

# NOVA VOICE



Volume 31, No. 3, Spring 2013

The Voice of the Legal Profession in Nova Scotia



## Mid-Winter Conference *Captured in Photos*

Slaying your  
Time Vampires

Getting through Winter  
*Dreaming  
of Vay-Cay!*



Naima Metcalfe  
Executive Director

Yvonne Halperin  
Winter Conference



# PRESIDENT'S REPORT



By DAN MACRURY, Q.C.

*Dan MacRury Q.C. is the current branch president of the Canadian Bar Association (Nova Scotia Branch) and Chief Crown Attorney, Cape Breton Region. On February 21, 2013, Dan was awarded the Queen Elizabeth II Diamond Jubilee Medal in recognition of his leadership in the area of criminal justice and volunteer service. The Queen Elizabeth II Diamond Jubilee Medal was created to mark the 2012 celebrations of the 60th anniversary of Her Majesty Queen Elizabeth II's accession to the throne. Congratulations, Dan!*

Growing up in Sydney, Nova Scotia as a kid I always looked forward to report cards and grading days. When you did well

in grade primary the teacher Miss Beaton would give you a “star” in your scribbler.

In delivering my mid-term report to the membership I am happy to report that our branch has earned a star in our scribbler. From both a numbers point of view and level of enthusiasm our branch is doing very well.

For example, our branch membership has increased by seven percent from last year. Membership is the highest in four years. I want to thank our membership chair Sean Foreman for his hard work on our behalf.

The branch is continuing to work towards producing an excellent lineup of professional development programs both traditional one-day in person conferences and online CLE.

These programs are one of the most important benefits for all our members, especially in light of mandatory continuing legal education in the province. Again, like our membership numbers, our attendance numbers for our professional development conferences are up. In October our tax law conference attracted 169 attendees. In December our litigation support conference attracted 78 registrants. I am so pleased to report that our first two-day mid-winter meeting had 240 attendees. At our mid-winter we were so pleased to honour three distinguished members of our branch: Alan Stern, Q.C. - Distinguished Service Award; Phil Star, Q.C. - Community Service Award; Sharon Avery - Zoe Odei Young Lawyers Award. On behalf of the branch I would like to congratulate these award winners.

So far we have had great response to our next conference: “The Hunger Games – in the Arena of Serious Personal Injury” to be held on May 10, 2013. I would like to encourage members to register early for this great program.

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## Editorial Board

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Cover Photo Credit: John Leighton, Precision Photography. L to R: CBA-NS President Dan MacRury, Retired Chief Justice of Nova Scotia, Lorne Clarke, Retired Chief Justice of Nova Scotia, Constance Glube, Chief Justice of Canada, Beverley McLachlin, Retired Associate Chief Justice of Nova Scotia, Robert Ferguson and the Chief Justice of Nova Scotia, Michael MacDonald. Lower left: Richard Devlin, Naomi Metallic, Emma Halpern, Robert Wright. Lower right: Erin Costelo

# Slaying Your Time Vampires:

## *Spotlight on Young Lawyers' Section*

By **JENNIFER TAYLOR**

We all waste time at work. It's human nature to daydream and dawdle when instead we should plan for meetings

and prepare for court – especially with the myriad distractions that the internet provides. Who hasn't fallen down the rabbit hole of BuzzFeed's lists of cute animals wearing sweaters, or Banana Republic's online sales? (I hope it's not just me...)

But some distractions are worse than others; they drag us down rather than refresh our brains. Andria Hill-Lehr, a counseling therapist with the Nova Scotia Community College and Homewood Human Solutions, calls these nefarious distractions "time vampires." In a very effective and engaging presentation to the Young Lawyers' Section on January 29, she showed us ways to slay this particular brand of energy-sucking demon.

Andria started off by asking us to name the first thing we thought of when she mentioned "time." Our answers were resoundingly negative – we thought of alarm clocks, priorities, sticky notes. The most common answer? "Not enough." As Tony Schwartz wrote in a recent New York Times article called "Relax! You'll Be More Productive," "Time is finite, and many of us feel we're running out, that we're investing as many hours as we can while trying to retain some semblance of a life outside work." There's just not enough time.

Or is there? Andria pointed out the basic fact that "time is democratic" – everyone gets 24 hours a day, seven days a week. It's what we do with those hours that matters. It's not about getting more time, but being smart about where you put your energy and focus, and recognizing what works for you and what gives you positive, not aggressive, energy. (For example, your lunch-hour exercise break might be better spent relaxing at yoga than fighting for cardio machines at the gym.)

Here are several of Andria's tips for slaying your own particular time vampires:

- Don't feel pressured by stressful, and misleading, buzz terms like "work/life balance" and "time management." As Andria says, "We have a life and work is part of it." We just need to negotiate all of our obligations in the run of a day in a way that works for us – we need manage ourselves, not time.
- Try different techniques to target your time vampires, whether it's turning your email 'ding' off for an hour so you can think up some creative legal arguments, or shutting your office door for an afternoon while you're writing a brief. But don't beat yourself up if the technique doesn't work (or if you check Facebook instead of email). It doesn't mean you've failed.
- Sketch out what Andria calls your "circle of control." Chances are, you'll see that you spend too much time worrying about things you



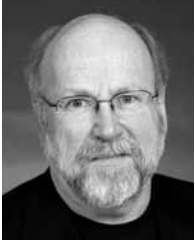
**Andria Hill-Lehr, counseling therapist with Nova Scotia Community College and Homewood Human Solutions, and young lawyer section members Amanda Dillman, Megan Roberts and Alex Grant.**

have no power to influence, whether it's a child who gets sick the morning you have an important presentation, or a flight delay that will make you late for a conference. Worrying about these things is – you guessed it – a time vampire too. Rolling with the punches is a much better approach.

- Set boundaries to defend yourself from the vampires. It's okay to say "no" sometimes. Or my personal favourite, "yes, but": "Yes, I'd love to take on that assignment, but I won't be able to devote myself to it until Monday. I hope that works."
- Recognize that sometimes you'll do better work if you give into your distractions for a little while, and be okay with that. Going for a walk instead of staring at a blank computer screen can work wonders for a tired mind and make you more productive in the long run. Schwartz's article points out: "Paradoxically, the best way to get more done may be to spend more time doing less. A new and growing body of multidisciplinary research shows that strategic renewal – including daytime workouts, short afternoon naps, longer sleep hours, more time away from the office and longer, more frequent vacations – boosts productivity, job performance and, of course, health."

