

# NOVA VOICE



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The Voice of the Legal Profession in Nova Scotia



*“Just Call Me  
CONNIE”*



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**AMY  
SAKALAUSKAS**  
Nova Scotia  
Department of Justice

This edition of *Nova Voce* is devoted to the late Honourable Constance R. Glube, former Chief Justice of Nova Scotia – a woman of many firsts, all of which she did well. Connie. Everyone in our legal community knows who you mean when you say only the first name. After her retirement in 2004, Connie Glube remained very active in our legal and broader community (including within our Branch). I met the outstanding

namesake of our “Constance R. Glube Spirit Award” through CBA involvement, where she always insisted on being called by that unmistakable yet simple first name. My goodness, it could get stuck in your throat if you thought about it too much. I mean, we’re talking “Chief Justice Glube,” with her exceedingly impressive accomplishments and reputation. That said, Connie always put you at ease with her charm, kindness, and grace. We are indebted to this wonderful person and this *Nova Voce* is a celebration. We hope you will read about, ponder, and discuss Connie Glube’s legacy. It is one of a true leader and champion.

Chief Justice Glube’s commitment to our province and the justice community has left an unforgettable legacy. Her commitment, perseverance and advocacy for gender, ethnic and religious equality made a lasting impact. She exemplified the best in public service. She was humble, hard-working and took her responsibilities very seriously. I echo what Premier Stephen McNeil said in his statement, that Justice Glube’s life work has had a profound impact on our province. She will be missed.

– *The Honourable Diana C. Whalen*  
*Minister of Justice and Attorney General of*  
*Nova Scotia*





# Chief Justice Glube – A brief biography



**DARREN  
MACLEOD**

To the shock and sadness of many, the Honourable former Chief Justice Constance R. Glube, Q.C. passed away on February 15, 2016 at the age of 84.

Chief Justice Glube devoted 48 years of her life to active involvement in the legal profession; 21 years as a lawyer and 27 years as a Justice of the Nova Scotia Supreme Court and the Nova Scotia Court of Appeal. After retirement she devoted the rest of her life to her community and to her family.

Born in Ottawa in 1931, Justice Glube graduated from McGill University in 1952. She then attended Dalhousie Law School (as it then was) and earned her law degree in 1955.

She remained in Halifax and was admitted to the Nova Scotia Bar in 1956. She practiced privately before joining the legal department of the City of Halifax in 1969. She became the first woman in Canada to be appointed as a city manager in 1974.

In 1977, she was appointed a Justice of the Nova Scotia Supreme Court. In 1982 she became Chief Justice of the Nova Scotia Supreme Court. She was the first woman appointed to the Nova Scotia Supreme Court and the first female Chief Justice of a Canadian Court.

In 1998 she was elevated to the Nova Scotia Court of Appeal and appointed Chief Justice of Nova Scotia. She retired from this position in 2004.

During her judicial career, Chief Justice Glube was very active in the Canadian Judicial Council, serving as Chair of the National Committee on Jury Instructions from 2000-2003. She was a member of the Council for 22 years.

Throughout her career and into retirement she received many honours and achieved many milestones. Although too numerous to mention here, these would include: the Order of Nova Scotia, Officer of the Order of Canada, and the Francis Fish Women Lawyers Achievement Award. She also received numerous honorary degrees.

In retirement she continued to devote her life to her community by serving on various boards and charities, including the Board of Trustees of the Canadian Museum of Human Rights, and the QEII Health Sciences Centre Foundation. In retirement she also became a very accomplished bridge player.

Throughout this issue, you will hear more details and stories from Chief Justice Glube's exceptional life from those who knew and were inspired by her.

## Glube and Gratitude



**GAIL  
GATCHALIAN**  
Equity Chair  
Pink Larkin

My articles in this column have focused on areas of the legal profession that cause me concern: racism still exists, women are still leaving, there still isn't enough judicial diversity.

The tributes to Constance Glube after her death have caused me to think a lot about the benefits of being a woman in the practice of law. Reading the stories about her in the days after her death, it's clear that it wasn't easy for her, being a woman in a male-dominated profession. But it's also clear that she enjoyed it. There was something about being a lawyer and later a judge that she loved.

Recently, I came across an article called "The Top Five Reasons We Love Being Female Lawyers," in *Law Practice Today*. I didn't love it, because one of the top five reasons was "endless income potential," and we all know that it isn't money that makes us happy.

But it's a worthwhile exercise: thinking about the positives of the practice of law. In fact, as I've come to learn, it may even be healthy for us to perform gratitude exercises. Christian Jarrett, in his article "How Expressing Gratitude Might Change your Brain," suggests that simple gratitude exercises, such as keeping a gratitude diary, can help us feel better and less depressed, and that these effects can last well after the exercises are completed. This is an important consideration for lawyers, who tend to possess risk-factors for depression, such as negative thinking and high stress levels.

