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Gail Gatchalian, QC Pink Larkin

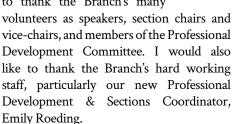
PRESIDENT I have truly been fortunate to have served as CBA-NS President this past year with such a fine Executive, an Executive whose support for access to justice and equality in the legal profession is unwavering.

The Branch's success in these areas, as well as in professional development, is totally dependant on the excellent leadership of Executive Director, Tina Tucker. It is really no surprise that our Branch consistently rates the highest in the country in surveys of member satisfaction.

I am also grateful to have worked with such an engaged membership, some of whom I have worked closely with on the Sexual Harassment Work Group.

The practice of law is rewarding but difficult: we have high rates of depression and substance abuse. Our workplaces are often unhealthy: see the International Bar Association's recent report "Us Too? Bullying and Harassment in the Legal Profession". Involvement with the CBA-NS has provided me and so many others with a welcome counter-balance: positive relationships and opportunities to work together to effect change.

VICE PRESIDENT As the Vice President of the CBA-NS, I supervise the Branch's section activities and act as chair of the Professional Development Committee. As the program season winds down for the summer months, I would like to thank the Branch's many



I am pleased to report that the Branch's sections have been quite active so far this year with over 120 section meetings since September 2018. We also had three well-attended and well-received conferences: the Annual Conference, the 20th Anniversary of the Family Division Conference and the Supporting Litigation Conference for legal assistants, paralegals and young lawyers.

Even more importantly, we are looking



Dan Wallace, McInnes Cooper

forward to a busy 2019-2020. Save the date for the upcoming Annual Conference on November 21 and 22, 2019. In conjunction with the Conference, the Branch will host a bench and bar dinner on the evening of November 21 and we are pleased to announce that our special guest speaker will

be the Honourable Justice Andromache Karakatsanis of the Supreme Court of Canada.

In addition to the Annual Conference, we also plan to have the following smaller conferences coming up in the next year:

- Productive Technology for Lawyers with Barron Henley of Affinity Consulting – September 12 and 13, 2019;
- Criminal Law Conference Spring 2020;
   and
- Wills, Estates & Trusts Conference Spring 2020.

Thanks again to everyone for a great year of professional development. I hope that everyone will have an opportunity to relax in the summer.

# **EXECUTIVE REPORTS**



PAST PRESIDENT This is my final report for Nova Voce as my time on the Executive Committee ends this summer. It has been a pleasure and a privilege to serve on the Executive and I encourage other lawyers in Nova Scotia to consider becoming involved and

letting their names stand for the Executive and other committees of the CBA-NS.

As chair of the Nominating Committee, last Fall we received and reviewed nominations for two awards. The Zöe Odei Young Lawyers Award was presented to Ryan Brothers, a faithful CBA member



M. Jean Beeler, QC Weldon McInnis

and a busy lawyer with the Nova Scotia Department of Justice. The award honours and recognizes a young lawyer's distinguished or exceptional service to the CBA-NS, the community, or charitable causes. The Distinguished Service award was presented

to Judge Laurie Halfpenny McQuarrie, Provincial Court of Nova Scotia. This award recognizes an individual who has shown outstanding accomplishment in the work of the Nova Scotia Branch in one or all of the following areas: improvement in the law; improvement in the administration of justice; individual lawyer training; or advocacy in the public interest. Among many other accomplishments, Judge Halfpenny McQuarrie was instrumental in creating the Wagmatcook Court which was a tremendous improvement to the administration of justice in the province.

The final report of the Nominating Committee for 2019 will be presented at the AGM in June. Thanks to all members of the Executive and Council who have made my time so enjoyable. Special thanks to CBA-NS staff who always work above and beyond the call of duty, especially Tina Tucker who will be leaving us at the end of the year.



Agnes MacNeil, Department of lustice

SECRETARY - TREASURER Last September I became Secretary-Treasurer of the CBA-NS. Not being great at arithmetic, I was a little anxious. I soon learned that our power-house staff not only had things under control, but they were also a tremendous source of knowledge and guidance. A shout-out in particular to our Executive Director, Tina Tucker, for her moral (and technical) support. With unfailing patience, even when you know you are the umpteenth person she has taught,

Tina provided overviews of the revenues and expenses of the office, section meetings, membership activities, conferences, the audited financial statements and many other items. Tina and Ian have made being Treasurer this past year so much easier than I could have imagined.

I arrived on the Executive in time for the transition to the first year with the new CBA National Board. It had been projected that our Branch's bottom line would not reflect a significant change with the re-organization. Although there were changes, the ultimate outcome did remain in line with prior years.

We did make some decisions which cost more than previous years. We provided more incentives to law students to engage with them and to leave them with items that were useful and provided information about the CBA and our Branch. That included things like bookmarks listing the sections they could attend and a copy of Nova Voce, both of which were well-received. In addition, we provided law students with free access to the Annual Conference and deeply discounted the fees for lawyers with 1-3 years at the Bar. This reduced the expected revenues from the Conference but allowed more lawyers who were relatively new to the profession to attend. We also decided to make attendance at section meetings by teleconference free.

Our budget is set conservatively. While the actuals to date show variations from the budgeted amounts here and there, none made a significant impact on our financial statements. As a result, we are currently on-track to provide a small surplus, which also acts as a buffer should something unforeseen arise.



Jennifer Taylor, Stewart McKelvey

YOUNG LAWYERS As usual, the Young Lawyers Section kept busy over the winter and spring. We have held Section Meetings on careers in cannabis, with speaker Myrna Gillis, QC of Aqualitas; Aboriginal law, with Prof. Naiomi

Metallic from the Schulich School of Law; Provincial Court dos and don'ts, with Judge Ronda van der Hoek; and collaborative family practice, with Laura Kanaan. We also threw a 10th anniversary party for the Nova Scotia Civil Procedure Rules (with a cake and everything!). Huge thanks to Associate Chief Justice Deborah K. Smith, Justice Jamie Chipman, and Jocelyn Campbell, QC for joining the party and sharing their wisdom and insight. At the initiative of Vice-Chair Courtney Barbour, the CBA-NS sponsored a young lawyer to attend the CBA's national Leading Change: Leadership Development Bootcamp for Racialized Lawyers, which was held in Toronto in May. We look forward to hearing more about the bootcamp at a future Section event!

We will close out the 2018/2019 program year with a social gathering—a waterfront yoga class hosted by R Studios, on June 26 (rain date: July 3). Fingers crossed for good weather, and best wishes for a wonderful summer!

# **EXECUTIVE REPORTS**



Matthew Moir Weldon McInnis

ADVOCACY On January 16, 2019, I attended

the Access to Justice & Law Reform Institute launch at the Schulich School of Law. The institute is the successor to the Law Reform Commission, now housed within the law school. The Rt. Honourable Thomas A. Cromwell was among the many speakers at this event. I also attended the

Minister's annual reception for students, alumni, and friends of the Indigenous, Blacks & Mi'kmaq Initiative the same evening at the Maritime Museum of the Atlantic. On April 24, 2019, I participated in the Restorative Inquiry Justice Summit concerning survivors of the Nova Scotia Home for Coloured Children at MSVU. The event was sponsored by Chief Judge Pamela S. Williams and Prof. Jennifer Llewellyn, and focused on a shift in thinking needed to approach survivors' interactions with the justice system and government services.

The Advocacy Committee liaised with the Nova Scotia Barristers' Society concerning the Society's early deliberations about potentially exploring paralegal regulation. The Committee has asked to be kept informed about any developments so that the CBA-NS has an opportunity to weigh in on any proposed changes.

The Advocacy Committee has planned a series of sessions to be made available to the membership on "how to advocate/ navigate in the government legislative system." A national communications firm has committed to delivering these sessions and the agenda is being finalized. The topics for these sessions will be advocacy, government relations and media relations. This will be an opportunity for our members to sharpen their skills and learn new ones as advocates for their clients, as well as for the profession. The sessions are expected to be scheduled in the fall.

Janet Curry, Workers' Compensation Board of Nova Scotia

# MEMBERSHIP & MEMBER SERVICES

Membership in the CBA-NS remains strong with approximately 1,500 active members. This represents approximately five per cent

of the total 33,000 CBA memberships held across the country. These membership numbers support that the Nova Scotia Bar continues to have a high level of engagement in the CBA.

The variety of communications, branch activities and section activities of the CBA-NS allows for opportunities for membership engagement across very broad areas of practice and social interest. These offerings remain important for our diverse membership. According to the most recent annual reports filed with the Nova Scotia Barristers' Society, Nova Scotia lawyers are fairly evenly distributed across practice level experience demographics, with a slightly higher number (29 per cent) having over 27 years of practice.

This year the CBA-NS has hosted a large number of well-attended section meetings, many of which involved lunch time sessions that could be attended via telephone conference call at no charge. Eliminating the cost to attend via conference call has opened up more professional development opportunities for CBA members outside of HRM and for members working against time constraints who want to still attend particular sessions. The CBA-NS also continues to actively participate in a variety of social justice activities aimed at promoting inclusion and access to justice.

There was a focused effort in 2018-19 to reach out to the students at the Schulich School of law to introduce them to the benefits of CBA membership and encourage their participation in our Branch activities as they move through their student experience into their careers as lawyers. This engagement resulted in a significant increase in student memberships, which we hope will continue as these students become called to the Bar.



Jennifer Keliher, Burchells LLP

## COMMUNICATION & PUBLIC RELATIONS

We are very pleased to be publishing this "Year in Review" edition of Nova Voce—and what a year it has been. Our feature content for this issue includes interviews with both of our outgoing Chief Justices, and by the time we go to print, our new Chief Justice of Nova Scotia, the Hon.