*continued on page 17*

# Common-Law Couples Still Left Out After *Eric v. Lola*



By **ROLLIE THOMPSON Q.C.**

At the end of January, a whole year after the hearing, the Supreme Court of Canada finally handed down its decision in *Attorney General of Quebec v. A*, 2013 SCC 5, better known as “Eric v. Lola” in the Quebec press, or the “common-law case” elsewhere. The Court was badly split, with four sets of reasons covering 450 paragraphs. In the end,

the Court upheld the constitutionality of excluding common-law partners in Quebec from matrimonial property laws (by an 8-1 vote) and, more surprisingly, from spousal support (a narrow 5-4 margin).

Eric is a very wealthy Quebec businessman, who met Lola on a beach in Brazil in 1992 when she was 17 years old. Eventually he persuaded her to come to Quebec to live with him in 1995. Three children and seven years later, they separated. Lola had wanted to get married, but Eric didn’t believe in marriage. In 2006, Eric was ordered to pay child support of \$34,260 per month, plus special expenses, tuition and extracurricular activities, nannies, a cook and the costs of the home in which Lola and the children lived. But Lola wanted property division and spousal support too, remedies not available to unmarried cohabitants, described in Quebec as *de facto* spouses. She brought a constitutional challenge to her exclusion from these provisions of the *Civil Code of Quebec*.

Her motion was rejected by the Quebec Superior Court in 2009, but her appeal was allowed in part by the Quebec Court of Appeal in 2010. The exclusion from spousal support was ruled unconstitutional by Justice Julie Dutil, but the Court of Appeal was bound on the property issues by the Supreme Court’s decision in *Nova Scotia (Attorney General) v. Walsh*, 2002 SCC 83. All parties were granted leave to appeal to the Supreme Court: Eric, Lola and the Attorney General of Quebec. The appeal was heard on January 18, 2012.

The box score is complicated. Justice LeBel (Fish, Rothstein, Moldaver JJ. concurring) wrote the longest reasons, some 282 paragraphs, finding no breach of s. 15 equality rights. Five judges, including all four women, disagreed, finding that exclusion from property and support remedies was discriminatory under s. 15, with Justice Abella writing the reasons. When it came to justification under s. 1 of the *Charter*, however, this five-judge

group blew apart. Only Justice Abella found the exclusion from property laws not justifiable. Justice Deschamps wrote for a trio (along with Cromwell and Karakatsanis JJ.) that used s. 1 to uphold the property exclusion, but not the exclusion from spousal support. In short reasons, Chief Justice McLachlin deferred to the Quebec legislature under section 1 on both property and support exclusion, joining the four guys for the critical vote on the support issue.

The practical result of the decision is to leave the family law landscape utterly unchanged. In Quebec, *de facto* spouses are still left without property division or support remedies, however long the relationship, however great the disadvantage or need. For most of Canada, like Nova Scotia, nothing changes either. Common-law couples are still left out of property laws, but can claim spousal support. All Canadian provinces and territories provide for spousal support for common-law partners as a matter of legislative policy. But only five include them under matrimonial property laws: Northwest Territories, Nunavut, Saskatchewan, Manitoba and British Columbia (effective March 18, 2013).

I have prepared a lengthier annotation to the decision that will be published in an upcoming issue of the Reports of Family Law. The practical effects of the decision outside Quebec may be zero, but at a theoretical level, the decision is important. Sadly, it marks the end of an era in family law and the Charter: the Court entirely abandons a functional approach to the family, preferring the formalities of “choice” and “mutual consent”. Its constitutional analysis is arid, divorced from the social reality of family life. It completely ignores the interests of children of common-law relationships, present in more than 50 per cent of such relationships. Its analysis of spousal support is thin and oddly-truncated, focussed entirely on non-compensatory or need-based support. And, despite the preparedness of five judges to reconsider *Walsh* on property, only Justice Abella does. In effect, the Supreme Court boots the issue back to the legislatures.

The Law Reform Commission of Nova Scotia is looking at our 1980 *Matrimonial Property Act*. It’s time to look again at the inclusion of common-law couples under that regime as good legislative policy, even if it is not demanded by the constitution.

***Trending is a recurring feature focusing on a new development in the law. Rollie Thompson Q.C. is a professor at Schulich School of Law, Dalhousie University.***

# A Few Good Men and Women:

## *Life as a Legal Officer in the Office of the Judge Advocate General*

By **MICHELLE ROGERS**

We all know better than to expect Tom Cruise and Jack Nicholson's one-liners. But few civilians and civilian lawyers know what to expect from our colleagues working in the Office of the Judge Advocate General. Approximately nine regular force members and six reservists make up the Atlantic Region office of the JAG. The Judge Advocate General himself, Major-General Blaise Cathcart, began his legal career in Nova Scotia. These men and women are a critical component of legal services that affect all Canadians. For this reason we should all be more familiar with the work they do.

Legal Officers are the first point of contact in the delivery of legal advice to the Governor General, the Minister of National Defence, the Department of National Defence and the Canadian Forces. When a legal issue arises, JAG lawyers will address it, or direct the inquiry to other legal specialists. For example, JAG liaises with the Department of Justice to address litigation issues such as labour or environmental concerns. "We are like any in-house lawyer", explains Captain Rick Eng, "We work for an organization that needs legal advice. We just happen to wear a uniform."

"The biggest misconception", agree Captain Eng and Major Jason Samson, "is that we are one-track lawyers, dealing with a narrow field of the law." Military law encompasses far more than one may think. It includes any legal issue arising in the Canadian Forces or Department of National Defence, either domestically or internationally. Because of this, a JAG lawyer's practice is often much akin to that of a generalist.

There are three main pillars of the work carried out by the Office of the JAG: military justice, operations, and administrative law. JAG prosecutors and defence lawyers practice exclusively in military justice. Other lawyers focus in operations or administrative law, but many lawyers in the field are generalists working in all three. Military justice relates to the prosecution of offenders for disciplinary or criminal infractions. This could include minor offences such as failing to show up for work on time, or as serious as homicide or aggravated sexual assault. Conversely, operational law applies to the conduct at all phases of a CF operation at all levels of command, both domestically and internationally, and includes law relating to intelligence, information operations, computer network operations, international human rights, international humanitarian law, and weapons reviews. Finally, the administrative pillar of JAG work includes military personnel law, compensation, benefits, pensions, service estates and wills.

The Office of the JAG's mission is to provide "independent, operationally focused, solution oriented advice". This advice is



Photo credit: Bruce Jollimore Photography

From left to right: Major Jason Samson, Lieutenant-Colonel David Sinclair (Assistance Judge Advocate General for the Atlantic Region) and Captain Rick Eng.

often given in short-order, and with far reaching implications. Lieutenant-Colonel David Sinclair, Assistant Judge Advocate General for the Atlantic Region, remembers a time in his career when it seemed that each piece of legal advice he provided related to a topic he saw on the nightly news.