There are many reasons to love being a lawyer. Our work is challenging and stimulating. We have the knowledge, tools and access to effect change. We have supportive communities, such as the CBA Women Lawyers Forum and SOGIC. We have wonderful role-models, like Justice Glube, who made the struggle for equality a little bit easier for the rest of us.

The last time I saw Justice Glube, which was shortly before her death, she presented Heidi Schedler with the 2015 Constance R. Glube Spirit Award. What struck me about her was that she seemed to be smiling constantly. She seemed happy.

We shouldn't give up the struggle to make our profession better. But we should take time out to appreciate the things that are wonderful about the practice of law. And, perhaps most importantly, we should allow ourselves to be happy.

# Tribute to Chief Justice Constance R. Glube



**J. MICHAEL  
MACDONALD**  
Chief Justice of  
Nova Scotia

The Chief Justice of Canada said it best when our dear friend and colleague Connie Glube passed away last month:

*Constance Glube was a leader. In a day when married women were denied careers, she became a respected lawyer. In a day when the number of women judges in Canada could be counted on the fingers on one hand, she earned a reputation as a stellar trial judge and a farsighted and pragmatic Justice of Appeal. At a time when only men served as Chief Justices, she became Chief Justice of the Supreme Court of Nova Scotia and the first woman to hold such an office in Canada...*

The Honourable Constance Glube was a woman of vision, and she had the energy to realize that vision. She left the Canadian justice system richer and more effective than she found it. We are all indebted to her.

At Connie's funeral, Justice Tom Cromwell's eulogy highlighted her many "firsts":

*Constance Glube was, of course, a woman of many firsts. She was the first woman justice on the Supreme Court of Nova Scotia; the first woman chief justice of a trial court in Canada; and the first woman and first person of the Jewish faith to become Chief Justice of Nova Scotia. She played important leadership roles within the national judiciary, especially in the area of judicial education. She received many awards and distinctions: honorary doctorates and the orders of both Nova Scotia and Canada – the two pins signifying those honours were always proudly on display on her jacket or dress.*

I first encountered Connie in the early 1980s. I was a young lawyer, daunted by my

first appearance before the then Chief Justice of the Nova Scotia Supreme Court (Trial Division). It would have been her turn to do the Sydney circuit. I was nervous. She was gracious. She ran her Court calmly, efficiently and fairly. She greatly impressed me then and, as it turned out, would continue to impress me to the end.

My cherished friendship with Connie began in 1995, when I was honoured to join her Court. She was so welcoming, warm and engaging. However, when it came to managing her Court, there would be no nonsense. I still vividly remember her first phone call to me. After her warm welcome, our conversation went something like this:

**C.J.:** *Now you understand that this is a Halifax-based appointment and you will have to move your family here permanently?*

**Me:** *Yes of course Chief Justice.*

**C.J.:** *I would not want there to be any misunderstandings*

**Me:** *Yes of course Chief Justice.*

**C.J.:** *Great. So why don't you transition your files in a week or so and start sitting in a couple of weeks?*

**Me:** *Yes of course Chief Justice.*

**C.J.:** *And please call me "Connie".*

**Me:** *Yes of course Chief Justice.*

So from our very first conversation I learned that Connie Glube was first and foremost a leader. She was supportive, accommodating and encouraging but always put the interests of her Court first. By doing so, of course, she was putting the interests of the public first. Over the years our friendship grew. I came to appreciate her wonderful sense of humour and great laugh. We remained friends as she went on to become the Chief Justice of Nova Scotia in 1998 and I was enormously proud to follow in her huge footsteps when she retired in 2004.



Of course, Connie's leadership extended beyond the amazing fortitude she displayed as a female trailblazer and the many "firsts" that Justice Cromwell highlighted. For example, in *R v Rabey* (1983), 61 NSR (2d) 385 (SC (TD)) she stayed a criminal prosecution because the lower court judge had taken too long to render his decision. Now consider this important context. Connie had been Chief Justice of her Court for barely a year. The Charter was in play for barely a year, leaving virtually no appellate-level jurisprudence to guide her. Furthermore, the target for the delay had been a fellow judge, as opposed to one of the parties.

Nonetheless, in true no-nonsense Connie fashion, she called it exactly as she saw it. She courageously stayed the charges. This decision was promptly overturned by a unanimous five-judge Appeal Court panel (then the Nova Scotia Supreme Court (Appeal Division), reported at 63 NSR (2d) 275). However, in one of its earliest section 11(b) decisions, a unanimous Supreme Court of Canada restored her stay: [1987] 1 SCR 588.