Michael Wood, will be officially sworn-in.

The CBA-NS has recently published two statements on behalf of the Executive Committee. The first statement expresses the Branch's support for the Province's work in moving towards implementing unified family courts across Nova Scotia. The second statement outlines our Branch's focus on mental health and wellness following statements released by the Honourable Justice Clement Gascon with respect to his struggles with mental illness.

We continue to focus our social media efforts on Twitter (@ CBA-NS), where we currently have 1,097 followers. On a go forward basis, we will be looking at the possibility of expanding our social media presence to Instagram (following the lead of CBA National) and potentially LinkedIn.

I would like to extend a huge thanks to the Communications and Public Relations Committee for their great work this year. The CBA-NS is still looking for a Communications and Public Relations Chair for the 2019-2020 term and I would encourage anyone who is interested to contact me for more information.



Jack Townsend, Nova Scotia Department of Justice

# **FOUITY**

Halifax Pride, which runs from July 18-29, 2019, is the next major event on the Equity Committee's horizon!

We will be assisting the Sexual Orientation and Gender Identity Committee ("SOGIC") with this year's joint CBA-NS/NSBS entry in the Halifax Pride Parade, which will take place on Saturday, July 20. Get ready to

brush off your rainbow garb and show your pride by marching around downtown Halifax! Stay tuned for more details about this event, including details regarding a section meeting to make signs for the parade.

We will also be assisting SOGIC and other sections and stakeholders with a panel discussion during Halifax Pride regarding the impact of incarceration upon trans people. Stay tuned for email blasts with more details about this event.

# CBA-NS OFFICE WELCOMES NEW TEAM MEMBER

CBA-NS was pleased to welcome Emily Roeding as our new Professional Development and Sections Coordinator in January 2019, following the retirement of Jill Thomson.

Emily brings to the role 15 years of diverse experience working in the non-profit, private and public sectors. Emily has worn many 'hats'



in the past, including as a Program Facilitator, Research and Communications Officer, Event Planner, HR Manager and Director of Operations, just to name a few!

In addition to being the new PD and Sections Coordinator, Emily is also the proud mother of 1½ year old Bethany. Emily's extracurricular activities now include going to the playground, removing stickers from every surface in the house and reveling in the discovery and magic that is childhood.

# EDITORIAL BOARD

Jennifer Keliher, Burchells LLP
Tammy Wohler, Nova Scotia Legal Aid
Michael Murphy, McInnes Cooper
Damien Barry, Louisburg Seafood Limited

# CBA STATEMENT ON NOVA SCOTIA'S DECISION TO IMPLEMENT UNIFIED FAMILY COURTS PROVINCEWIDE

The Canadian Bar Association Nova Scotia Branch ("CBA–NS") strongly supports recent changes to the *Judicature Act* that will expand access to a unified family court system across the province.

Bill 105 amends the *Judicature Act* by increasing the size of the Supreme Court (Family Division) from 17 to 24 judges. It received Royal Assent on April 12, 2019.

Unified family courts are currently in place in Halifax, Sydney, and Port Hawkesbury. Outside these locations, many family law matters are bifurcated between the Provincial Court and the Supreme Court, which increases the cost and complexity for litigants. The additional judicial resources made available by Bill 105 will allow the Supreme Court (Family Division) to sit throughout Nova Scotia so that family law matters can be heard by a single court.

The CBA-NS also applauds the expansion of additional programs and support services offered by the unified family courts to families across the province to help them resolve their legal issues more efficiently. These include resources for self-represented litigants and alternative dispute resolution processes that will help reduce barriers to the legal system.

The implementation of a province-wide unified family court has been a top priority for the CBA-NS and is directly in line with the CBA's mandate to support access to justice for all Nova Scotians. The CBA-NS congratulates its members who have advocated for these improvements for many years, including the Hon. Justice Louann Chaisson and past and current members of the Family Law Section.

The CBA-NS urges the federal government to fill these seven new judicial vacancies as soon as possible. The timely adjudication of family law matters is critical to a functioning justice system and to maintaining public confidence in the work of the unified family courts.



# CBA-NS SOGIC AND MILITARY LAW SECTIONS LAUNCH PUBLIC WORKSHOP PROJECT ON EXPUNGEMENT OF UNJUST HISTORICAL CONVICTIONS



JACK TOWNSEND Nova Scotia Department of Justice

In February 2016, Prime Minister Justin Trudeau announced that the federal government was planning to review cases where gay men were convicted of charges of "gross indecency" and "buggery" before the decriminalization of homosexual acts between consenting adults in the 1960s, with the intention of determining if a pardon was warranted in any such cases.

The Egale Canada Human Rights Trust, an organization which works to improve the lives of LGBTQI2S people in Canada, issued its "Just Society Report" in response to Prime Minister Trudeau's announcement. The report sets out (in heartbreaking detail) Canada's history of state-sponsored homophobia, biphobia, and transphobia, as well as its suppression of Two-Spirit traditions amongst Indigenous peoples. In addition to the discriminatory use of indecency charges, this history includes the purging of thousands of LGBT people from the Canadian military and civil service from the 1950s to the 1990s, as well as an attempt to develop a "fruit machine" to identify homosexuality based on physiological responses to erotic stimuli. Egale's Just Society Committee called for an apology from the federal government

for these actions, as well as a mediated negotiation between the government and the LGBTIQ2S community.

Prime Minister Trudeau delivered this apology in Parliament on November 28, 2017. The apology included an announcement that \$110 million would be made available as compensation for civil servants caught up in the purge, as well as the introduction of The Expungement of Historically Unjust Convictions Act. This legislation, which received royal assent in June 2018, goes beyond the pardons the government originally contemplated in 2016, as the effect of an expungement is that the accused is deemed never to have been convicted of the offence in question, and that any judicial records relating to the conviction are destroyed.

legislation allows a person convicted of gross indecency, buggery, or anal intercourse to apply to the Parole Board of Canada for expungement of their conviction, provided the conduct for which they were convicted was between two consenting persons of the same sex who were both over the age of 16. If the convicted person is deceased, the application can be made by (amongst other persons) their spouse or common-law partner, their child, their parent, their sibling, the executor or administrator of their estate, or any other person who the Board considers to be an appropriate representative of the deceased person.

The Parole Board has developed a template application form, as well as a guide to assist those seeking to apply for an expungement. The guide indicates that the application process can be a daunting one. For example, an applicant is required to try to obtain available court and/or police documents regarding the convictions. If these documents are not available or have been destroyed, or if they do not clearly establish the criteria for granting an expungement, the applicant is required to provide a sworn statement or solemn declaration detailing the efforts they made to obtain the documents, as well as sufficient details to establish that the sexual activity in question was consensual and between two persons of the same sex and over the age of 16. If the application is being made on behalf of a deceased person, the applicant must also submit the person's death certificate and documentation supporting their relationship with the deceased person.

The intricacies of the application (including the difficulties inherent in trying to find decades-old court and police records) may be part of the reason for the relatively few applications that have been filed since the legislation came into effect. The expungement program launched on June 21, 2018. As of October 1, 2018, the Parole Board had only received seven applications. This

**CONTINUED ON PAGE 14** 

# THANK YOU

CBA Nova Scotia would like to thank the following organizers and speakers for their outstanding contributions to the Family Law and Litigation Support Conferences this Spring

# **ORGANIZERS**

The Honourable Justice Elizabeth
Jollimore, Supreme Court of Nova
Scotia, Family Division
Jenny Kooren, Sealy Cornish Coulthard
Laura Kannan, MDW Law
Dennis J. James, QC, Patterson Law
Jessica L. Lyle, Sealy Cornish Coulthard
Agnes E. MacNeil, Nova Scotia
Department of Justice
Daniel Wallace, McInnes Cooper

# **SPEAKERS**

The Honourable Justice Carole A.

Beaton, Supreme Court of Nova
Scotia, Family Division
The Honourable Justice R. Lester

Jesudason, Supreme Court of Nova Scotia, Family Division

The Honourable Justice R. James Williams, Supreme Court of Nova Scotia, Family Division

The Honourable Justice Carole A.

Beaton, Supreme Court of Nova
Scotia, Family Division

The Honourable Justice Robert Gregan, Supreme Court of Nova Scotia, Family Division

The Honourable Justice Leslie J.

Dellapinna, Supreme Court of Nova
Scotia, Family Division

The Honourable Justice C. LouAnn Chiasson, Supreme Court of Nova Scotia, Family Division Paul Stordy, Nova Scotia Legal Aid Margo Fulmer, Nova Scotia Legal Aid Yvonne LaHaye, Q.C., Conrad Connors Law

Kelsey Hudson, Bailey and Associates Daniel Walker, Patterson Law Julia E. Cornish, Q.C., Sealy Cornish Coulthard

Angela Walker, MDW Law Michelle Axworthy, Blois Nickerson & Bryson, LLP

Bernard Thibault, MDW Law Sarah Emery, Patterson Law Rodney Hanks, Digital nGenuity M. Ann Levangie, Mi'kmaw Family and Children's Service of Nova Scotia

Caroline McInnes, Provincial Prothonotary Sarah Trask, Stewart McKelvey Shelly Meider, Patterson Law

Peter Coulthard, Q.C., Sealy Cornish Coulthard

# 2018-19 ONE DAY CONFERENCES

The Family Law Conference, celebrating 20 years of the Supreme Court's Family Division, was held on April 5th, 2019 at Casino Nova Scotia on Halifax's waterfront. The conference was well attended, with over 105 members from across the province coming together to hear from colleagues as well as several Justices on important and emerging aspects of family law, such as the increase in self-represented litigants and a 'mock trial' involving Game of Thrones characters to demonstrate effective cross examination techniques.