Although it may seem that JAG lawyers address issues that are unique only to the CF, civilian and military lawyers do tackle common questions. Recently, the Military Law section of the Nova Scotia CBA held a joint section meeting with the Criminal Law section focusing on evidentiary issues. Major Samson, the CBANS Military Law Section Chair, hopes that more joint sessions will be held in the future. These would be on common legal areas of focus, as with the Criminal group, or to provide more insight into how straight-forward legal issues may become complex when they affect a military member, such as in family law.

There is no one distinct path to becoming lawyer in the Office of the JAG. Captain Eng's military career began in 1991 in British Columbia as a Private in the militia, following which he joined the Regular Forces in Shearwater, Nova Scotia as a Sea King helicopter

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# “The first thing we do, let’s kill all the lawyers”

(2 Henry VI, 4.2.78)



By ROBERT PATZELT, Q.C.

This oft-quoted line of ten words is by far the Bard of Avon’s most memorable contribution to the abuse of lawyers. Shakespeare’s genius has given more impact to these words than if they were spoken by any other. Even our own profession holds him in high regard. A study published in 1993 shows that Shakespeare is quoted approximately 800 times at the U.S.

state and federal judicial level. He had no idea what kind of “sound bite” he created, but we truly need to be put the invective into perspective.

It comes from one of Shakespeare’s earlier plays (written in 1594), when he had not yet perfected his literary craft. I base this on the fact that he only began putting his own name on the title page of his plays in 1598. Also, this play is obscure and neglected for good reason. It is not very good. The play has only been produced twice in the last 50 years at the Stratford Festival. Not the greatest showing on home turf. But for this notorious line, this play would be relegated to the trash bins.

Shakespeare lived in Elizabethan times, in the cusp of a battle between Parliament and the rule of the monarchy. Power struggles are always interesting, and who needs marketing when you have conflict! The public was obsessed with the law and lawyers. This play takes place in a particularly low time in England’s history, as Henry VI was a weak, indecisive and ineffectual king who was easily led, and was becoming mentally unstable.

The story involves a potential rebellion of the people. War is hell but it sells. The genesis of this quote is from a dialogue between a dupe commoner (Jack Cade), who is manipulated by the Duke of York to create an uprising using one of Cade’s henchmen (Dick the butcher). It is Dick who makes this infamous statement, but Cade liked the idea, and so acknowledges it in his next line of the play. In a way, it is a compliment to lawyers and the legal system. Only by getting rid of the lawyers would Cade be able to potentially make himself king.

Also, the not so Tricky Dicky – our antagonistic meat cleaver operator - further proposes to break open the jails and release the prisoners, likely resulting in anarchy. Choosing a butcher to represent the blood lust of mob rule is a clever play on words. Although they were going after lawyers first, it was their intent to get rid of pretty much all of the ruling and merchant class (scholars, lawyers, courtiers and

gentlemen), or as they referred to them, “false caterpillars”. I have been called far, far worse.

Cade had a chip on his shoulder - or to put it in the times that he existed, he was one who just couldn’t fill out his codpiece. He wanted to redistribute wealth and abolish private property. But even worse, he declared that he would take away booze. Cade states that he “will make it a felony to drink small beer”. Small beer was not only a much needed source of entertainment (a sort of opiate light for the masses), but at that time also a health benefit - the brewing process killed water-borne pathogens. In times of no running potable water and open sewers, there were high risks of disease and infection from such sources as cholera. What was he thinking? This would be political suicide, or to put it in Shakespeare’s vernacular – “Lord, what fools these mortals be.” (A Midsummer Night’s Dream -3.2.115). In this forgettable play, the line about abolition of liquor is only 7 lines away from the subsequent line of lawyer elimination, yet no one ever quotes that.

Finally, Shakespeare was a savvy marketer. Large parts of his audience were lawyers. In fact, about a third of all plays written in England at the time had a trial scene. Throwing in a court scene or a jibe at the legal profession back then is much the same as car chases and gratuitous sex in today’s films. I do not think Bill the Bard intended his remark to be interpreted as it had. He would not risk offending his audience to that degree. Seven of his plays were performed at the Inns of Court – the law schools of the day in London. In fact, 20 per cent of his contemporary playwrights were members of the Inns, like Francis Bacon and John Donne. Law was hot and sexy and you worked it for all it was worth, but it is suicide to spite the hand that can bleed you. He hung around lawyers and was pretty litigious in his own right, as was his family. His father was in court sixty-seven times.

There is little we can do about the quote, as we are being [d]one to death by slanderous tongues (Much Ado About Nothing - 5.3.3). However, we can at least understand its context.

*Robert Patzelt is a long-standing CBA member and regular contributor to Nova Voce. Ex Animo means “From the Heart.”*

**SAVE  
THE  
DATE**

**Friday, May 10th, 2013**

Personal Injury Conference (all-day)  
Casino Nova Scotia  
(Schooner Room)  
Brochure available in April

# South Shore Law – One Clerk’s Top Eleven



By **JOSH NODELMAN**

*Josh Nodelman's daughter, Julia Dorothy Nodelman (pictured above) was born July 24, 2012.*

I'm one of three people completing articulated clerkships in Bridgewater this year. When Nova Voce asked me to provide "a brief article on your experience at Legal Aid, particularly what it's like to work for Legal Aid in a smaller town," I thought I'd state why all three of us think that the opportunity to start out practising on the South Shore may be one of the Nova Scotia legal profession's best-kept secrets.

I put forth the following 11 points to justify this view:

1. Picturesque surroundings. The winding roads alongside the LaHave River are particular highlights, as are the beaches.
2. Collegiality. Twenty-five per cent or more of the Lunenburg bar will attend the same professional development or social event. Junior members are made to feel particularly welcome. And if you like your dinosaur-rock cover bands, there are a couple kicking around composed mainly of lawyers.
3. Housekeeper cases: a Lunenburg County classic. (You'll know one when you see one.)
4. The Bridgewater Justice Centre. This state-of-the-art facility, completed in 2009, is easily one of the province's finest. Among other advantages, it boasts enough interview rooms for the Family Court.
5. Lunenburg pudding and sausage. The South Shore is home to these legendary Nova Scotia pork products. Local lawyers are noted for incorporating Lunenburg pudding into a sui generis pizza called "The Advocate."
6. Preternaturally helpful courthouse staff. These people don't just ensure your safety at work and help you get court filings in order. When they're not throwing Christmas parties for the entire profession, they're trying to give you a ride when they see you walking down the street.
7. Work/life balance. Everyone certainly works hard during the day, but you need to take time to enjoy the ocean scenery, the dinosaur-rock on local radio, and the infamous pork pizza.
8. Variety. Although lawyers do specialize, most practitioners manage to excel at three or four different legal areas. As such, in a single week their clerks can be asked to fill out incorporation forms, appear in criminal court, draft a civil claim, and research a point of development law to advise a civic government.
9. Involvement in files. The general ethos is that if articulated clerks work hard enough to earn responsibility, they'll be given it.
10. A clerk-friendly judiciary. The people sitting on our bench are among the most accomplished anywhere, and yet remain courteous enough to be patient with articulated clerks fumbling their way through busy Chambers dockets.
11. The Liverpool courthouse. This state-of-the-art facility, completed in 1855, is still used one day a week. As it's essentially one big room with no outside waiting area and only one holding cell, the seating gallery's atmosphere can be . . . boisterous. However, every Nova Voce reader owes it to him or herself to come down at least once and see Liverpool Chambers on a Tuesday morning. There, in its barest and most authentic form, lives on the soul of Nova Scotia's legal practice.