In many ways this judgement set the stage for what was to become a truly meaningful *Charter* for all Canadians.

For me, however, this decision reflects the Connie we all knew – an intelligent, courageous, pragmatic and insightful jurist with a no-nonsense approach to justice. As Nova Scotians- indeed as Canadians- we are so fortunate to have benefitted from her leadership.

May she rest in peace.

# Driven, Down-to-Earth & Distinguished Alumna



**CAMILLE CAMERON**

Dean, Schulich School of Law

As I write this tribute to The Honourable Constance Glube I am sitting in the Glube Room in the Schulich School of Law at Dalhousie University and looking at the

portrait of the woman, the alumna (Dalhousie Law School class of '55), the lawyer, the judge. Someone who has never heard of her will look at this picture and see a woman who, because of what she is wearing, was once a judge. But those who knew her, or have read the many tributes that followed immediately on her death just a short time ago, will see much more. They will see a trailblazer who achieved many 'firsts' in a man's world - one of two women in the law school's graduating class of 1955, the first woman in Canada to hold a position as City Manager, the first woman on a federally appointed court (the Trial Division of the NS Supreme Court), the first female Chief Justice in Canada, and the first female Chief Justice of the Nova Scotia Court of Appeal.

Despite all of these achievements and many more, including receipt of the Order of Canada, she remained (as Professor Emeritus John Yogis has said) "a modest woman who kept the common touch." I saw this common touch the first time I met her, a long time ago when I was an undergraduate student in Political Science at Saint Mary's University. She was the City Manager then and came to speak to our Urban Politics class. I remember her and her talk, mainly because she was so down to earth, so pleasant and approachable. Little did I know then that I would become a lawyer and appear before her many times in court. In all of the cases I had before her, she was always respectful, polite and professional - it was a pleasure to appear before her. Her classmate Purdy Crawford ('55), speaking at a law school reunion dinner a few years ago, told a noteworthy story that many would describe as 'classic Connie': As a law school student, Purdy did not have much money. His classmate Connie received many academic prizes in their last year of law school - including some cash awards. Being a person of compassion, and understanding Purdy was struggling financially, Connie quietly gave him the money from her awards. At the dinner many years later, he said no one knew and he was glad to have the opportunity to publicly thank her.

In addition to her years of service on the bench, Connie Glube served on the executive of many local and national organizations, including the Canadian Judicial Council, the



Judicial Education Committee, and the National Judicial Institute. She remained a loyal supporter of Dalhousie's law school, and she was a generous donor. She attended many of our alumni dinners, convocations and guest lectures, always reminding everyone to "just call me Connie."

When I find myself in the Glube Room in the future with students who will never have had the privilege of meeting her or knowing her, I will take a moment to explain to them how and why Connie Glube was a trailblazer, an excellent judge, a role model and a first-class person.



## Connie Glube: Friend & Matchmaker



**DARREL PINK**  
EXECUTIVE  
DIRECTOR,  
NOVA SCOTIA  
BARRISTERS'  
SOCIETY

Though I feel that I had always known Connie (she insisted on being called that when in personal situations) my first memory of a significant event involving her was the

night of the testimonial dinner after she became CJ. That was the night that my wife, Elizabeth, and I first spent quality time together and we always attributed our relationship to that event. Connie always relished that she had a 'match-maker' role.

I had many trials before her in the Supreme Court and you always knew two things – she had better knowledge of the file than anyone else and you would get the fairest hearing. She was impeccable in that regard.

When I came to the Barristers' Society in the post-Marshall era, CJ Glube and CJ Clarke were leading their courts through a time of tremendous change. Institutional reputations had been shattered and individual ones had been sullied. As a duo the two chiefs were exemplary in their commitments to changing their courts, to improving their public images and to working to restore faith that justice in Nova Scotia was fair and impartial. New appointments to the courts assisted but it was through personal integrity, vision and a desire to change – that Connie played such an integral role in – and leadership by example that allowed the administration of justice to move on.

It was in this time that we also saw the merger of the County and Supreme Courts – a change that would not have gone near as well as it did if Connie had not personally invested herself in its success. I recall that she travelled, often more than once, to every town that would be affected by the change to assure the local bar and the broader community that there would still be local justices and the communities would continue to be well served.

My personal friendship with Connie really developed after her retirement, for that was when common interests came to the fore. We often sat together at synagogue; she joined us for meals or we did so with mutual friends; she assisted the Society in the consideration of how we deal with incapacity as a result of illness – a task that as Chair she steered to success when many others would have failed; and we spoke often about the new Canadian Museum of Human Rights that she was committed to as a board member – it so embodied what she felt about life and was so committed to – equality, fairness and transparency. She was a good friend. She is deeply missed.