A Family Law Bench and Bar followed the conference, with great participation from current and retired Justices as well as many members of the Bar in a relaxed and collegial environment.

The CBA-NS also hosted a conference for legal support professionals and young lawyers on May 13th, 2019, entitled: Supporting Litigation in 2019. As the name suggests, the topics related to the work done, often behind the scenes, to prepare for litigation proceedings. All of the participants indicated they appreciated the CBA providing professional development opportunities to the people who support our members and we look forward to holding similar conferences again in the future.





# MY JOURNEY FROM BIG CITY IMMIGRATION LAWYER TO SMALL TOWN FAMILY LAWYER

### SEAMUS MURPHY

Nova Scotia Legal Aid

This past fall I left an immigration practice in Ottawa to work as a family lawyer for Nova Scotia Legal Aid in Yarmouth, the town where I was born and raised. Needless to say, the thought of abandoning all the aspirations I had worked toward so far in my career to start over in a new place with a completely different practice left me feeling somewhat nervous.

Four months later, it has proven to be one of the best decisions I ever made. Not only has it brought me closer to my family, but it revived my initial enthusiasm for the law. My desire to help people in tough situations is what inspired me to be a lawyer in the first place. Now I am able to dedicate my career to some of the most disadvantaged people in my community, and I can focus exclusively on helping them without getting distracted by the business or entrepreneurial side of law.

I have also come to treasure the rewards that come with a busy family law practice: finding creative solutions to seemingly intractable disputes and bringing as much normalcy as possible back to the lives of the people affected. The collegiality and friendliness of the other lawyers in the Yarmouth area has made my professional interactions almost universally positive.

The work has its challenges, of course. Thrust into the courtroom far more frequently than in my past practice and with many more files to manage than ever before, I have had to develop a whole new set of skills. I still have a lot of adjustments to make, both with respect to work and to life in a small community. But I am happier and healthier than I have ever been practicing law, and this is exactly where I want to be.



# **WAGMATCOOK FIRST NATIONS COURT:** MODERN JUSTICE REFLECTING TRADITIONAL MI'KMAW **LEGAL PRINCIPLES**



JUDGE LAURIE HALFPENNY-MACQUARRIE

**Provincial Court** of Nova Scotia

When one door closes, another opens, and nowhere is that more true than at the Wagmatcook First Nations Court.

In 2015, the provincial government closed a number of satellite courts, including in Baddeck, Cape Breton. This court served Victoria County, including Wagmatcook. The plan post-closure was for matters to go to Sydney-a two-hour return trip-with no public transportation.

I was asked by the community to consider hearing Wagmatcook matters in Port Hawkesbury. I had participated in sentencing circles in Wagmatcook for many years and had Wagmatcook clients in my Port Hawkesbury Wellness Court. I said yes without hesitation.

Within six months, I was issuing too many warrants of arrest for non-attendance.

Section 718.2 (e) was added to the Criminal Code in large part because of the over-representation of Indigenous Canadians in our jails and prisons. I felt very uncomfortable issuing these arrest warrants, because I knew people did not have the financial means to travel to Port Hawkesbury, and again, there was no public transit.

I invited Chief Norman Bernard, Chief Rod Googoo and Chief PJ Prosper to a meeting to look for a solution. Chief Bernard suggested a court on the Wagmatcook First Nation



to serve his community and We'koqma'q First Nation. The Chief and Councils of Wagmatcook and We'koqma'q agreed to cover the cost. I immediately said yes. The Department of Justice provided furnishings and equipment.

The Court has several functions. There is an arraignment day once per month. If a person enters a not guilty plea, then their matter is set for trial. If a plea of guilty is entered, then it will be determined whether that person will go into the Healing to Wellness Court or the Gladue Court, which are both sentencing courts.

I sought out the guidance and advice of the Elders Councils. It was important to me that the Court reflect Mi'kmaw traditional legal principles and be an actual move toward decolonization. A Community Justice Council (a recommendation of the Marshall Inquiry) has been put in place very recently to ensure that customary practices are part of the Court.

Every court sitting begins with smudging by an Elder, who serves as an interpreter as well. Our Healing and Gladue Courts always include a traditional teaching. The court strives to identify the myriad issues that give rise to offending behavior and looks to the First Nations professional and personal communities to restore the balance in sentencing.

The design and layout of the courtroom is unique. The Bench is circular and reflective of the Indigenous Medicine Wheel and the Court's restorative approach to balance and holistic healing in sentencing whose foundation is the Seven Sacred Teachings. The walls are adorned with local First Nations artwork, all pieces reflecting these Teachings.

The court has holdings cells, video conferencing and dedicated offices for the Judiciary, Crown, Legal Aid, Probation, the Mi'kmaq Legal Support Network, and a Sentencing / Healing / Talking Circle room. Very soon, we will be adding space for a lending library and a Knowledge Keeper.

> The Wagmatcook First Nations Wellness to Healing Court has started a Lending Library. We encourage all CBA members and their workplaces to donate books or funds to the Lending Library. For more information please contact the Court at (902) 625-2665.



# Q&A WITH FORMER CHIEF JUSTICE JOSEPH P. KENNEDY

Chief Justice Joseph P. Kennedy retired on April 30, 2019 after serving as a judge for over 41 years, including 21 years as Chief Justice of the Supreme Court of Nova Scotia, making him the longest serving Chief Justice of the Supreme Court of Nova Scotia.

# Q: Why did you decide to enter the legal profession?

**A:** I wanted to be a lawyer from the time I was about eight years of age or, more accurately, I wanted a law degree. I wanted a law degree from that age on because my father told me that that's what I should do. My father had a great deal of influence in my life and he wanted me to be a lawyer, or have a law degree, because he didn't want lawyers to push me around.

So then I got out and I started practicing; I wanted to go to either Bridgewater or Kentville or Truro. I wanted to practice in a small town, and the first opportunity came in Bridgewater [...] I only practiced law for ten years.

# Q: When you became a Provincial Court judge was there anything that really surprised you about that role?

**A:** It was such a different court back then. The evolution of provincial court in this country [...] has been one of the dramatic changes in the Canadian criminal justice system, ranked second I think to the *Charter of Rights*. It used to be a magistrates' court, sometimes sitting in police stations, and it evolved into the most powerful first instance criminal court in the common law world. There's no other court in the common law world that functions like the Canadian provincial court system.

It really is a remarkable court, and I was there for 18 years so I saw most of it. Eventually I got to be Chief Judge after 17 years, which is the only job I ever deserved. I did deserve that job—I worked very hard on that court. And then crazy things happened and I got an opportunity to come to [the Supreme Court], which I wanted to do because I wanted to do jury trials.

# Q: How did you find the transition from Provincial Court to Supreme Court?

**A:** It was very, very difficult, and difficult because I didn't have a civil law background and civil law is about 80 per cent of what we do here.

I can remember on the criminal side even if I didn't know exactly what the law said, I knew how the criminal law worked.



Any time that I would speculate about what the civil law was going to do, many times it would do just the opposite. Often in this court we say the trial is the easy thing; it's bringing those boxes back to the office and then dealing with decisions [that is difficult].

My transition was made more difficult by the fact that within six months of coming here I was Associate Chief Justice, which was never supposed to happen, at least in my mind, and six months later I was Chief Justice. I didn't come to this court to be Chief Justice; I came here to do jury trials.

# Q: What do you consider to be some of your major accomplishments in your career as a judge?

**A:** I'm in the fair trial business, and I did thousands and thousands of trials and always tried to do the right thing [...] One of the

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pieces of advice I give the new judges is to figure out where the justice is and make the law get there. You have to be careful how you put this, but judges know this is true: do not let the law get in the way of doing justice.

The great baseball player, Joe DiMaggio, played for the Yankees, and when he was older had bad ankles. He could hardly run and when he ran he was in pain, and yet every time he grounded out he would run as fast as he could down to first. Some people think that when it's obvious they're going to be thrown out they just take a few steps, particularly some of the younger ball players that don't appreciate the game. At any rate, DiMaggio used to run about as far as he could and he got back to the dugout one time and one of the young players said, "you know Mr. DiMaggio, I know how hard it hurts you to run, you don't have to run those parameters out with your reputation and your age". "I do have to run that long, son," DiMaggio said, "because there might be somebody here who never saw me before". That should be the judge at every trial. There are new people in front of you and they don't care what you did last week or last year; they're looking for some justice and they want a fair trial so you got to start every trial fresh.

I did Morgentaler, which went to the Supreme Court of Canada. Here was a Provincial Court judge from a small town in Nova Scotia telling the government of Nova Scotia, "you can't do this." [...] That case was transformative for me because I think some of the things that happened to me subsequently happened because of the result of that case.

# Q: What are some of the biggest changes you witnessed in the profession over your years on the Bench?

A: Provincial court, but also the Charter, of course, changed our world. I completely misjudged the impact of the Charter. I remember I wrote an article prior to the Charter and I said don't overestimate, we lived with basically an unwritten charter as they do in Great Britain, and Canadian judges tend to be innately conservative. I was wrong.

I was in Provincial Court at the time and every matter got tested; every case was a Charter case [...] It was an exciting, exciting time that first 10 years after the Charter because the lawyers were genius with their *Charter* arguments.

# Q: How does it feel to be the longest serving Chief Justice in Nova Scotia?

A: Should I get something for this? I always thought Connie Glube was [the longest serving]. It makes you feel old!

It's great you know, I said that all I wanted to do is to leave this court better than I found it, but the problem is I cannot remember how I found it. I do not know whether it is any better or not, but know it has been great. I will tell you why it has been great and that is I have dealt with so many incredible people and incredible judges. They are trying to do the right thing and talking about problems and trying to [ask] is there some good in what we do?