*The Nova Voices Column features the viewpoint of lawyers around Nova Scotia. Josh Nodelman is an articulated clerk at Legal Aid Nova Scotia and Power, Dempsey, Leefe & Reddy in Bridgewater.*

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# Dillon Trider

**Called to the bar:** 2011

**Firm:** Wickwire Holm

**Area(s) of practice:** Commercial Litigation, and Labour and Employment

**Describe your professional experiences to date:** I started as a summer student with Wickwire Holm, clerked there, and was hired as an associate. Over time, I gravitated to the litigation side of the firm's practice. I have appeared before various boards and tribunals, Small Claims Court, and the Court of Appeal.

**Describe your current practice:** The majority of my practice is split evenly between commercial litigation and employment law. A smaller part of my practice is made up of

personal injury, labour law, and providing advice to commercial clients on regulatory matters.

**Describe the unique qualities you bring to your practice:** One of the more unique aspects about me is the fact that this is my first office job. From the age of 14, I did everything from farm work, to landscape construction, to moving, to working in a limestone-cutting factory. Before starting law all I did was "honest" work.

I strive to have my work achieve some positive, tangible result for my clients. In litigation this means achieving a lasting solution to a dispute.

**Describe one of your most satisfying achievements in practice:** Successfully representing refugee claimants before the Immigration and Refugee Board on behalf of the Halifax Refugee Clinic. Helping these individuals and their families gain refugee status in the face of very dire circumstances was very satisfying.

**What other activities and volunteer pursuits occupy your time?** I provide legal work for ReachAbility and the Halifax Refugee Clinic. I also sit on the board of directors of the St. Cecilia Concert Series.

I hike, fish, cook delicious food, and enjoy having a beer with friends.

**Why did you decide to practice law? What drew you to your area(s) of law?** I decided to practice law because of the human element; in particular the interaction between individuals and the state. I was drawn to litigation because it presents one of the more



extreme aspects of human interactions: dispute.

**What do you consider to be the greatest challenges facing young lawyers?** Feeling incompetent. There is a very steep learning curve in the first few years of practice. Young lawyers need support, mentorship, trust in their capabilities, and understanding of their limitations from their firms.

**What do you wish senior lawyers understood about young lawyers?** One of the more interesting interactions for a young lawyer practicing litigation is having very senior lawyers on the other side of a dispute. For the most part I have had excellent experiences with senior lawyers. However, in a couple of instances, I have experienced a hint of bullying. This conduct may have been inadvertent or unintentional, but it will be remembered by the junior lawyer in a negative way.

**What words of wisdom do you have for new lawyers?** I do not consider myself to be wise enough to offer any advice to people like me.

**What are your goals for your career as you become a more seasoned lawyer?** I look forward to taking on more complex and involved litigation files.

## reSolution



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# Bring on the Vay-Cay!

By HEIDI SCHEDLER

We all know the feeling. It's your first day back to work after the New Year. You are feeling fatigued by the stress of the holidays. Your clothes are a little tighter, thanks to all those holiday treats and drinks. You are arriving and departing work in the pitch-freakin'-dark. You are looking at your calendar, and you see not a single long weekend until Easter. Ugh... That is what I call the long, dark tunnel of winter. (Insert ominous sounding music here.)

Now, I'm not here to dog on winter. I actually love winter: I want snow; I don't mind the cold temperatures; and I figure the days are only getting longer from here on out. But that doesn't mean I don't love (and deserve, I might add) a little vacation. Or, as I like to call it, vay-cay.

The long, dark tunnel of winter is a popular time for vay-cays of all types. Be it snowy slopes or sunny beaches, Canucks all across the land migrate to their chosen spots and do whatever it is they do that helps them relax, reboot, and rejuvenate.

We all need time away from the office. Yep, all of us. The world will not stop turning if we step away from work for a few days. If you are one of those people that consider vacation to be an albatross, take a closer look. You might find that the albatross is actually a snowbird. Grab on and hitch a ride down south, already!!



**Daniel Burman (Khattar&Khattar, Sydney):** "Last year we enjoyed some time in Florida, in Calgary for the 100th anniversary of the Stampede, and one week in the Rockies. (Can you tell that our three kids are dictating our vacation schedule?) This year looks like my annual PEI goose hunting trip, and Christmas in Montreal with the family, so I'll be packing some warm clothes."

**Angela Swantee (Nova Scotia Department of Justice, Halifax):**

"For Christmas, I spent eight days with my family in the most magical place on earth – Disney World."



**Moneesha Sinha (Blois Nickerson & Bryson LLP, Halifax):**

"When I am cruising with my family or friends, there is always something for everyone to do - whether it is dance lessons, swimming, ice skating, zip-lining, surfing, playing mini golf, watching Chicago or, of course, eating! On my latest cruise, I went with four generations, with everyone from my grandmother to my niece and nephew. It was a great family bonding time. We made a lot of good friends. My favourite part of course is the five-star dining, and I always plan to come back with an extra five pounds."



**Liz Wozniak (Elizabeth Wozniak Inc., Halifax):** "We are heading to Hawaii in March, where we meet up with my family about every second year. We will spend a few days in Waikiki doing mostly kid things, with a surf lesson or two for the grownups. Then we hop over to Maui to relax for the duration. We even booked a luau for the first time, and I am (oddly and curiously) looking forward to it!"



**Helen Foote (Heritage House Law Office, Dartmouth):** "My plans always include travel, so it was Christmas in Cuba; family week in Sault Ste. Marie with grandchildren and cross-country skiing; and Easter will be Kamloops for a visit with my granddaughter and more skiing. Finally, there will be a month in spring biking through the wine regions of France. "



*Outside the Office is a recurring feature focusing on a lifestyle issue of interest to CBA members. Heidi Schedler is Enforcement Counsel with the Nova Scotia Securities Commission and a member of the editorial board of Nova Voce.*

## Peter J. MacKeigan, Q.C.

**Chartered Mediator  
Chartered Arbitrator  
Barrister & Solicitor**



Peter is a full time commercial and labour mediator and arbitrator serving Atlantic Canada. He is a Chartered Mediator and Chartered Arbitrator as designated by the ADR Institute of Canada, a Distinguished Fellow of the International Academy of Mediators and has received an AV Peer Review Rating from Martindale-Hubbel.