# Honouring Dedication, Commitment & Spirit

The Constance R. Glube Spirit Award was established in 2009 to celebrate members who demonstrate “CBA Spirit” through their outstanding dedication to advancing women in the law.

Recipients of the Constance R. Glube Spirit Award are selected with the following criteria in mind:

- Willingness to volunteer for and to promote the work of the CBA;
- Advocacy of the CBA in general, with a focus on the CBA-NS;
- Dedication to leadership, mentoring, or education of women in the law through participation in CBA conferences, seminars, committees, and events;
- Involvement in community work which has enhanced the profile of women in law and the profile of the CBA-NS; and
- Advancement of changes in the practise of law for women lawyers.

Like Chief Justice Glube, the past recipients of her namesake award have been pioneers for women in the CBA and the legal profession in general. For this special edition of *Nova Voce*, we asked them to talk about the influence Chief Justice Glube has had on them as women lawyers, and about how they carry out her legacy in their practice.

## *Gail Rudderham Chernin, Q.C. (2009) – The Breton Law Group*



I was terrified! I was President of the Nova Scotia Barristers' Society and was about to have lunch with (then) Chief Justice Glube. I had met the Chief before but this would be a one-on-one meeting. I wanted to be sharp. I wanted to be profound. Chief Justice Glube's reputation preceded her. As only the third female

president of the NSBS, I did not want to disappoint. CJ Glube seemed to me to be a serious type and I felt I had to be “all business” in her presence. How wrong I was! CJ Glube was not to be feared—she was genuinely welcoming and warm. Certainly, she knew her work and business but there was no pretense, nor pomposity. She was authentically humble and gracious.

When I reminisce of CJ Glube I think of her as “a Feminist of the Best Kind”. Allow me to explain. A Feminist of the Worst Kind is one who barks loudly and accomplishes little. A Feminist of the Best Kind is one who quietly makes her way into the past bastions of mankind and wields power. She is not

noticed to be male or female. She is merely a respected and knowledgeable colleague. This was the character of Constance Glube. While I do not think Chief Justice Glube would have described herself as a feminist, one does not reach the level she did without determination and hard work. She faced many hurdles as a pioneering woman and persevered. She was more than a role model: she was an inspiration. She will be missed, but her example will continue to inspire those of us who were so very fortunate to have come close to her.

## *Jeanne Desveaux (2010) – The Law Practice of Jeanne Desveaux Inc.*

Retired Chief Justice Glube was called to the Nova Scotia Bar the year before I was born and influenced my attitude about the legal profession for at least half of my life. I “officially” met Justice Glube during my law school Civil Procedure class visit to court. At the end of the session she came down from the Bench and spoke to the class.

I was impressed that she was so gracious and encouraging to speak with law students. Whenever I met her in later years she was always gracious, compassionate and kind, teasing me about learning to play Bridge to keep my memory sharp! After she retired she insisted I call her “Connie” and remained interested and engaged. Retirement did not slow her down. I especially miss seeing her at the Symphony! Connie left our profession better than she found it. If we model only one of her attributes it is to always be respectful and kind—to the court, our colleagues and the public.

## *Wendy J. Johnston, QC (2011) – McInnes Cooper*



Chief Justice Constance Glube was an exceptional role model for all in the legal profession. She set a high bar for those of us in the profession to achieve our goals in an honourable manner. Justice Glube was as humble as she was professional and competent. She was always respectful of

others. These are traits which I have most admired and attempted to follow in some small way in my own practice. On a personal note, Dick and I were fortunate in having Connie Glube as an immediate neighbour for 25 years. We could not have asked for a better neighbour. Her humility was only underscored by her great sense of humour. Not long before her death, we had one of our brief chats across the yard. She was bringing in groceries and I was shoveling snow (while my husband was in warmer parts of the world). While lamenting this, her response was simply “that's life”. She always kept it real. I have been enriched personally and professionally having Chief Justice

*Continued on next page*



**AWARD | Continued from previous page**

Glube as a mentor and am left with many fond memories of her as a dear and respected friend.

**Jessica Lyle (2013), TEP – Sealy Cornish Coulthard**

I came to know Connie in her retirement. In fact, my first true conversations with her were over this award, which I was involved in creating during my tenure on the CBA-NS Executive. Connie was always gracious, interested, encouraging, and supportive. She was the perfect person to name the Spirit Award after, and she was happy to support women in the legal profession. I strive to honour who and what she was in my own practice, particularly being supportive of fellow female lawyers, and am delighted to have received an award bestowed with her name. She is missed.