# Q: Can you speak to the role the CBA plays for judges?

A: I have encouraged our judges to join the CBA and like any other organization, I say look, CBA are the people that speak up for us and nobody else. Firstly, judges get criticized all the time-nobody likes to be criticized but it is part of the job people are entitled to give opinions as to your decisions, all that we ask or would like to see is that those opinions are based on what actually happened rather than what they think happened. On the other hand, every now and then, judges get treated really unfairly and badly, and in those instances the CBA would inevitably come out and say something.

It is important that lawyers get together and talk among one another and meet one another. The nicest people and the best people I have met in my life have been lawyers. Lawyers by and large are very, very good people, very nice people they are just fun to be around and that ability to be around lawyers should continue.

# Q: As you reflect on your career, what lessons would you impart to young lawyers today?

A: The first thing I always say to young lawyers is always be where you are supposed be when you are supposed to be there [...] You have to be where you are supposed to be when you are supposed to be there and when the bus stops you get on and you hit the ground running. You be prepared. You be there and that will be your reputation, and that reputation proceeds you in the courtroom before the trial ever starts. Your reputation is already playing a part in this matter

The other thing—think about how lucky you are to be a Canadian lawyer. Canadian lawyers have got to be the luckiest one per cent of people on the face of the earth.

# Q: What do you plan to do in your retirement?

**A:** I am going to be Wal-Mart greeter and I am going to get a vest. [...] The other thing is I am a really good country and western singer, and I am thinking of hiring an agent.

What I am going to do is get a little office somewhere. I have to get an office-I have had an office since I was 23 or 24 and I do not know what I am going to do without an office because my wife told me I cannot hang out at home. I will start maybe in Tim Horton's and just go there every day.



# Q&A WITH FORMER CHIEF JUSTICE J. MICHAEL MACDONALD

Chief Justice J. Michael MacDonald retired on January 31, 2019. The CBA-NS is proud to have renamed its Access to Justice Award the J. Michael MacDonald Access to Justice Award, which will be awarded at our upcoming Annual General Meeting.

# Q: Was there anything that surprised you about being a judge?

**A:** Yes, several things surprised me. The first thing is how sudden and complete it is—the transformation was instantaneous, there was no easing into it. In other words, I got the call from the Minister of Justice, Allan Rock, on the 4th of April, 1995 over the lunch hour and I was scheduled to be in court as a lawyer that afternoon. I had to call the judge and say, confidentially, that I couldn't go to court that afternoon because I was a judge.

I was first appointed Associate Chief Justice in 1998. The administrative tasks on the Supreme Court are much more challenging than my present tasks on the Court of Appeal because the Supreme Court involves dynamics that don't exist on our Court; for example, the Supreme Court has cases that are heard all over the province, cases scheduled for two weeks that end up going four weeks, cases that are supposed to be two weeks and end up getting settled the night before. So the docket is much more fluid, there are issues of geography, so the whole judicial resource piece was much more complicated than I expected.

When I became Chief Justice of the Province, there were all kinds of new and exciting things to learn. My first day on the Nova Scotia Court of Appeal was as Chief Justice, so that was a steep learning curve. I had to learn to be an appeal court judge—and trust me, there's a big difference between a trial judge and an appeal court judge in the way you approach cases—plus I had to administer the court right away and work with a system that I knew nothing about.

# Q: What were some of the biggest changes you have witnessed in the legal profession over your years on the Bench?

**A:** The biggest change I've witnessed involves the growing number of selfrepresented litigants before the court. That represents a challenge not just for judges, but it also represents a challenge for members of the Bar who have selfrepresented litigants on the other side of a case. It adds to court time and it requires a delicate balance for judges in the sense that we want to help them as much as we can, but of course we cannot be their advocates.

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Q: You will be remembered for breaking down some of the barriers that exist between judges and litigants, especially those from marginalized communities. What inspired you to cross this divide when so often we see judges as figures isolated from the broader community?

**A:** I've seen significant efforts for our institutions to become more culturally aware. That applies to the Bar and the progressive work the leadership of the Bar is doing on this front, and it applies to the judiciary. A lot of my motivation comes from chairing the Canadian Judicial Council's ("CJC") Judicial Conduct Committee for several years. The CJC is responsible for the processing of complaints against all federally appointed judges and, over the years in this capacity, I have seen many complaints involving accusations of judges using stereotypical thought processes, being unaware of the community within which we judge, and saying things that are insensitive and reflect a lack of awareness. So my first observation was that the judiciary no longer, as an institution, in my respectful view, has the luxury of saying "well we have always been isolated, we are isolated, we don't need to know more about the community within which we judge, instead we have to be on our own and be distant from all of that". Furthermore, with the advent of social media, complaints are more and more frequent. We also live in an age where all of our



institutions are under a microscope and, I think, properly being called to task in the interests of the public they represent.

I have learned so much about the marginalized communities that I have engaged and I've become, as a judge, so much richer. We talk about this concept of cultural competence but I don't really see it as only cultural competence, I see it as cultural enrichment. In other words, we become better judges and better lawyers when we are more aware of the perspectives of the people who participate in the judge's system. I am concerned about the overrepresentation of indigenous and black communities in our prisons, I am concerned about the very serious underreporting by victims of sexual assault, and that tells me that there is a lack of trust by marginalized groups and people who feel the justice system is not working for them. I don't think the judiciary, nor any institution involved with the administration of justice, has the luxury to say "well it's not my problem". I think it's all our problem and while we may not have all the answers, we don't have the right to say there's nothing we can do.

# Q: What do you consider to be some of your major accomplishments during your time as Chief Justice?

**A**: The thing I'm proudest of is inroads in community engagement. I'm very happy that we in Nova Scotia have taken some significant steps and I'm very happy and proud of our judges who have embraced this initiative to meet with the leaders of our marginalized communities and hear their stories and educate ourselves. We have become so much richer as a result of that and it manifests itself in many ways [...] I think the more we know about each other's worlds and worldviews, the richer we become and the more impartial we will be seen to be.

Related to that of course is our work

on enhancing diversity on the Bench. We asked Justice Oland, a wonderful colleague of mine, to do a comprehensive report on what the judges can do and we found there are lots of things we can do, including having a mentorship program, [providing] more opportunities for law clerks, being welcoming and engaging to our new racialized judges when they become appointed, [and listening to] the perspectives of our indigenous people and restorative justice practices. So, aligned with community engagement is enhancing diversity on the Bench with a vision going forward of a Bench which is much richer and will include the perspectives of those who have been shut out of the system for all of these centuries.

And then there's the Access to Justice Coordinating Committee which the CBA-NS has been a wonderful help on. We also have our pro bono clinics and justice day camps for children from marginalized communities. And while I didn't lead the charge on this, I was so honoured and thrilled to be part of the eagle feather initiative where indigenous people can come and instead of using the traditional bible or affirming, can also have the benefit of the sacred eagle feather, which is their most important sacred symbol for truth telling in our courthouses.

# Q: You have been a huge supporter of the CBA during your time as Chief Justice. Why was this such an important relationship to vou?

A: First and foremost, I view the CBA-NS as a powerful force for enhancing access to justice for people in Nova Scotia. They've been my go-to organization, in addition to the Nova Scotia Bar and all other related institutions, but it seems like the CBA-NS punches above its weight. It seems to be a vibrant organization covering all of the various aspects of law and has been progressive in its thinking when it comes to enhancing access to justice. We have worked with your Equity Committee to learn more about the challenges faced by equity seekers, including projects for court room attire for pregnant women and for a manual on how best to address transgender litigants or witnesses. In many ways I think the CBA-NS thinks the way I do on a lot of these fronts. On the broader national level, let's not forget the CBA is hugely powerful and can move public policy when it comes to the administration of justice in this country. I was a member of the CBA for virtually all of my career as a lawyer and all of my career as a judge and I'm happy that I have been.

# Q: As you reflect on your career, what lessons would you impart to young lawyers today?

**A:** Put a priority on work-life balance. If I have a regret I think that when I entered the Bar it was a badge of honour the more hours you could bill in a day or a year and the harder you worked the better you were as a lawyer. My children and younger lawyers that I talk to are more sensible than that and they have found a better work-life balance. I'm not saying don't work hard, of course. Work hard but spend your time and make it quality work and quality recreation time.

Secondly, and perhaps more importantly, I would advise young lawyers to be courageous. Nova Scotia is the home of Viola Desmond, Grand Chief Sylliboy, and Donald Marshall, Jr., and it takes a strong independent Bar to stand up in front of judges and say "we understand that we are bound by legal precedent, but try new angles on our jurisprudence". Be courageous enough to take on some of the tough files, the files that don't look that appealing at the beginning but can be hugely important, because all we have to do is look at our history to see some of the unfortunate trends that have changed over the years because of courageous, often young, lawyers who see things differently and more appropriately.



# **BLAIR MCILWAIN**

Called to the Bar: 2016

Firm/company: Ferrier Kimball Thomas

**Areas of Practice:** Real Estate, Corporate & Commercial

**Describe your professional experience to date:** I articled at Ferrier Kimball Thomas and have practiced there since being called to the Bar in 2016. During my time at the firm, I have practiced in several areas of law, including real estate, corporate, wills and estates.

**Describe your current practice:** My current practice focuses mainly on real estate, although I continue to do work in the areas of corporate law, estates, and lender remedies. My real estate practice involves transactions, financing, land disputes, and possessory claims.

**Describe the unique qualities you bring to your practice:** I'm a pretty straightforward person and I like to keep things simple. Often, the law is complicated, and the average person doesn't speak lawyer. People like to hear things in terms they understand, and I always try to keep this



in mind.