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**ADR**  
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Resolution

# 2013 MID-WINTER CONFERENCE



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8



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1. Amanda Dillman, Jennifer Kooren, Christine Doucet. 2. Justice Robert Ferguson, Justice Constance Glube. 3. Hanaa Al Sharief, Sharon Avery. 4. Paul Sweeny, Brian Tabor Q.C., Christa Brothers. 5. Doug Sealy Q.C., Peter Couthard, Jamie MacNeil. 6. Robert MacKeigan, Q.C., Chief Justice Michael MacDonald, Chief Justice Richard Scott (Manitoba). 7. Chief Justice of Ontario Warren Winkler. 8. Jessica Lyle presenting award to Phil Star Q.C.. 9. Dan MacRury Q.C. presenting award to Alan Stern Q.C.. 10. Attendees of the bench and bar dinner find their seats. 11. Judge's panel: Chief Justice Michael MacDonald, Chief Justice Richard Scott (Manitoba), Chief Justice Joseph Kennedy, Associate Chief Justice Lawrence O'Neil, Associate Chief Judge of the Family Court James Wilson, Chief Judge of the Provincial Court Pamela Williams. 12. Ann Levangie, Sean Foreman, Annette Boucher Q.C.. 13. Peter Rumscheit, Justice Kevin Coady, Michael Dunphy, Q.C.. 14. Town crier. 15. Luncheon speaker Chief Justice Winkler. 16. Don McDougall Q.C., Justice David Farrar and guest. 17. Erin Costelo. 18. Judy Ferguson, Justice Robert Ferguson, Judith Ferguson. 19. Chief Justice of Canada Beverley McLachlin and students, Karla Bray and Samantha Ratnam. 20. Ed Harris and Honourable Justice Jill Hamilton.

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# 2013 MID-WINTER CONFERENCE



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# Court Decorum in the 21st Century

**By A.C.J. DEBORAH K. SMITH** It seems that the world is becoming more casual these days. Walk into a bank and the tellers may have jeans on. Walk into a law office and you may have difficulty finding someone wearing a suit and tie. Why is it that when the rest of the world seems to be less formal, and “smart casual” is becoming the norm, courts continue to hang on to their traditional formal ways? Lawyers are still required to wear robes and tabs. The parties rise when the judge and jury enter the courtroom. Counsel are referred to as “my friend” or, if they are a Q.C., “my learned friend”. Why do we hang on to these traditions that some would view as archaic? The answer can be summed up quite easily – respect for the institution of the court.

I need not tell you how expensive litigation is. Parties spend tremendous sums of money to pursue their claims in court. At

the end of the day, if they are successful, they obtain a simple piece of paper. The value behind that paper lies in respect for the institution that issues it.

The modern courtroom has changed dramatically in recent years. Self-represented litigants are the norm rather than the exception. It is incumbent upon all of us, as judges and lawyers, to maintain proper court decorum and etiquette so that all of those using the justice system understand what is expected in a courtroom and, more importantly, so that those who come before the court will respect the courts’ rulings and orders.

*Benchmark is a recurring column highlighting the work of members of the Nova Scotia judiciary. Justice Deborah K. Smith is Associate Chief Justice of the Supreme Court of Nova Scotia.*

## Good manners do matter

**By A.C.J. LAWRENCE O’NEIL** Etiquette is defined by Webster’s Dictionary as “polite manners; rules for social conduct” and

by the Gage Canadian Dictionary as the conventional rules for conduct or behaviour in polite society and as the formal rules or conventions governing conduct in a profession.

At a basic level, etiquette defines the standard of good manners expected in a given circumstance. In our current broader social context we often place less emphasis on formalities of process. However, etiquette has an important role in the practice of law and the operation of our courts. It is appreciated by the judiciary.

The current Canadian Bar Association Code of Professional Conduct adopted in 2006 has numerous chapters dealing with standards of Professional Ethics. It also contains an Appendix – Principles of Civility for Advocates.

The preamble of the Appendix begins:

p. 129 - Civility amongst those entrusted with the administration of justice is central to its effectiveness and to the public’s confidence in that system. Civility ensures matters before the Court are resolved in an orderly way and helps preserve the role of counsel in the justice system as an honourable one.

Civility for advocates falls into a number of categories (1)

relations with opposing counsel, (2) communications with others, (3) trial conduct and, finally, (4) counsel’s relations with judiciary.

These principles reinforce and communicate respect for the justice system; the court, the judge, the fellow lawyers, and the litigants. They reinforce the value we place on the courts as an institution. The rules of etiquette are not simply of historical value. Successive generations of lawyers and judges have deemed these principles worth following. They should be valued because they serve an important purpose.

An advocate who does not follow proper etiquette/principles of civility increases the uncertainty in a proceeding and therefore the stress involved.

In my capacity as a Judge regularly presiding over matrimonial disputes, the occasions when etiquette is not followed are noticed. A lack of etiquette reflects poorly on a lawyer and distracts from the role of advocate.

The CBA Code’s appendix provides invaluable guidance. These guidelines should be required reading. I wish to impress upon practitioners how important it is to know and to follow these principles of civility. The absence of good etiquette can and does make litigation less pleasant. Good manners do matter!

*Justice Lawrence O’Neil is Associate Chief Justice of the Supreme Court of Nova Scotia (Family Division).*

# Pro Bono Opportunity:

## *Restorative Boards of Inquiry*



BY LES JESUDASON

Improving access to justice is a topic that resonates loudly with many of us these days. Clearly, it should. Indeed, during the recent Bench & Bar Reception & Dinner put on by CBA-Nova Scotia, The Right Honourable Chief Justice of Canada, Beverley McLachlin, made it a centerpiece of her keynote address to a packed room. As Chief Justice McLachlin suggested,

given the profession's monopoly over the provision of legal services, lawyers have a special responsibility to not simply provide legal services for the rich and powerful, but rather, have a duty to ensure access to justice for all.

If lawyers are willing to squarely meet this challenge, the obvious question is what can they do to help? The CBA-NS Equity Committee has asked itself this very question. One answer it came up with in response was to work on increasing awareness of access of justice issues by highlighting pro bono opportunities for lawyers to "make a difference". Nova Voce has kindly agreed to give us a forum to make what we hope will be a regular contribution by the Equity Committee in this regard.