**Heidi Schedler (2015) – Nova Scotia Securities Commission**

I first met Constance Glube when I clerked at the Court of Appeal. I can remember meeting with her in her Chambers with my now husband to discuss

our upcoming wedding, which she had agreed to officiate. My husband forgot to turn his cellphone off and it rang while we were meeting. At that time cellphones were just becoming commonplace, and so that horrible ring in the middle of a meeting was unbelievably embarrassing. The Chief watched Andrew fumble to turn it off, watched me give Andrew a look of death, and let the scene unfold. I was mortified! Once Andrew and I were done making fools of ourselves, the Chief simply and calmly said “well, moving right along...” When I was accepting the Glube Award from her earlier this year, I relayed that story to her, commenting that she got to witness one of my first looks-of-death to Andrew. She chuckled, looked at Andrew, smiled and said, “I bet you’ve gotten a few more of those since then.” His answer: yep, but I’m better at ignoring them now! She got quite a kick out of that. Connie epitomized humility, strength, confidence, graciousness and humanity. If I can become a fraction of the woman she was, I will consider myself a great success.





# A Poor Country Boy's Tribute to the Late, Great Constance Glube



**ROBERT  
PATZELT, Q.C.**

My association with the Honourable Constance R. Glube goes all the way back to my third year in law school when I had the privilege to “clerk” for a week with the late, wonderful Justice William J. (Bill) Grant. He was so inviting, cared deeply that I would have a rich learning experience and, in short, a prince of man. He did more than introduce me around; he ensured I was engaged in good conversations. That is when I first met “My Lady.” She had a presence. She was open and had that great smile and an almost penetrating look, one that went to your core. I was smitten and terrified at the same time.

The following year I was a clerk at one of the major law firms located downtown and I received an urgent call that I had to substitute for one of the lawyers at the last minute. The presiding justice was none other than “herself,” Chief Justice Constance Glube. The file was called and I immediately stood up and said that I would defer to senior counsel. This was not only an appropriate courtesy, but also a matter of self-interest as I needed time to get familiar with the file. She smiled and thanked me.

To my relief it was a routine quieting of titles matter – or so I thought. When called I did a brief review and was then hoping to just walk to the Bench and get my signed order. She said “Mr. Patzelt, I have a few questions.” Not what I wanted to hear. The first one was a low, slow lob. I swung and hit it with ease. The second was different. I had to think, pause, think some more and then I started to sweat. I tied the question, the law and facts together as best I could and gave my answer. She smiled and nodded. Whew! The third question was a doozy. I was floored. I was thinking to myself “I have nothing!”

Nada, zip, zero, goose egg, zilch. I just wanted the floor to open up and swallow me. Time slowed to a crawl and to end the pain I finally screwed together enough courage, cleared my throat and said “My Lady, I have no idea. I will have to return to the office and seek instructions.” She gave me that beautiful smile and simply stated “Robert, that’s okay, I have already signed the order. I just wanted to see how far you would go.” Chambers was always a learning experience but I felt as if I had passed some sort of a test. I thought to myself, she is wise, which is why she is the Chief.



I then went on to become in-house counsel. My forays into court were few. My involvement with her and the rest of the Bench was, for the most part, related to activities through the CBA working together on various files and projects for the benefit of the legal profession and the people we serve. Our latest involvement together was with the Canadian Museum of Human Rights. A few of us (George Cooper, Victor Goldberg to name two other lawyers – my apologies if I forgot any other members of the Bar who helped out) were raising funds. She was involved at another level and would eventually become a trustee of that fine institution. It was always a pleasure to work with her.

More recently, we would mostly meet in airports and she was still very active helping make Canada that much better. We would catch up on matters and waiting to board gave us plenty of personal time together. The last time we were both coming back to Nova Scotia via Montreal and headed to the booth to get our respective limousines. It turns out we used the same service and it was double booked. The driver got out, took her bag, laughed and said that another car would come for me because “she outranks you!” Of that there was no doubt.

I know that she was called “Connie” outside the courthouse but to me she will always be “Chief” or “My Lady.” Her accomplishments are numerous and significant and she was at the “front of the toboggan” in so many ways. We are all better off because of her and she will be missed. However, for this poor country boy she always treated me with grace and kindness, in an elegant way guided me to be a better lawyer, and as an outstanding example and leader to follow, I am a better citizen. I will very much miss her, but I will always have my fond memories and they include that smile. She looked at you from her heart and to you as a person. The sign of a real lady – “My Lady.”

