barrington St, Halifax, NS
Topic: Recent Tax Changes: What a Business Lawyer Should Know
Speaker: Sarah Campbell, McInnes Cooper and Darren Baxter, McInnes Cooper

WILLS, ESTATES & TRUSTS

Terms of Reference: Law and practice relating to wills, trusts, estates and their administration, and matters including taxes and duties related thereto; and the jurisdiction, procedure and organization of courts dealing with the foregoing matters, the establishment of such courts and the practice of lawyers before such courts.

Chair: Tanya L. Butler
Cox & Palmer
1100-1959 Upper Water Street, Halifax, NS B3J 3N2
Phone: 902-491-4227,
Email: tbutler@coxandpalmer.com

Vice-Chair: Allen Fownes
Fownes Law Offices Inc.
Box 1739, Liverpool, NS B0T 1K0
Phone: 902-354-2744
Email: acfownes@novascotialaw.com

Dates and Proposed Topics:

Date & Time: ✓ Tuesday, September 11, 2018, 12:00 noon – 1:00 pm
Location: Cox & Palmer, 1100-1959 Upper Water St., Halifax, NS

Topic: Lessons Learned: Is Legal Always Practical?: A Lawyer's Journey into the Banking and Trust Company World
Speaker: Bianca C. Krueger, Royal Trust Corporation of Canada
Date & Time: ✓ Thursday, October 11, 2018, 12:00 noon- 1:30 pm
(Joint Meeting with Taxation Law and Wills, Estates & Trusts Sections)
Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS
Topic: Re: Evans Estate: A Tale of Crown Prerogative, Income Taxes and Funeral Taxes
Speaker: Scott Campbell and Timothy Matthews, QC, Stewart McKelvey

Date and Time: ✓ Thursday, November 15, 2018, 12:00 noon – 1:00pm
Location: Stewart McKelvey, 900-1959 Upper Water St., Halifax, NS
Topic: Executor's Commission and Taxation of Proctor's Fees
Speaker: Cora Jacquemin, Registrar of Probate, Halifax

WOMEN'S FORUM

Terms of Reference: The Women's Forum is aimed at promoting the stature and influence of women in the profession, as well as developing programs, networking opportunities and mentoring programs.

Co-Chair: Anne McFarlane
Scotia Trust
1709 Hollis Street, Halifax, NS B3J 3N4
Phone: 902-704-4604
Email: anne.e.mcfarlane@gmail.com

Co-Chair: Jennie Pick
Burchells LLP
1800-1801 Hollis Street, Halifax, NS B3J 3N4
Phone: 902-423-6361
Email: jpick@burchells.ca

Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 23, 2018, 5:30pm
Location: Burchells LLP, 1800-1801 Hollis Street, Halifax, NS B3J 3N4
Topic: Light Refreshments and a Casual Discussion of the former Chief Justice of Canada Beverley McLachlin's new book "Full Disclosure"

Date & Time: ✓ Monday, November 5, 2018, 5:45pm – 7:30 pm
(Joint Meeting with the Law Students Section)
Location: Weldon Law Building, 6061 University Avenue, Halifax, NS
Topic: Connect: Women in Law

Date & Time: ✓ Wednesday, November 14, 2018, 12:00noon – 1:00 pm
(Joint Meeting with the Aboriginal Law Section)
Location: Burchells LLP, 1800-1801 Hollis Street, Halifax, NS B3J 3N4
Topic: Shared Perspectives as Counsel and Witness before the National Inquiry into Missing and Murdered Indigenous Women and Girls
Speakers: Natalie Clifford, Clifford Shields Legal and Roy Stewart, Burchells LLP



YOUNG LAWYERS

Terms of Reference: For 2017/2018, we hope our Lawyers Section activities will meet one of two overarching goals: building practical skills with our “HOW TO...” section meetings, and building community awareness with our “SOCIAL JUSTICE” series of events. (With a few other special events in the mix as well.)