The current opportunity which the Committee wishes to highlight is a call by the Nova Scotia Human Rights Commission to join its pro bono restorative lawyer roster. As many of you may be aware, the NSHRC this past year decided to put the "human" back into rights in its dispute resolution processes. In doing so, it has adopted a restorative Board of Inquiry approach as an alternative to the traditional adversarial Board of Inquiry approach. A restorative Board of Inquiry seeks to resolve human rights conflicts in ways that build relationships and repair harms, while creating a forward-looking plan. The very process of creating that plan assists in repairing the relationships that have been harmed.

In order for the restorative Board of Inquiry approach to work, the parties, and their lawyers, have to be willing to focus on using collaborative approaches to resolving disputes. This often means putting relationships at the center of what is important as opposed to attributing blame. Thus, instead of the board chair "owning" the dispute, and dictating the process which is followed, the parties "own" the dispute and work together to determine the best process to determine how relationships have been harmed, and how best to address this. If the parties are unable to agree on a certain finding of fact or a point of law, the board chair can make such findings to assist the parties in continuing their attempts to come up with a fair and reasonable outcome. As part of working through that process, community members who have a special interest in the dispute

are often invited to participate in "talking circles" and be a part of the building of a solution. It is hoped that with more perspectives at the table a solution can be found which not only addresses the parties' individual needs but, in many cases, can result in systemic changes which benefit the broader community.

So far, the new restorative Board of Inquiry approach has been well-received by the participants who have gone through it. They report better accountability and emotional closure than a traditional adversarial Board of Inquiry approach.

Lawyers who are interested in getting involved in the process can apply to serve on the NSHRC pro bono restorative lawyer roster. If selected, they will be assigned to assist unrepresented complainants or respondents who have agreed to participate in a restorative Board of Inquiry process. Lawyers are expected to encourage their clients to work towards a fair and reasonable outcome and work closely with a restorative facilitator and the NSHRC's in-house counsel, Lisa Teryl, throughout the process.

The Committee believes the new restorative Board of Inquiry approach is consistent with the goal of enhancing access to justice. Anyone interested in finding out more about the process or being considered for inclusion on the NSHRC pro bono restorative lawyer roster process may contact Lisa Teryl at 424-4111 or by email at TERYLL@gov.ns.ca.

*Giving Back is a recurring feature highlighting a pro bono opportunity for Nova Scotia lawyers. Les Jesudason is a partner with Blois, Nickerson & Bryson LLP in Halifax, and is chair of the equity committee of the CBA-Nova Scotia.*

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\* (provided there is no excess in postage and copies are provided).

# Success on International Women's Day

**By ANNETTE BOUCHER Q.C.** Did you know that the United Nations theme for International Women's Day 2013 was "A promise is a promise: Time for action to end violence against women"? In late January when we had lunch, Tyana and I didn't. What we did know was that the National CBA Women Lawyers Forum had put out the challenge to all CBA Women Lawyer sections in the country to support women in need by making donations to shelters in our local communities on March 8.

As section co-chairs, we wanted to rise to the challenge, and wanted to help women in need in our community. We had never embarked on anything like this before, so we decided we would keep it "small". We drew up a rapid plan, returned to our offices, made a few telephone calls, and sent out a bunch of e-mail messages to women lawyers in the province soliciting their help. Within hours we had secured 12 law firms/offices to act as "drop off zones" on March 8, International Women's Day, to collect items to benefit 10 women's shelters throughout Nova Scotia.

We asked, and women lawyers along with their friends, colleagues, clients and staff responded! We collected approximately 150 boxes full of supplies such as toothbrushes, toothpaste, face cloths, soap, deodorant, and many, many other items that women who leave their homes due to violence need to address their most basic needs; along with over \$1,500 in cash donations.

This was such a fantastic success story! Everyone wanted to extend a helping hand. The 10 women's shelters who have expressed gratitude on behalf of their clients for this helping hand are: Cape Breton Transition House in Sydney, the Mi'kmaw Family Healing Centre at the Waycobah First Nation, Leaside Transition House in Port Hawkesbury, the Naomi Society in Antigonish, Third Place in Truro, the Mi'kmaw Family Healing Centre at the Millbrook First Nation, Teermann House in New Glasgow, Adsum House and Byrony House in Halifax, and Chrysalis House in Kentville.

This so called "small" project "morphed". We, as co-chairs, owe a debt of gratitude to the following lawyers and their individual teams of helpers, who opened their offices to receive the donations and made this project such a success: Gail Rudderham Chernin Q.C. and Robin Gogan at The Breton Law Group in Sydney; Tracey Sturmy and Cindy Murray at NS Legal Aid in Port Hawkesbury; Carole Gillies, Q.C. at Chisholm & Gillies in Antigonish; Ann Levangie at Patterson Law in Truro; Sarah MacIntosh at MacIntosh, MacDonnell and MacDonald; Dena Bryan of Dena J. Bryan Inc in Pictou; Tyana Caplan and Shannon L. McEvenue at Stewart McKelvey, Christine Doucet at McGinty Doucet Walker, Erin O'Brien-Edmonds, Q.C. and Megan Roberts at Burchell MacDougall, and the Schulich School of Law all in Halifax; Rebecca



Hiltz-LeBlanc at Boyne Clarke in Dartmouth; and Trinda L. Ernst, Q.C. at Waterbury Newton in Kentville.

An article about International Women's Day we read stated: "On International Women's Day . . . , join Canadians from coast to coast as we reflect on the impacts of violence against women and commit to helping end it." Well, we here in Nova Scotia certainly put these words into concrete action. To each and everyone who participated, thank you for embarking on our little project, for thinking of women in need in our province, and for placing International Women's Day on everyone's radar screens. Job well done – shall we do it again next year?

**Annette M. Boucher, Q.C. is co-chair with Tyana Caplan of the Women's Forum of CBA-NS.**

# INTERNATIONAL WOMEN'S DAY



**CLOCKWISE FROM LEFT:** Pictured at the Burchell MacDougall event are Megan Roberts (Halifax office), Stacey England (Truro Office) and Erin O'Brien Edmonds Q.C. (Halifax office); Pictured at the Boyne Clarke event are (L-R) Meghan Russell, Boyne Clark LLP, Tracy Smith, Boyne Clarke LLP, Rebecca Hiltz LeBlanc, Boyne Clarke LLP, Laurier Ehler, Executive Director of Bryony House, Sheri Lecker, Executive Director of Adsum House; Pictured at the Stewart McKelvey event are L-R Tyana Caplan (Stewart McKelvey and Women's Forum co-chair) Nancy Stapleton (Adsum House), Shanon McEvenue (articled clerk - Stewart McKelvey), Amanda Bennett (Bryony House), Darlene Blanchard (Stewart McKelvey), Cathleen O'Grady (Office of Legislative Council), Annette Boucher Q.C. (Office of Legislative Council and Women's Forum co-chair); Waterbury Newton: Lynn Connors Q.C. (right) and Trinda Ernst Q.C. (left) of Waterbury Newton in Kentville delivered six loaded laundry hampers of donated items to Chrysalis House Women's Shelter in Kentville. Also pictured is crisis counselor Ginger MacPhee. The photo was taken by another crisis counsellor, Lael Aucoin; Front entrance of McGinty Doucet Walker decorated for the event.