# Growing up with Mrs. Glube



**JOSH  
JUDAH**

I had the good fortune of being welcomed into the Glube household at an early age. In my neighbourhood, many of the kids played at her family’s house and fished off their wharf. My earliest memories of Mrs. Glube are of a welcoming, kind, and gentle person who was always happy to see us. I recall an afternoon on the wharf at age seven during which, in a moment of excitement, I dropped my fishing rod in the water. Someone ran up to the house to tell Mrs. Glube. She came down, very quickly assessed the situation and

came up with a solution. Using someone else’s rod, she fished mine out of the ocean. I remember thinking, “boy, she is smart!” I had no idea. I think about my childhood revelation and laugh. I was correct: Mrs. Glube was brilliant.

During law school I had the opportunity to clerk for Mrs. Glube. I remember a file involving a company that was going out of business. She asked me to read through it and offer my opinion. The company was unable to restructure their debt and the requested order seemed appropriate to me. Mrs. Glube agreed – noting, however, that the company employed many people and was located in an economically depressed part of the province; she was concerned about the loss of jobs. When court opened, she told the parties just that and suggested they make another attempt to save the company. Even as a law student I understood the request as an expression of her compassion. She was not upset, she just seemed determined to do her best for others. About an hour later the parties returned. The debt had been restructured and the jobs preserved.

When I left private practice in Bedford and joined HRM Legal, I also left the Bedford Literacy Network and joined the Halifax Community Learning Network Board. I was the legal advisor to the Bedford Literacy Network and was asked to fill the same role with the Halifax Community Learning Network. Just prior to the first meeting, the Network Director informed me that she had recruited, “an interesting recently retired person to also serve on the Board.” I then received an email informing me that it was Constance Glube. I immediately contacted the Learning Network Director and

told her that I could not possibly serve on the Board as the legal advisor. The Director asked me if it was because I disliked Mrs. Glube. I smiled at the misunderstanding. I explained that I had known Constance Glube all my life and that she was a wonderful person. My problem was that it was not possible for me to provide legal advice with her sitting at the table; she knew infinitely more about the law than I did, and I would be afraid to open my mouth.

I moved to a different position on the board of the Learning Network, and at our first meeting, Mrs. Glube asked me to call her “Connie.” The best I could do was “Mrs. Glube.” She was not my peer. I could, however, think of her as my mother’s friend. My personal hang-up aside, Mrs. Glube always introduced herself as “Connie,” and as “retired,” and she was always warm and welcoming to our students, tutors and teachers. She brought her positive attitude to the organization.

Decade after decade I saw the same thing in Mrs. Glube. Always welcoming and compassionate. Always resolved and determined.

It is a Jewish custom to have a friend or community member sit beside the deceased’s body in the time between the death and the burial. I was granted the privilege of staying with Mrs. Glube’s body for a few hours. My plan was to read Torah and pray. I ended up spending most of the time just thinking. I thought about what makes me happy. I thought about the joy of being welcoming to others. The joy of being connected to the people I love. I thought about how much easier life is when you have a positive attitude and embrace life. I thought about how a positive attitude enhances resolve and determination. These perspectives I learned from Mrs. Glube, as a neighbour, a clerk, a lawyer, a member of her synagogue and as a friend.

Sitting beside her casket, I realized how fortunate I am to have the spirit of Mrs. Glube to guide my thoughts.

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# Nasha Nijhawan and Kelly McMillan

**Called to the Bar:** Nasha - 2010 (Ontario)/2014 (Nova Scotia), Kelly - 2012 (Ontario and Nova Scotia).

**Firm:** Nijhawan McMillan Barristers

**Professional experience to date:** Kelly and Nasha opened Nijhawan McMillan Barristers in January 2016. Kelly graduated as the gold medallist from McGill Law and clerked at the Federal Court for Justice Mactavish before moving to Halifax in 2012 to work as an associate at Pink Larkin. After graduating from Dalhousie Law School, Nasha summered, articulated and worked as an associate at a litigation boutique in Toronto until 2014 when she moved back to Halifax and became an associate at Pink Larkin. In late 2015, Nasha left Pink Larkin to start her own practice. Kelly joined her in January 2016 to open their new firm.

**Description of current practice:** We have a general litigation practice, with Nasha focusing on professional discipline, criminal and commercial litigation and Kelly focusing on Aboriginal, administrative law and appellate work. We both practice employment law, and have a particular interest in human rights and equality issues.

**Unique qualities we bring to the practice:** Our commitment to equality and access to justice infuses every aspect of our work, including the way we deal with clients and the perspective we bring to matters. We love what we do, and constantly strive to deliver cost-effective and strategic litigation solutions to the people who trust us with their problems. We believe that legal advice is best taken as preventative medicine, and offer a low-cost consultation to encourage people to seek help before a mole hill becomes a mountain.