What other activities and volunteer pursuits occupy your time? I enjoy being outdoors. My favourite pastimes are paddle boarding, camping, and spending time with my rescue dog, Conrad. I also play the piano and enjoy skating in the winter months. In the near future, I'd like to start volunteering with an animal

rescue

What do you consider to be the greatest challenges facing young lawyers? Keeping perspective. The practice of law is challenging and demanding. Your job can become all-consuming, especially as a young lawyer still learning to navigate your way. With the constant pressure, it's easy to lose sight of the things that really matter

What words of wisdom do you have for new lawyers? Be prepared for anything. The world is full of different personalities, and as a lawyer, you may come across one of every kind in the course of a week. Learn to adapt and adjust your approach depending on your client's needs and circumstances.

What are your goals for your career as you become a more seasoned lawyer? I hope to see more women in practice, particularly in rural areas where our numbers are fewer. In time, it would be great to be able to mentor a new lawyer as she starts out in her career.

# FOULTY CONTINUED FROM PAGE 6

figure should be compared to the estimated 9,000 records of convictions for eligible offences in RCMP databases.

So what can we do to help?

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Luckily, the CBA-NS SOGIC and Military Law Sections have stepped up to the plate. They are developing a pilot project involving a public workshop to introduce potential applicants to the required forms, explain the application process and criteria, and offer information to assist with obtaining the necessary records and supporting evidence. If the pilot project is a success, CBA-NS members will be able to obtain training and use the materials to deliver workshops across Nova

Scotia, and possibly offer assistance to individual applicants. Further information regarding this initiative can be obtained by contacting Emily Roeding, Professional Development and Sections Coordinator, CBANS Office.

One of our duties as lawyers is to work to improve the administration of, and access to, justice. This initiative will be a wonderful way to achieve these goals, and help to obtain a measure of equality and justice for those affected by LGBT discrimination. Please join me and other CBA-NS members in helping to make this project a success. This figure should be compared to the estimated 9,000 records of convictions for eligible offences in RCMP databases.



# ON AND OFF THE ICE

# An interview with Halifax Lawyer Kelly Serbu



DAMIEN **BARRY** Louisburg Seafood

Kelly J. Serbu Q.C. is the founder of Serbu Law Firm Limited, in Halifax, Nova Scotia. In addition to appearing before all levels of court in Nova Scotia, he has served as an Adjudicator with the Indian Residential Schools Adjudication Secretariat since 2008, he evaluated claims brought forth by former residents of the Nova Scotia Home for Colored Children, and was he appointed as a Part Time Commoner with the Canadian Human Rights Commission in 2015. He was awarded the Q.C. designation in 2017.

In addition to his legal accomplishments, Kelly has also distinguished himself in the hockey world, having first taken up the sport at the age of three. Kelly had an exceptional minor and junior hockey career, culminating in a stellar Junior A career that encompassed appearances at two Maritime Cups and playing twice in the Centennial Cup predecessor to the Royal Bank Cup.

Kelly continues to excel, both on and off the ice, despite the fact that he is, for all intents and purposes, legally blind, having been diagnosed with a degenerative eye condition called Stargardt macular dystrophy when he was just 19 years of age.

Rather than allow this condition to limit Kelly's ambitions, he has excelled both

professionally and in the hockey world.

Kelly is currently the captain of the Canadian National Blind Hockey Team. He has competed in numerous blind hockey international competitions. He first became familiar with blind hockey four years ago, and since that time Kelly has represented his country on the ice and worked more recently with the Ottawa 67's OHL team. This involved Kelly sharing with the team his personal experiences in overcoming all obstacles he has met, in conjunction with their #NOQUIT mantra.

According to Kelly, the main modifications for blind hockey players include the following: a bigger puck is used, one that is made of metal and has eight ball bearings in it, to enable players to both see and hear it; goaltenders are required to be totally blind; the net is the same width as a regular hockey net but is only three feet high; once a player crosses the blue line, he or she has to complete a pass to a teammate (the referee has a pass whistle) before they are permitted to score a goal; to compete internationally, a player must be legally blind; and a player's classification of blindness is indicated by the colour of the helmet (which equates to points) he or she is wearing. There can only be so many (points) on the ice to ensure there is parity as it relates to vison and blindness on each line at any given time.

When discussing his hopes for the continued development of blind hockey, Kelly stated that he would ultimately like blind hockey to be a Paralympic sport. At this time, only Canada and the USA



have established programs, but there may be programs developed in the UK, Finland, and Russia in the near future. In addition to this, Kelly would also like to see more Canadian NHL-based teams take a more active role in helping promote and develop blind hockey in Canada. Currently the Colorado Avalanche,

**CONTINUED ON NEXT PAGE** 



# CBA-NS STATEMENT ON SUPPORTING LAWYERS' AND JUDGES' MENTAL HEALTH

May 23, 2019 – On May 14, 2019, the Hon. Justice Clément Gascon of the Supreme Court of Canada released a statement in which he revealed his 20 year history of dealing with depression and anxiety disorders.

The Canadian Bar Association Nova Scotia Branch ("CBA-NS") takes the mental health and wellness of its members seriously, and applauds Justice Gascon for speaking out about this important issue.

Like Justice Gascon, many members of the CBA-NS have selflessly shared their challenges with mental illness, helping to destignatize mental health issues and open up the conversation around what the legal profession can do to support lawyers and judges who experience mental health issues. Some of these stories were featured in the Fall 2015 edition of Nova Voce and continue to resonate today.

According to a 2016 study of approximately 13,000 lawyers in the United States, 28 per cent of those surveyed experienced symptoms of depression, 19 per cent experienced symptoms of anxiety, and 23 per cent exhibited stress. Additionally, 61 per cent of respondents reported concerns with anxiety at some point in their career and 46 per cent reported concerns with depression.

The CBA-NS and the CBA National are proud to offer a variety of resources through CBA Wellness to assist with members' health and wellness. One of these is the Mental Health and Wellness in the Legal Profession online course developed in partnership with the Mood Disorder Society of Canada and Bell Let's Talk. The course is designed not only to eliminate stigma but also to provide educational tools to members of the legal profession in areas related to mental illness, mental health, and addictions.

The CBA-NS also promotes and supports the Nova Scotia Lawyers Assistance Program, which provides confidential referral and short-term counselling services for practising members of the legal profession, including their staff and families.

We encourage all members—lawyers and judges alike—to continue the conversation around mental health and to be leaders in fostering healthy and positive workplaces.

# ON AND OFF THE ICE

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Chicago Blackhawks, Washington Capitals, New York Rangers, Minnesota Wild, St Louis Blues, Caroline Hurricanes and Philadelphia Flyers all support blind hockey initiatives in their local communities.

Despite the fact that Kelly was diagnosed with Stargardts disease prior to his attending law school, it is only in recent years through publicity of his on-ice exploits that the legal community has become more fully aware of the fact that Kelly is legally blind. This was not something Kelly had publicized previously nor had he ever felt the need to do so.

The main effect on Kelly's law practice is that he has to put more

time in when preparing a file. His eyesight has deteriorated over the years and as such, he is more reliant on technology and the development of new applications to aid him in reading and reviewing documents and preparing correspondence and emails. However, Kelly has never had any issues with fellow members of the Bar, the general public, or the judiciary in his 22 years of practice. Even members of the judiciary who Kelly has appeared before on numerous occasions were unaware of his condition until more recently.

As Kelly confirmed to me in concluding our interview, he has never looked or asked for special treatment from anyone and expected to be treated like everyone else. As he stated, *if you turn up prepared and work hard then it doesn't matter*. This is the maxim that Kelly continues to live by, both on and off the ice.



Tentative dates are outlined in the Section agendas. MEETING DATES AND **TOPICS CAN CHANGE!** Notices of upcoming meetings will be sent to those who have enrolled in particular Sections with the date, topic, speaker, and location confirmed. In addition, notices of upcoming meetings and registration information can be found on our website, at: <a href="https://www.cba.ca/pd/province">www.cba.ca/pd/province</a> en.aspx then select Nova Scotia from the menu.

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

Please enroll in each Section you would like to receive notifications from. Enrollment can be completed here: https://cbaapps.org/NS Sections **Enrollment/Login.aspx**. CBA members are welcome to attend any Section meeting by registering online or contacting the Branch Office and paying the attendance fee. In addition, in April and May we host the "Bring a Buddy" event, where CBA members are able to bring a non-member colleague 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!

# PARTICIPATING REMOTELY IN SECTION **MEETINGS**

For those unable to attend Section meetings in person, teleconferencing is available at no cost. Please select this option when registering and the dial-in information will be emailed to you automatically.

# 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.

The deadline for creating your CPD Plan is **June 1** each year. You will be asked on your Annual Lawyer Report if you have created your plan. If you already have a plan that operates on a calendar year, you may continue to use that rather than creating a plan that runs from June 1 of a given year to May 31 of the next year.

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

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** on the NSBS website.

# **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

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# **Criminal Justice**

Brian Bailey Douglas Lloy, 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

To Be Announced 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 Jaime M. 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





# **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

Date & Time: Monday, February 11, 2019 12:00noon – 1:00 pm

(Joint Meeting with Young Lawyers and the Equity

Committee)

Location: Stewart McKelvey, Main Boardroom, 900-1959 Upper

Water St.