*PRESIDENT'S MESSAGE cont'd from page 2*

Also, during our mid-winter meeting, the branch held a very successful bench and bar dinner with our guest speaker Chief Justice Beverley McLachlin. As a branch we were so pleased to honour former Chief Justices Glube and Clarke and former Associate Chief Justice Ferguson. We had over 310 registrants for this great event and can say without hesitation that our executive has received tremendous positive feedback for this event as one senior Nova Scotia solicitor said to me: "The branch knocked it out of the park with this event."

The Professional Development Committee is now beginning planning for next year's programs. We would welcome any ideas.

Our very successful Professional Development Programs would not be possible without the tremendous leadership of our Vice-President Robyn Elliot, our mid-winter co-chair Jessica Lyle, the Professional Development Committee and of course our super three-person office led by Executive Director Tina Tucker, Jill Thomson and Ian MacDermid. On behalf of the membership I would like to applaud all of them for their great work. Finally, I would like to thank Christine Doucet, chair of the Public Relations and Communications Committee, for the new look of Nova Voce. We have received very positive feedback from the membership on this new format. On behalf of our executive team I can assure the members that we will continue to strive to achieve those stars in our scribbler as we work on behalf of the branch.

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*A FEW GOOD MEN AND WOMEN cont'd from page 5*

Tactical Coordinator, and several Air Force postings followed. He earned his Bachelor of Arts by attending classes part-time, and in 2011 graduated from Dalhousie's Schulich School of Law as part of the Military Legal Training Plan.

Major Samson's educational background includes a BA in Political Science and Economics, a diploma in French, and attendance at the Lee Strasburg Theatre Institute in New York before completing his LL.B. at the Université de Moncton and joining private practice in Port Hawkesbury. Major Samson made the decision to leave private practice for the military after the September 11, 2001 terrorist attacks. "I wanted to do something for Canada", he explains. Since joining the military, he has completed his LL.M. at Dalhousie focusing on criminal law, military law, mental health law and collaborative justice.

Similarly, Lieutenant-Colonel Sinclair, was in private practice in Truro before joining the military. Because of the lifestyle implications this was a decision he made together with his family. For him, the shift meant that he went from worrying about billable hours to worrying about operations. For Lieutenant-Colonel Sinclair, "every file is someone's life". "It's more than just a job", explained each of Captain Eng, Major Samson, and Lieutenant-Colonel Sinclair.

As with all lawyers, members of the CF must work to balance career and personal lives. Often more so. JAG lawyers are required to be available for service 24/7, should the need arise. Deployment is also a major player in the work/life balance dichotomy. Most JAG lawyers will be deployed at least once during their career. Captain Eng and Major Samson describe deployment as an exciting opportunity, unique to their career paths. International deployments, such as Major Samson's deployment to the Jerusalem

and the West Bank to work on the Middle East Peace Process, offer the opportunity to provide legal advice in a way that will have a positive impact on individual lives. Being posted to different cities within Canada is also a reality of a military career. Lieutenant-Colonel Sinclair, for example, has lived in five homes in the past 10 years.

Luckily, given the demand of military life with 24/7 service and the potential for deployment on short notice, the CF also has significant support systems in place for the families of military members, and benefits such as parental leave for its members. Support also exists in the other military members, who are familiar with the demands of their lifestyle and are quick to reach out to provide support to colleagues and their families.

Like civilian lawyers, legal officers are responsible for providing legal advice on diverse issues. While the matters the Office of the JAG addresses are often beyond the scope of civilian lawyers, the civilian and the military world do have opportunities to interact. The questions answered by legal officers are issues facing all Canadians, which is why more civilian lawyers should understand what those questions are. Civilian and military lawyers should also strive to have a better understanding of how civilian legal practice may be influenced by military law, policies and procedures. Future joint CBA section meetings, and a willingness to understand the work of a few fellow good men and women of the Nova Scotia bar is a good start.

***Career Compass is a recurring feature focusing on a workplace issue of interest to CBA members. Michelle Rogers is an associate with McGinty Doucet Walker and a member of the editorial board of Nova Voce.***



## Law Day is April 17, 2013

This year, the theme in Nova Scotia for Law Day is "Rule of Law Spring: Engaging the Next Generation". Activities will be centered around National Law Day: Wednesday April 17, 2013. In line with the theme this year, the focus will be to work with high schools and youth across Nova Scotia to run mock trials on Law Day. As well, young Cadets will be conducting mock military tribunals. Mock trials are currently scheduled to occur in 14 high schools across the province. Lawyers from the community will be connecting with these young people to offer mentorship and guidance while they prepare for the mock trials.

Law Day was created by the CBA to celebrate the proclamation of the Canadian Charter of Rights and Freedoms. Anyone interested in volunteering can contact co-chair Darin Reeves at [darin.reeves@forces.gc.ca](mailto:darin.reeves@forces.gc.ca). For more information on Law Day 2013, please visit <http://www.cba.org/NS/home/> under the "Events" tab.

*The next CBA-NS Council meeting will be held on Thursday, April 18th, 2013 at 3 pm in the top floor boardroom of the Professional Centre located at 5991 Spring Garden Rd., Halifax. Reception to follow, 5 - 6 pm. Take the elevator to the 11th floor, then take the stairs to the top floor.*

*The next issue of Nova Voce will be published in June. If you are a Section Chair, please be sure to provide a list of all upcoming section meetings and events to Jill Thompson in the CBA office.*

*National CBA Standing Committees are seeking new members. Deadline to put your name forward is April 15, 2013. See the CBA website for more information.*

### *TIME VAMPIRES cont'd from page 3*

- Do one thing at a time. Sounds simple, but how many times during the day are you writing an email, checking your other email account, looking up case law, chatting with colleagues, and answering phone calls, all at the same time? Multitasking is its own pernicious brand of time vampire.
- Make to-do lists. Nothing beats the satisfaction of crossing off a particularly onerous item from your agenda. And seeing things in a vertical list of bullet points always works for me (hence the structure of this article).
- Allow extra time in your schedule. (Flight delays happen – see above.)
- Block time off for key tasks. This is when the ability to close your office door might come in handy.
- Know your peak time, and use it to your advantage by scheduling

high-priority tasks during this period. My brain tends to feel a bit fuzzy when I first get to work in the morning, so I try to use this time to check email, read legal newsletters, etc. And drink coffee (my caffeinated co-vampire slayer).