**Most satisfying achievement in practice:** We were privileged to represent a group of reproductive rights activists on PEI in their successful challenge to the PEI



government's policy not to provide abortions on-Island. No surgical abortions have been performed in the province since 1982. In January 2016, after more than a year of pro bono work developing the case with the support of LEAF, we served notice that Abortion Access Now PEI intended to apply to the court for a declaration that PEI's policy was unconstitutional and ultra vires. On March 31, 2016, the Premier of PEI announced that the Province had evaluated the intended litigation and determined that our client's position was correct at law. The Premier promised to reverse the policy and to open a women's reproductive health clinic before the end of 2016. We are honoured to have had the opportunity to be involved in this matter, and are over the moon about the result - particularly the acknowledgment that equality rights were the basis for the policy reversal. It is the final step in a long advocacy project; we are so proud to have helped bring it to a satisfying conclusion. It is also the case we both dreamed about litigating as law students, so we are still pinching ourselves!

**Greatest challenge facing young lawyers:** The profession is changing, and our generation of lawyers will have to address the structural changes that are necessary for it to remain both profitable and meaningfully accessible.

**Words of wisdom for new lawyers:** Seek out and develop meaningful relationships with people who support and promote you, and who are interested in teaching you their particular way of being an excellent advocate. Your own style will be a mosaic of all of the best lessons you learn from these people. If no one is offering you chances to step outside of your comfort zone to develop new skills, don't be afraid to ask!

**Career goals:** To do excellent legal work in a practice and a workplace we are proud of.

**How Chief Justice Constance Glube has influenced us:** For young lawyers coming up in the Nova Scotia Bar, it's impossible not to feel the influence of Chief Justice Glube in the profession. We're proud to recognize that we benefit from her trailblazing and from the hard work of others before us who have followed her example.



# Criminal Law Conference

## The Nuts and Bolts of Sentencing

Friday, May 13, 2016  
 Casino Nova Scotia, Schooner Room  
 1983 Upper Water Street, Halifax, NS

CONFERENCE SCHEDULE AT A GLANCE	
8:50 - 9:00 am	OPENING REMARKS
9:00 - 9:45 AM	PRINCIPLES OF SENTENCING
9:45 - 10:30 AM	THE SENTENCING HEARING "TYPES OF INFORMATION THE COURT MAY CONSIDER IN A SENTENCING HEARING"
10:30 - 10:45 AM	BREAK
10:45 - 11:30 PM	YOUTH CRIMINAL JUSTICE ACT SENTENCING
11:30 AM - 1:00 PM	LUNCH: "SENTENCING RHETORIC" THE IMPORTANCE OF THE SENTENCING SUBMISSION
1:00 - 1:45 PM	DANGEROUS OFFENDER/LONG TERM OFFENDER
1:45 - 2:30 PM	SENTENCING ORDERS
2:30 - 2:45 PM	BREAK
2:45 - 3:30 PM	SENTENCE APPEALS
3:30 PM	NETWORKING RECEPTION

**8:50 - 9:00 AM**  
**OPENING REMARKS**  
 Speaker: The Honourable Daniel A. MacRury, Provincial Court of Nova Scotia

**9:00 - 9:45 AM**  
**PRINCIPLES OF SENTENCING**  
 Panel: The Honourable Frank P. Hoskins, Provincial Court of Nova Scotia; Michelle D. James, Nova Scotia Public Prosecution Service; Karen E. Endres, Managing Lawyer, Nova Scotia Legal Aid  
 The foundation of any sentencing starts with the Purpose and Principles of Sentencing. The panel will discuss S. 718, 718.02, 718.1 and 718.2 of the Criminal Code.

**9:45 - 10:30 AM**  
**THE SENTENCING HEARING "TYPES OF INFORMATION THE COURT MAY CONSIDER IN A SENTENCING HEARING"**  
 Panel: The Honourable Alanna Murphy, Provincial Court of Nova Scotia; Denise C. Smith, QC, Deputy Director, Nova Scotia Public Prosecution Service; Joel E. Pink, QC, Pink Larkin  
 The panel will outline the types of information the Court may consider at a sentencing hearing including Victim Impact Statements, PSR, Submissions of Counsel and the procedure to be followed in disputes.

**10:45 - 11:30 PM**  
**YOUTH CRIMINAL JUSTICE ACT SENTENCING**  
 Panel: The Honourable Ann Marie MacInnes, Provincial Court of Nova Scotia; Megan A. Longley, Director, Nova Scotia Legal Aid; James A. Van Wart, Nova Scotia Public Prosecution Service  
 The panel will outline the special consideration Courts take into account when imposing sentencing pursuant to the Youth Criminal Justice Act. The Panel will also discuss the procedure for an Adult Sentence.