Topic: How Aboriginal Law Affects Your Pratice

Speakers: Prof. Naiomi Metallic, Chancellor's Chair in Aboriginal Law

& Policy and Assistant Professor, Schulich School of Law

Date & Time: Friday, June 14, 2019 12:00noon – 1:00 pm (Joint

Meeting with the Constitutional & Human Rights Section)

Location: McKiggan Hebert Lawyers, Purdy's Wharf, Tower I
Topic: A Review of Mikisew Cree First Nation v Canada

and It's Implication for Consultation with First Nations

Speakers: Bruce Wildsmith, QC, Mi'kmaq Rights Initiative

**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:** 

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)

Date & Time: Wednesday, May 29, 2019 12:00 noon – 1:00pm

(Joint Meeting with the Environment, Energy and

Resources and Government and Public Sector Sections)

Location: Nova Scotia Department of Justice

1690 Hollis Street, 8th Floor, PO Box 7, Halifax, NS B3J 2L6

Topic: Selected Issues of Practice and Procedure Before the UARB

Speakers: Roberta Clarke, QC, Nova Scotia Utility and Review

Board

**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: V

 Wednesday, September 12, 2018, 12:00 noon – 1:00pm 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: Location: Topic: Speaker:

Thursday, September 27, 2018, 12:00 noon – 1:00pm McInnes Cooper, 1300-1969 Upper Water St., Halifax, NS Protecting and Leveraging IP in M & A Robert Cowan, McInnes Cooper

Date & Time:

Thursday, October 18, 2018, 12:00 noon - 1:00pm (Joint Meeting with Securities Law and Young Lawyers

Location: Topic: Speaker:

Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS Basics of Securities Law

Chika Chiekwe, Cox & Palmer

St. Halifax, NS

Date & Time:

Wednesday, November 21, 2018, 12:00 noon - 1:00pm (Joint Meeting with Taxation Law Section) PwC Law LLP, Cogswell Tower, 1101C-2000 Barrington

Topic: Speaker:

Location:

Recent Tax Changes: What a Business Lawyer Should Know Sarah Campbell, McInnes Cooper and Darren Baxter, McInnes Cooper

Date & Time: Location: Topic:

Thursday, January 30, 2019, 12:00 noon - 1:00pm Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS Key Issues to Consider When Your Corporate Client is in **Financial Distress** 

Speaker:

Peter Wedlake, Grant Thornton and Maurice Chiasson, QC, Stewart McKelvey

Date & Time:

Location:

Topic:

Tuesday, February 5, 2019, 12:00 noon – 1:00pm (Joint Meeting with Privacy & Access Section) Patterson Law, 2100 - 1801 Hollis Street, Halifax, NS Now What? Practical Cybersecurity and Legal Considerations when Responding to Data Breaches Anthony English, Mariner Innovations and Matthew

Speaker: Saunders, Cox & Palmer

Date & Time: Location: Topic: Speaker:

Tuesday, March 12, 2019, 12:00 noon – 1:00pm Patterson Law, 2100 - 1801 Hollis Street, Halifax, NS Changes in Corporate Transparency Hayley Clarke, Registrar of Joint Stock Companies

Date & Time: Location: Topic: Speaker:

Tuesday, May 14, 2019, 12:00 noon - 1:00pm Stewart McKelvey, 900 - 1959 Upper Water St, Halifax, NS Emerging Technologies in Business Law Paul Saunders, Stewart McKelvey

Date & Time:

Wednesday, May 15, 2019, 12:00 noon - 1:00pm (Joint Meeting with Real Property Section)

Location: Topic: Speaker:

Cox & Palmer, 1100 - 1959 Upper Water St, Halifax, NS Municipal Planning and Development Issues

Kevin Latimer, QC, Cox & Palmer

# 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:

20

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 Internationald 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

Date & Time:

Location:

Topic:

Wednesday, January 16, 2019, 12 noon – 1:00pm (Joint meeting with the Women Lawyers and Young

Lawyers Sections)

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

Topic: Making a Career in Cannabis Speaker: Myrna Gillis, QC, CEO Aqualitas

Tuesday, June 4, 2019, 5:30 pm - 9:00pm Date & Time:

> (Co-sponsored by CCCA and LexisNexis Canada) Primal Kitchen, 1463 Breton Street, Halifax, NS

Cocktails and Conversations for In-House Counsel

# 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-forprofit 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: Location: Topic:

Thursday, November 22, 2018, 12:00 noon - 1:00pm Wickwire Holm, 300-1801 Hollis St., Halifax, NS The Registry's Role and Requirements for Societies,

Charities and Not-For-Profits

Speaker: A Representative from the Registry of Joint Stocks Tuesday, January 22, 2019, 12:00 noon - 1:00pm Date & Time: Location: McInnes Cooper, 1300-1969 Upper Water St., Halifax, NS The Legal Structures Available to Accommodate Social Topic:

Enterprise

Speaker: Peter L'Esperance, McInnes Cooper

Thursday, April 24, 2019, 12:00 noon - 1:00pm Date and Time:

(Joint Meeting with Wills, Estates & Trusts)

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

Charitable Giving and Trusts Topic:

Richard Niedermayer, Stewart McKelvey Speaker:

# 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@macmac.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

Objections Based on Crown Immunity and Confidential Topic:

Informant Privilege

Peter C. McVey, QC, NS Department of Justice Speaker:

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

(Joint Meeting with the Insolvency Law Section) Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS Location:

The Effect of Bankruptcy on Personal Injury Heads of Topic:

Theresa Graham, Wickwire Holm and Jeff Waugh, Speakers:

Stewart McKelvey

Date & Time: Wednesday, March 6, 2019

(Joint meeting with the Young Lawyers Section)

Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS Topic: Civil Procedure Anniversary Party - Celebrating 10

Years of the "New" Rules!"

Speakers: Associate Chief Justice Deborah Smith, The Supreme

Court of Nova Scotia, Justice Jaime Chipman, The Supreme Court of Nova Scotia and Jocelyn Campbell,

OC. Cox & Palmer

# **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.

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:

Location:

Topic:

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)

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

Re: Evans Estate: A Tale of Crown Prerogative, Income

Taxes and Funeral Taxes

Scott Campbell and Timothy Matthews, QC, Stewart Speakers:

McKelvey

Date & Time: Friday, June 14, 2019 12:00noon - 1:00 pm

(Joint Meeting with the Aboriginal Law Section) McKiggan Hebert Lawyers, Purdy's Wharf, Tower I

A Review of Mikisew Cree First Nation v Canada and It's Implication for Consultation with First Nations

Speakers: Bruce Wildsmith, QC, Mi'kmaq Rights Initiative

## CONSTRUCTION & INFRASTRUTURE 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"

The Honourable Ronda van der Hoek, Nova Scotia Speaker:

Provincial Court

Date & Time: Wednesday, May 1, 2019, 12 noon - 1:30pm (Joint

meeting with the Immigration & Citizenship Section) McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS

Location: Crimmigration - When Immigration and Criminal Law Topic:

Speaker: Blair Hodgman, Allen & Hodgman and Christine

Cooper, Nova Scotia Legal Aid

### **ELDER LAW**

**Terms of Reference:** The objectives of the Elder Law Section are tri-fold: to improve he 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

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

Location: Patterson Law, 10 Church St, Truro, NS Civil Legal Needs for Aging Prisoners Topic:

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

Law Institute

Date & Time: Wednesday, February 27, 2019, 12:00 noon – 1:00pm Location: Patterson Law, 2100-1801 Hollis Street, Halifax, NS

An Update/Overview of Recent Involvement in the Review of the Medical Assistance in Dying Act and Potential Amendments to the Act

Wednesday, May 1, 2019 12:00 noon – 1:00pm

Professor Jocelyn Downie, Schulich School of Law

Speaker:

(Joint Meeting with the Wills, Estates & Trusts Section)

Location: McInnes Cooper, 1300 - 1969 Upper Water Street Topic: The New Adult Capacity and Decision-Making Act

Capacity Assessment Program

Speaker: Marian A. Casey, Office of the Public Trustee

# 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

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Topic:

Date & Time:



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)

Daniel W. Watt, McInnes Cooper

Date & Time: Thursday, March 28, 2019

Location:

NS Department of Justice, 1690 Hollis St, Halifax, NS
Topic:

Creative Sentencing for Regulatory Offences
Speaker:

Judge Theodore K. Tax, Nova Scotia Provincial Court

Date & Time: Vednesday, May 29, 2019 12:00 noon – 1:00pm

(Joint Meeting with the Government and Public Sector and Administrative Law Sections)

Location: Nova Scotia Department of Justice

1690 Hollis Street, 8th Floor, PO Box 7, Halifax, NS B3J 2L6

Topic: Selected Issues of Practice and Procedure Before the UARB Speakers: Roberta Clarke, QC, Nova Scotia Utility and Review Board

# **FAMILY LAW**

Speaker:

**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

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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: Vednesday, 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, Suprmee

Court of Nova Scotia (Family Division)

Date & Time: Vednesday, 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)
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: Online Dispute Resolution Pilot Project

Speaker: Justice R. James Williams, The Supreme Court of Nova

Scotia – Family Division

Topic: To Bankruptcy and Family Law Speaker: Tim Hill, QC, BOYNECLARKE LLP

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

Location: Prince George Hotel, 1725 Market St., Halifax, NS
Topic: Eliminate the "He Said/She Said": Improve
Communication and Keep Parents Accountable in

Moderate and High Conflict Cases

Speaker: Katrina Volker, Our Family Wizard

# **HEALTH LAW**

Location:

**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:**

Date & Time:

Wednesday, April 3, 2019, 12 noon – 1:00pm

(Joint Meeting with the Privacy & Security Section)
Location: Cox & Palmer, 1100 – 1959 Upper Water St, Halifax, NS

Topic: Nova Scotia's Personal Health Information Act

Speakers: Noelle England, IWK Health Centre

# **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

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Email: sarah.mcinnes@mcinnescooper.com

Vice-Chair: Lana Roberts

EY Law LLP

500-1871 Hollis Street, Halifax, NS B3J 3S1

Phone: 902-421-6258

Email: lana.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.