Time vampires may be more vicious than anything in Twilight, but you have the power to slay them. You just need to know yourself enough to work with the clock rather than race against it.

Check out <http://homewoodhumansolutions.com/> if you're interested in learning more from counselors like Andria.

**Sections Spotlight** is a recurring feature focusing on a recent meeting or initiative of a CBA-NS section. **Jennifer Taylor** is a Clerk at the Nova Scotia Court of Appeal and member of the editorial board of *Nova Voce*.

## SCHEDULE OF MEETINGS

# 2012/2013 Section Meetings

*(April 2013 – June 2013)*

Business Law	TBA TBA TBA TBA TBA	45-106 Capital Raising Exemptions (Joint with Securities Law) The New Place of Supply Rules (Joint with Taxation Law) Employment Issues in the Purchase & Sale of a Business Perils and Pitfalls of Adjustment Clauses in Commercial Transactions Business Names, Trademarks and Extra-Provincial Registrations
Canadian Corporate Counsel	April 8  May 30  June	A review of the legislative framework around issues while using specific technology solutions and case studies to highlight how software and technology can provide safe and effective solutions to data management. Tips from an Insurance Provider – Practical Guidelines on When and How to Involve Your Insurer in Legal Matters LOIs, MOUs and Terms Sheets
Charities & Not-for-Profit	April 11	Beneficiary Designations and Charitable Giving – Tricks, Traps and Strategies
Civil Litigation/ADR	TBA TBA	Best Practices for Electronic Disclosure Do's and Don'ts for Preparing for Trial
Construction Law	TBA TBA	Occupational Health and Safety and Related Issues in the Construction Context Views from the Trenches: Hands on Perspectives of Construction Projects
Criminal Justice	TBA TBA	Document Examination Prosecutorial Discretion
Family Law	April 24 May 22 June	Parenting Coordination: How it can Help Annual Family Law Bench and Bar Summer Social
Government & Public Sector Lawyers	TBA  TBA	A presentation on the powers of the House of Assembly and its committees to compel the testimony of witnesses and the production of documents A presentation on government procurement rules and related issues
Health Law	March 28	Patents, Secrecy and Genetic Testing
Military Law	May	Preparing for Deployment: Family, Wills and Civil Law Concerns for the Military Client
Securities Law	TBA TBA  TBA TBA	Private Placement Refresher – Listed and Unlisted Companies Offering Memorandums- What are they, what must they contain and statutory rights and remedies The Mechanics of a Trade – A Broker's Perspective Community Economic Investment Funds & the Equity Tax Credit
Sexual Orientation & Gender Identity	Winter/Spring  April July	Case Law Update [The timing of the decisions of the S.C.C. in Saskatchewan Human Rights Commission v. Whatcott and the B.C.C.A. in Pratton v. British Columbia (Attorney General)] Joint Section meeting with the Health Law Section Annual Pride Reception with the Nova Scotia Barristers' Society

# SCHEDULE OF MEETINGS

Taxation Law	TBA TBA	GST/HST Place of Supply Rules U.S. Cross Border Tax issues
Wills, Estates & Trusts	TBA TBA TBA TBA TBA TBA	Refresher Course on the Tax Consequences of Death Professionalism: A discussion of the standard of professionalism among lawyers and clients What needs to be done to protect the Estate when a family member has been intentionally excluded as beneficiary under the Will Estate Planning for the Second Family Does Your Client Need Two Separate Wills if the Client Owns Land in Canada and land outside of Canada Incompetent v. Incompetency – What does this mean to you when you are to draft a Will, Power of Attorney and/or Personal Directive for a Client. Undue Influence-Factors to consider when undue influence is suspected.
Women's Forum	April 15 May	How Does One Become A Judge? Trivia Night – Women, Wit and Wine
Young Lawyers	April 23 Spring	Healthy Eating on the Go Spring Social to gather feedback for next year's events



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# ***CBA Nova Scotia*** **would like to thank the following organizers and speakers for their outstanding contribution to the 2013 Mid-Winter Conference and Business Meeting, January 31 and February 1:**

## **Organizers:**

Robert G.H. Patzelt, Q.C., Scotia Investments Limited  
Robert Carter, Boyne Clarke  
Jim Rossiter, Justice Canada  
Daniel Wallace, McInnes Cooper  
Amy Sakalauskas, Department of Justice (Nova Scotia)  
Daniel MacRury, Q.C., Public Prosecution Service  
Robyn Elliott, Elliott Law Inc.  
Catherine Watson, McInnes Cooper  
Jessica Lyle, McInnes Cooper  
David Cameron, Burchells LLP  
Stacey Gerrard, Lawyers' Insurance Association of Nova Scotia  
Mark Everett, Nova Scotia Power Inc.  
Hugh Wright, McInnes Cooper

## **Speakers:**

Robert Carter, Boyne Clarke  
Bob Smye, McKellar Structured Settlements  
Jane O'Neill, McInnes Cooper  
John Underhill, Department of Justice (Nova Scotia)  
Krista Forbes, Nova Scotia Legal Aid  
Gordon F. Proudfoot, Q.C., Boyne Clarke  
The Honourable Associate Chief Justice Deborah Smith,  
Supreme Court of Nova Scotia  
Jeanne Desveaux, The Law Practice of Jeanne Desveaux Inc.  
Angus Gibbon, Executive Director Law Reform Commission of  
Nova Scotia  
M. Estelle Theriault, Q.C., Public Trustee  
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Timothy Matthews, Q.C., Stewart McKelvey  
T. Arthur Barry, Q.C., Stewart McKelvey  
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James Cruickshank, Stewart McKelvey  
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Court of Appeal  
The Honourable Chief Justice Richard Scott, Manitoba Court of  
Appeal

The Honourable Chief Justice Joseph P. Kennedy, Supreme  
Court of Nova Scotia  
The Honourable Associate Chief Justice Lawrence I. O'Neil,  
Supreme Court of Nova Scotia, Family Division  
The Honourable Associate Chief Judge James C. Wilson, Family  
Court of Nova Scotia  
The Honourable Chief Judge Pamela Williams, Provincial Court  
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Kevin West, Skylaw LLP  
Lisa Silver Slayter  
The Honourable Justice Beryl MacDonald, Supreme Court of  
Nova Scotia Family Division  
Linda Tippet-Leary, Tippet-Leary Law Firm  
Robert G.H. Patzelt, Q.C., Scotia Investments Limited  
Amy Sakalauskas, Department of Justice (Nova Scotia)  
Catherine Watson, McInnes Cooper  
Stacey Gerrard, Lawyers' Insurance Association of Nova Scotia  
Carole Gillies, Q.C., Chisholm & Gillies Law Corp. Inc.  
The Honourable Warren Winkler, Chief Justice of Ontario  
James Lockyer, Lockyer Campbell Posner