Please note that lawyers and law students of all ages and stages are always welcome at Young Lawyers Section meetings and events.

Chair: Jennifer Taylor
Stewart McKelvey
900-1959 Upper Water Street, Halifax, NS B3J 2X2
Phone: 902-420-3361
Email: jennifertaylor@stewartmckelvey.com

Vice-Chair: Courtney Barbour
Wickwire Holm
300-1801 Hollis Street, PO Box 1054, Halifax, NS B3J 2X6
Phone: 902-482-7008
Email: cbarbour@wickwireholm.com

Dates and Proposed Topics:

Date & Time: ✓ Wednesday, September 19, 2018, 12:00 -1:00pm
Location: Wickwire Holm, 300-1801 Hollis St., Halifax, NS
Topic: Best Practices for Building Your Personal Brand
Speaker: Lisa Haydon, Founder and President of Pivotal Coaching Inc.

Date & Time: ✓ Tuesday, October 16, 2018, 12:00 -1:30pm
Location: Wickwire Holm, 300-1801 Hollis St, Halifax, NS
Topic: Workshop: Innovations in Dealing with Conflict: Resolution Coaching
Speaker: Paul Hutchinson, Imagined Spaces

Date & Time: ✓ Thursday, October 18, 2018, 12:00 -1:00pm
(Joint meeting with Business Law and Securities Law Sections)
Location: Cox & Palmer, 1100-1959 Upper Water St., Halifax, NS
Topic: Basics of Securities Law
Speakers: Chika Chiekwe, Cox & Palmer

Date & Time: ✓ Tuesday, November 6, 2018, 12 noon – 1:30 pm
Locations: Stewart McKelvey, 1959 Upper Water St., Suite 900, Halifax, NS
Topic: Persuasive Legal Writing
Speakers: The Honourable Justice Jamie Saunders, Nova Scotia Court of Appeal and Scott Campbell, Stewart McKelvey

Date & Time: January 2019 (Joint meeting with the Schulich School of Law Career Development Office)
Location: To Be Determined
Topic: Skills & Tips for Articling Interviews
Speaker: To Be Determined

Date & Time: January 2019
(Joint meeting with the Civil Litigation/ADR Section)
Location: To Be Determined
Topic: Civil Procedure Anniversary Party – Celebrating 10 Years of the “New” Rules!
Speaker: To Be Determined

Date & Time: February 2019
Location: To Be Determined
Topic: Aboriginal Law Update
Speaker: To Be Determined

Date & Time: March 2019
Location: To Be Determined
Topic: International Women’s Day Event
Speaker: To Be Determined

Date & Time: March 2019
Location: To Be Determined
Topic: “The Legalization of Cannabis (...so far)”
Speaker: To Be Determined

Date & Time: Thursday, April 4, 2019, 12 noon – 1:30pm
(Joint meeting with the Criminal Justice Section)
Location: Stewart McKelvey, Suite 900, 1959 Upper Water St., Halifax, NS
Topic: “Criminal Court Do’s & Don’ts”
Speaker: The Honourable Ronda van der Hoek, Nova Scotia Provincial Court