Date & Time: Location:

Topic:

Wednesday, February 20, 2019 10:00am – 12:00 noon Halifax Stanfield International Airport

Tour of Canadian Border Services facilities and Q&A

with the Superintendent of Immigration

Date & Time: Location: Topic:

Speakers:

Wednesday, March 13, 2019, 12 noon – 1:00pm McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS Updates From The Nova Scotia Office Of Immigration Shelley Bent, Nova Scotia Office Of Immigration

Date & Time:

Wednesday, May 1, 2019, 12 noon – 1:30pm (Joint meeting with the Criminal Justice Section)

Location: McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS Topic: Crimmigration – When Immigration and Criminal Law

Collide

Speaker: Blair Hodgman, Allen & Hodgman and Christine

Cooper, Nova Scotia Legal Aid

Date & Time: Wednesday, June 12, 2019, 12 noon – 1:30pm

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

Topic: Inland Enforcement – Overview and Updates

Speaker: Tanya Benic, Inland Enforement Officer, Canada Border

Services Agency

**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:

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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: V Tuesday, December 4, 2018, 12 noon – 1:00pm

(Joint Meeting with the Public Sector Lawyers Section) 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

Date & Time: Wednesday, February 20, 2019 12 noon – 1:00pm

✓ (Joint Meeting with the Real Property Section)
Location: Wickwire Holm, 1801 Hollis Street, 3rd floor

Topic: Tricks and Traps for Conveyancers and Trustees when

Dealing with the Property of a Bankrupt

Speakers: Matthew Moir, Weldon McInnis

### **INSURANCE LAW**

Location:

**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: Irubin@lians.ca

**Dates and Proposed Topics:** 

Date & Time:

Wednesday, March 14, 2019 12 noon – 1:00pm (Joint Meeting with the Privacy & Access Section)

Location: Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS Topic: Cyber, Privacy and Data Insurance: An Underwriter's

Insight

Speakers: Shane Roney and Jordan Hollett, Trisura Guarantee

Insurance Company

### 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@mcinnescooper.com

Vice-Chair: Andrew Taillon

Department of Justice (NS)

800-1690 Hollis Street, Halifax, NS B3I 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: Location:

Tuesday, October 23, 2018, 4:30pm - 5:30pm 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: To Be Announced

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: To be announced

6080 Young Street, Young Tower, 5th Floor, Halifax, NS Location: 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.

**Jack Townsend** Chair:

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 B3I 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)

HRM Legal, Scotia Square, Duke Tower, 3rd Floor, Duke Location:

1 Boardroom

Topic: Cannabis Legalization in HRM

John Traves, QC, CD, Municipal Solicitor and Director of Speaker:

the Legal Municipal Clerk and External Affairs Business

Date & Time:

Location:

Wednesday, April 10, 2019, 12:00 - 1:00pm

Cox & Palmer, Purdy's Wharf Tower I, 1100-1959 Upper

Water Street, Halifax, NS

Councillor Discipline - What to do and how to do it Topic: Speaker: Noella Martin, QC, and Will Russell, Wickwire Holm

## **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:** 

**∨** Tuesday, November 27, 2018, 12:00 – 1:00pm Date & Time:

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

Topic: The New Federal Data Breach Notification Regulations

(in effect November 1st)

Speaker: David Fraser, McInnes Cooper

Date & Time: Tuesday, February 5, 2019, 12:00 - 1:00pm (Joint Meeting with the Business Law Section)

Location: Patterson Law, 2100 - 1801 Hollis Street, Halifax, NS Topic: How to Prepare For and Respond To Data Breaches Speaker: Anthony English, VP and CISO at Mariner Innovations

Matt Saunders, Cox & Palmer

Date & Time: Wednesday, March 14, 2019, 12:00 - 1:00pm

(Joint Meeting with the Insurance Law Section)

Location: Cox & Palmer, 1100 - 1959 Upper Water Street, Halifax, NS Cyber, Privacy and Data Insurance: An Underwriter's Topic:

Speaker: Shane Roney and Jordan Hollett, Trisura Guarantee

Insurance Company

Date & Time: Wednesday, April 3, 2019, 12:00 – 1:00pm

(Joint Meeting with the Health Law Section) Location: Cox & Palmer, 1100-1959 Upper Water Street, Halifax, NS

Topic: Nova Scotia's Personal Health Information Act Speaker: Noelle England, Legal and Privacy Counsel at the IWK

Date & Time: Thursday, April 25, 2019, 12:00 - 1:00pm

(Joint Meeting with the Government and Public Sector

McInnes Cooper, 1300-1969 Upper Water St., Halifax, NS Location: Topic: Advising Your Public Sector Client on Privacy Issues Janet Curry, Workers' Compensation Board of Nova Speaker:

Date & Time: Tuesday, May 14 2019, 12:00 – 1:00pm

(Joint Meeting with Young Lawyers Section)

McInnes Cooper, 1300-1969 Upper Water Street Location: Intimate Images and Cyber-protection Act Topic:

Speaker: Edward Gores, Director of Legal Services, Department

of Justice

PUBLIC SECTOR LAWYERS

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**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:** 

Location:

Location:

Tuesday, September 25, 2018, 12 noon - 1:00pm Date & Time: Location: NS Department of Justice, 1690 Hollis St., 9th Floor,

A Journey in Reconciliation: Update on the MMIWG Topic:

(Missing & Murdered Indigenoous 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) 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)

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)

Nova Scotia Department of Justice, 1690 Hollis St, 9th Location:

Floor, Halifax, NS

Topic: Crown Priorities in Bankruptcy and Insolvency Speakers: George Kinsman, Ernst & Young Inc. and Pamela

Branton, Nova Scotia Department of Justice

Date & Time: Thursday, January 10, 2019, 12 noon - 1:00pm Location:

Nova Scotia Department of Justice, 1690 Hollis St, 9th

Floor, Halifax, NS Topic: Key Decisions Every Public Sector Lawyer Should Know

Glenn Anderson, QC, Nova Scotia Department of Justice

Speakers: and M. Kathleen McManus, Department of Justice Canada

Date & Time: Tuesday, February 12, 2019, 12 noon - 1:00pm Location: Halifax Regional Municipality Legal Services, 5251 Duke

St., Duke Tower 1, 3rd Floor, Room 1, Halifax, NS Topic: Drafting Intra Vires By-Laws

Donna Boutilier, Solicitor and By-Law Coordinator, Speaker:

Legal Services, Halifax Regional Municipality



Date & Time:

Thursday, March 28 2019, 12 noon - 1:00pm (Joint Meeting with the Environment, Energy and

Resources Section)

Location: Nova Scotia Department of Justice, 1690 Hollis St,

Halifax, NS

Topic: Creative Sentencing for Regulatory Offences Speaker: Judge Theodore K. Tax, Nova Scotia Provincial Court

Date & Time: Thursday, April 25, 2019 12 noon - 1:00pm

(Joint Meeting with the Privacy and Access Section)

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

Halifax, NS

Advising Your Public Sector Client on Privacy Issues Topic: Janet Curry, Workers' Compensation Board of Nova Speaker:

Date & Time: Wednesday, May 29 2019, 12 noon – 1:00pm

> (Joint Meeting with the Administrative Law and Environment, Energy and Resources Sections) Nova Scotia Department of Justice, 1690 Hollis St,

Selected Issues of Practice and Procedure Before the Topic:

Utility and Review Board (UARB)

Speaker: Roberta Clarke, QC, Nova Scotia Utility and Review Board Date & Time: Monday, February 25, 2019 12 noon – 1:00pm (Joint Meeting with the Insolvency Section) Wickwire Holm, 1801 Hollis Street, 3rd floor Location:

Tricks and Traps for Conveyancers and Trustees when Topic:

Dealing with the Property of a Bankrupt

Speakers: Matthew Moir, Weldon McInnis

Wednesday, March 20th, 2019, 12:00 noon – 1:00pm Date & Time: Patterson Law, 2100 - 1801 Hollis Street, Halifax, NS Location: Topic: Title Insurance: Everything You've Wanted to Ask the

Professionals About Coverage and Claims

Speaker: Jeremy Martin and Ryan Campbell, First Canadian Title

Company

Date & Time: Wednesday, April 17th, 2019, 12:00 noon - 1:00pm Location: Patterson Law, 2100 - 1801 Hollis Street, Halifax, NS

Topic: Real Estate Practice Standards Speaker: Theresa Graham, Wickwire Holm

Date & Time: Wednesday, May 15th, 2019, 12 noon – 1:00pm

(Joint Meeting with the Business Law Section)

Location: Cox & Palmer, 1100-1959 Upper Water Street, Halifax, NS

Topic: Municipal Planning and Development Issues

Speakers: Kevin Latimer, Q.C., Cox & Palmer

# **REAL PROPERTY**

Location:

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

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Vice-Chair: Kristin Pike

Patterson Law

2100-1801 Hollis Street, Halifax, NS B3J 3N4

Phone: 902-405-8171

Email: kpike@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 to be announced Location:

Commercial Leases Topic:

A. James Musgrave, QC, Cox & Palmer Speaker:

Date & Time: Wednesday, January 23, 2019, 12:00 noon - 1:00pm Location: Patterson Law, 1801 Hollis St, Suite 2100, Halifax, NS Topic: Security for Debt - A personal Property Security Act (PPSA)

Speaker: Jared Schwartz, Patterson Law **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)

Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS Location:

Basics of Securities Law Topic: Speaker: Chika Chiekwe, Cox & Palmer

Date & Time: Location: Topic:

Tuesday, November 20, 2018, 12:00 noon – 1:00pm NS Securities Commission, 400-5251 Duke St., Halifax, NS What To Do When Your Client has Previously Not

Complied with Securities Law Requirements? Representatives from the Enforcement and Corporate Speakers:

Finance Branches of the NS Securities Commission

Date & Time: Wednesday, February 20, 2019 12:00 noon – 1:00pm NS Securities Commission, Hearing Room, 400-5251

Duke St.

Topic: Blockchain 101

Speakers: Keegan Francis and Mrugakshee Palwe, Atlantic

**Blockchain Company** 

Date & Time: Wednesday, March 13, 2019 12:00 noon – 1:00pm Location: NS Securities Commission, Hearing Room, 400-5251

Duke St.

Topic: CSA Regulatory Sandbox

Speakers: Staff of the NS Securities Commission

Date & Time: ✓ Tuesday, April 9, 2019 12:00 noon – 1:00pm
Location: McInnes Cooper, Multipurpose Room, 13th Floor

Purdy's Wharf

Topic: Private Placement Reporting – A Practical Guide to

Completing Form 45-106F1, Reports of Exempt

Distribution

Speakers: Danielle Daigle, McInnes Cooper

Location: NS Securities Commission, Hearing Room 4, 400-5251

Duke St.

Topic: Update on the Proposed Cooperative Capital Markets

Regulatory System

Speakers: Paul Radford, Q.C., Chair of the NSSC

# 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:** Jaime M. Burnet

Pink Larkin

201-1463 South Park St, PO Box 36036,

Halifax, NS B3J 3S9 Phone: 902-423-7777

Email: jmburnet@pinklarkin.com

**Dates and Proposed Topics:** 

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(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:
Location:

Thursday, November 22, 2018, 6:00pm – 9:00pm
Alter Egos Café, 2193 Gottingen Street, Halifax, NS
Topic:

Annual Meet and Greet with the Schulich School of Law

**OUTLaw Society** 

Date & Time: Friday, July 12, 2019

Location: Halifax Central Library, BMO Community Room

Topic: Pride Parade Sign Painting Party

Date & Time: Tuesday, July 16, 2019

Location: Halifax Central Library, Room 301

Topic: A Panel Discussion and Information Session:

Trans People In the Prison System

Date & Time: Saturday, July 20, 2019
Location: Normal Parade Route
Topic: Halifax Pride Parade
Date & Time: Thursday, July 25, 2019

Date & Time: Thursday, July 25, 2019
Location: Delta Halifax, Bluenose Room
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



The New Birds & Bees - Fertility Law in Canada Topic: Terrance Sheppard, BoyneClarke LLP Speaker:

Wednesday, February 20, 2019 12:00 noon - 1:00pm Date & Time: Cox & Palmer, Suite 1100, 1959 Upper Water Street, Location:

Halifax, NS

How to Avoid the Presumption of a Resulting Trust Topic:

When a Parent Adds a Child on Title

Speaker: Jonathan Hooper, Cox & Palmer

Date & Time: Wednesday, June 5, 2019 12:00 noon - 1:30pm Location: Holiday Inn Express, 980 Parkland Drive, Bedford, NS Topic: LexisNexis Advance QuickLaw Tips and Tricks to Improve your Search Results

Speaker: Marla Currie, LexisNexis Canada

# 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.

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,

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)

Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS Location: Re: Evans Estate: A Tale of Crown Prerogative, Income Topic:

Taxes and Funeral Taxes

Scott Campbell and Timothy Matthews, QC, Stewart Speakers:

McKelvey

Wednesday, November 21, 2018, 12:00 noon - 1:00pm Date & Time:

(Joint Meeting with Business Law Section)

PwC Law LLP, Cogswell Tower, 1101C-2000 Barrington Location:

St, Halifax, NS

Recent Tax Changes: What a Business Lawyer Should Know Topic:

Sarah Campbell, McInnes Cooper and Darren Baxter, Speaker:

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: Location: Topic:

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

Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS Re: Evans Estate: A Tale of Crown Prerogative, Income

Taxes and Funeral Taxes

Speaker:

Scott Campbell and Timothy Matthews, QC, Stewart

McKelvey

Date & Time: Location: Topic: Speaker:

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

Date & Time: Location: Topic:

Speaker:

Tuesday, January 15, 2019, 12:00 noon - 1:00pm Stewart McKelvey, 900-1959 Upper Water St., Halifax, NS Estate Planners in the Witness Box Gregg Yeadon, Casey Rodgers Chisholm Penny Duggan

LLP and Allen Fownes, Fownes Law Offices

Date & Time: Location: Topic:

Monday, March 25, 2019, 12:00 noon - 1:00pm Cox & Palmer, 1100-1959 Upper Water St., Halifax, NS Family Trust Governance: An Often Overlooked Necessity

Cindy Radu, Unbiased Fiancial Services Inc. Speaker:

Date & Time: Location: Topic: Speaker:

Tuesday, April 9, 2019, 12:00 noon - 1:00pm Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS Death of an Owner-Manager Myles Bilodeau, Crown Dilloon Robinson

Date and Time:

Wednesday, April 24, 12:00 noon - 1:00pm (Joint Meeting with the Charities & Not-for-Profit Section) Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS

Location: Topic:

Charitable Giving and Trusts

Speaker:

Richard Niedermayer, Stewart McKelvey



Date & Time: Wednesday, May 1, 2019 12:00 noon – 1:00pm

(Joint Meeting with the Elder Law Section)

McInnes Cooper, 1300 - 1969 Upper Water Street Location: The New Adult Capacity and Decision-Making Act Topic:

Capacity Assessment Program

Speaker: Marian A. Casey, Office of the Public Trustee

# **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:** 

Thursday, October 23, 2018, 5:30pm Date & Time:

Burchells LLP, 1800-1801 Hollis Street, Halifax, NS B3J 3N4 Location:

Light Refreshments and a Casual Discussion of Topic: 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

Connect: Women in Law Topic:

Wednesday, November 14, 2018, 12:00noon - 1:00 pm Date & Time:

(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

Natalie Clifford, Clifford Shields Legal and Roy Stewart, Speakers:

Burchells LLP

Date & Time: Wednesday, January 16, 2019, 12 noon - 1:00pm

(Joint meeting with the Young Lawyers and Canadian

Corporate Counsel Sections)

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

Topic: Making a Career in Cannabis Speaker: Myrna, Gillis, QC, CEO Aqualitas

Date & Time: Thursday, March 7th, 2019, 5:30pm-8:30pm

JD Shore Rum Disterlery Location:

Trivia Night Topic:

Date & Time: Friday, March 8th, 2019, 12 noon – 1:00pm

Location(s):

30

Annual Collection Drive on International Women's Day Topic:

Items collected will be distributed to local women's

shelters and transition houses.

Date & Time: Friday, May 10th, 2019, 11:00am-12:00 noon Location: Cambridge Suites, 380 Esplanade, Sydney Breakfast with the Bench Topic:

The Honourable Justice Gogan, The Honourable Judge Speakers:

Ann Marie MacInnes, The Honourable Judge Amy

Sakalauskas

# **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

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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:** 

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

Coaching Inc.

Tuesday, October 16, 2018, 12:00 -1:30pm Date & Time: 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

**Basics of Securities Law** Topic: 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: Wednesday, January 16, 2019, 12 noon – 1:00pm

(Joint meeting with the Women Lawyers and Canadian

Corporate Counsel Sections)

Stewart McKelvey, 900-1959 Upper Water St., Halifax, NS

Making a Career in Cannabis Topic: Speaker: Myrna, Gillis, QC, CEO Aqualitas

Nova Voce • SUMMER 2019 CBA Nova Scotia

Location:



Date & Time:

Monday, February 11, 2019 12:00noon - 1:00 pm (Joint Meeting with Aboriginal Law Section and the Equity Committee)

Location: Stewart McKelvey, Main Boardroom, 900-1959 Upper

Water St.

Topic: How Aboriginal Law Affects Your Pratice

Speakers: Prof. Naiomi Metallic, Chancellor's Chair in Aboriginal Law & Policy and Assistant Professor, Schulich School of

Law

Date & Time: Location: Topic:

Speaker:

Location:

Wednesday, March 6, 2019, 12 noon - 1:30pm Stewart McKelvey, 900-1959 Upper Water St., Halifax, NS Civil Procedure Rules 10th Anniversary Party Associate Chief Justice Deborah Smith, Justice Jamie Chipman and Jocelyn Campbell, QC

Date & Time:

Thursday, April 4, 2019, 12 noon - 1:30pm (Joint meeting with the Criminal Justice Section) Stewart McKelvey, Suite 900, 1959 Upper Water St.,

Topic: "Criminal Court Do's & Don'ts"

The Honourable Ronda van der Hoek, Nova Scotia Speaker:

**Provincial Court** 

Date & Time:

Tuesday, May 14, 2019 12 noon - 1:00pm (Joint Meeting with the Privacy & Access Law Section) McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS

Topic: Intimate Images and Cyber-protection Act

Speaker: Edward Gores, QC, Nova Scotia Department of Justice

Date & Time: Location: Topic:

Location:

Wednesday, May 22, 2019 12 noon - 1:00pm Wickwire Holm, 300-1801 Hollis Street, Halifax, NS

Collaborative Practice in Family Law

Speaker: Laura Kanaan, MDW Law

Date & Time: Wednesday, June 26, 2019 Location: Halifax Boardwalk

Summer Social - Waterfront Yoga Topic:

# HEALTH BREAK FOR **SCHULICH LAW STUDENTS**







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Connect with your local Lawyers Financial advisor **Dan MacLellan 1.866.710.2586** or **d.maclellan@lawyersfinancial.ca lawyersfinancial.ca**