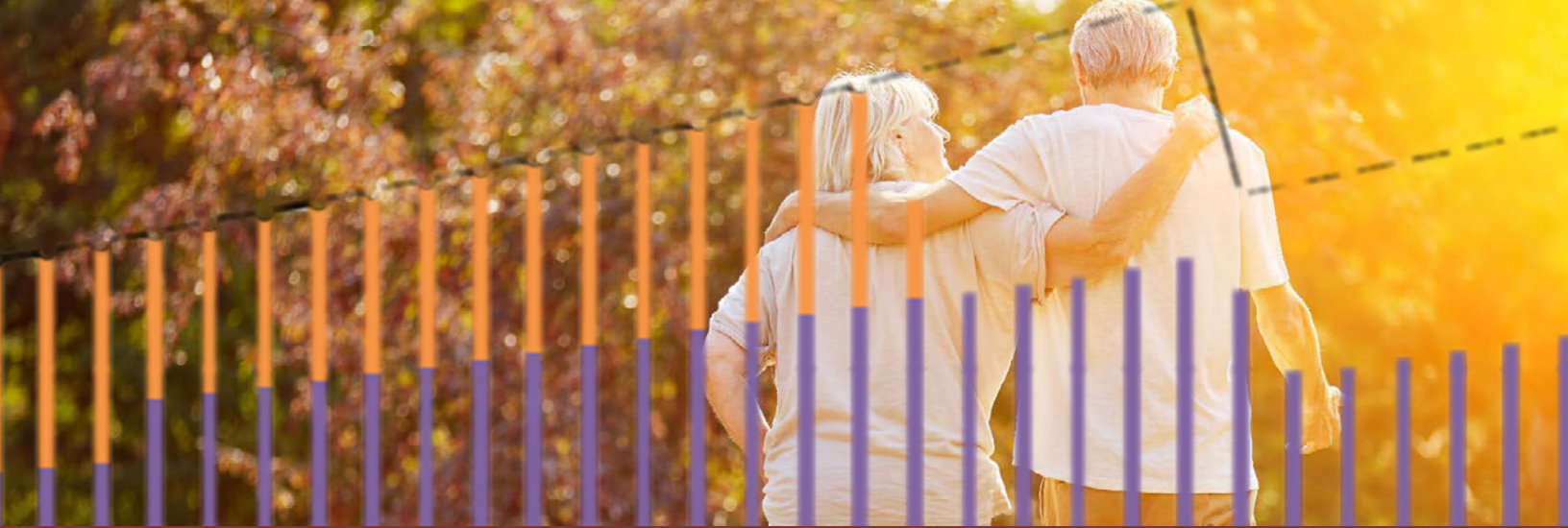
Date & Time: May 2019
Location: To Be Determined
Topic: Collaborative Practice in Family Law
Speaker: Laura Kanaan, MDW Law

Date & Time: June 2019
Location: To Be Determined
Topic: End-of-Year Social

ANNUAL CONFERENCE

Halifax Marriott Harbourfront Hotel
Young Lawyers Bench & Bar Mixer: December 6, 2018

Please see the CBA-NS website and/or the 2018 Annual Conference brochure for more details



TAKING CPP TOO EARLY?

WHY SHORT-TERM GAIN CAN LEAD TO LONG-TERM PAIN

**LAWYERS
FINANCIAL**

Be ready.

Is it worth the money to delay your CPP payments until the last possible moment? Respected Canadian Actuary and Author, Frederick Vettese believes that long-term gains make the wait worthwhile.

Age 65 seems like the right time to apply for CPP benefits because you should be eligible for the full amount after working so many years in the legal profession. However, Frederick Vettese, in his book, *Retirement Income for Life*, makes a compelling case for deferring CPP until the age of 70. He ought to know. Vettese is the Chief Actuary of Morneau Shepell. He's a numbers guy by trade and here's a quick summary of his conclusions.

Defer payments and earn 42% more

The CPP formula is the same for everyone. If you have contributed to the plan and paid the maximum amount in 39 non-consecutive years, you qualify for the full benefit of \$13,370¹ a year, adjusted for inflation at the age of 65. However, if you defer your CPP payments until the age of 70, the government rewards you with a 42% increase in the amount of your payments. Even if you begin retirement at age 65 and rely on your savings for the first five years, the additional income that you receive by deferring your CPP payments should more than makes up that cost over time.

Defer CPP payments and reduce risk

Investments held in personal accounts such as a Registered Retirement Income Fund (RRIF) or a Tax-Free Savings Account (TFSA) are subject to investment risk. In contrast, CPP benefits are guaranteed by the government for life. By starting to use up some of your savings between the age of 65 and 70, you effectively rebalance the risk level in your entire portfolio because the government is forced to assume more investment and longevity risk.