**11:30 AM - 1:00 PM LUNCH**  
**"SENTENCING RHETORIC" THE IMPORTANCE OF THE SENTENCING SUBMISSION**  
 Special Guest Speaker The Honourable Jamie S. Campbell Supreme Court of Nova Scotia

**1:00 - 1:45 PM**  
**DANGEROUS OFFENDER/LONG TERM OFFENDER**  
 Panel: The Honourable Alan T. Tufts, Provincial Court of Nova Scotia; Paul J. Carver, QC, Chief Crown Attorney, Nova Scotia Public Prosecution Service (Halifax); Mark T. Knox, QC, Knox Law  
 This experienced panel will discuss procedural and evidentiary requirements when dealing with Dangerous Offender/Long Term Offender Applications

**1:45 - 2:30 PM**  
**SENTENCING ORDERS - DRIVING PROHIBITION/ FIREARMS PROHIBITION/SOIRA ORDERS/VICTIM FINE SURCHARGE/DNA ORDERS/161 ORDERS**  
 Speakers: The Honourable Elizabeth A. Buckle, Provincial Court of Nova Scotia; Kathryn E. Pentz, QC, Chief Crown Attorney, Nova Scotia Public Prosecution Service (Cape Breton); Philip J. Star, QC, Pink Star Barro  
 Our speakers will discuss the various tests for imposing Sentencing orders.

**2:45 - 3:30 PM**  
**SENTENCE APPEALS**  
 Panel: The Honourable Joel E. Fichaud, Nova Scotia Court of Appeal; James Gumpert, QC, Nova Scotia Public Prosecution Service; Roger Burrill, Nova Scotia Legal Aid  
 The panel will focus on Sentencing Appeals in indictable offences before the Nova Scotia Court of Appeal. The panel will also touch on issues relating to Summary Conviction Appeals before the Supreme Court.

**REGISTRATION FEES**

- CBA Member \$294.40** (\$256.00 + \$38.40 HST)
- CBA Member Articling Student \$193.20** (\$168.00 + \$25.20 HST)
- CBA Member Student \$92.00** (\$80.00 + \$12.00 HST)
- CBA Non-Member \$353.28** (\$307.20 + \$46.08 HST)
- CBA Non-Member Articling Student \$231.84** (\$201.60 + 30.24 HST)
- CBA Non-Member Student \$110.40** (\$96.00 + \$14.40 HST)





*Chief Justice Constance Glube, Honorary Law Day Chair, presents the 2016 Law Day Award to Megan Leslie, Pro Bono Student Canada (Atlantic).*

## Congratulations to 2016 Law Day Award Recipient

The Canadian Bar Association–Nova Scotia Branch is pleased to announce the 2016 recipient of the CBANS Law Day Award: **Legal Information Society of Nova Scotia (LISNS) Public Navigator Program**. The CBA-NS Law Day award honours, recognizes and celebrates organizations who foster greater public understanding of our justice system and the role of the Charter of Rights and Freedoms; who encourage and promote access to justice; who inform and educate the public about the courts, law enforcement, the justice system and the legal profession; and who act as advocates on behalf of citizens in the Canadian justice system. The LISNS Public Navigator project aims to assist self-represented litigants in understanding the issues and their options when considering going through proceedings in the Supreme Court. The project trains community members to work with self-represented litigants and provide legal information, identify issues, and explore alternate methods of dispute resolution.

“The LISNS Public Navigator project is a ground-breaking initiative in the ongoing struggle to improve access to justice for all Nova Scotians,” said Amy Sakalauskas, President of CBA-NS. “We are proud to honour the LISNS Public Navigator project with this well-deserved award.”

## CBA LEGAL CONFERENCE (CLC) 2016

OTTAWA, ON, AUG. 12–14, 2016

### Building a better lawyer

Registration is now open for this year's CLC! Join us for this unique opportunity to hear from compelling expert speakers, obtain your yearly PD requirements, and connect with colleagues from across the country. For details, go to <http://www.cbalegalconference.org/clc/main/>

## TAKE NOTICE

A Special General Meeting will precede the Annual General Meeting of the Canadian Bar Association–Nova Scotia Branch on Thursday, June 16th, 2016. Business will begin at 5 pm at the Casino Nova Scotia, Compass Room, 1983 Upper Water St, Halifax, NS. The President's Reception will immediately follow the meeting at 6:15 pm.

CBA–NS would like to give special thanks to the following contributors of the many beautiful pictures of Constance Glube in this issue: NSBS, Courts of Nova Scotia, Schulich School of Law at Dalhousie University.

# MAY AND JUNE 2016 SECTIONS MEETING SCHEDULE

## Business Law:

**Date & Time:** Wednesday, June 1, 2016  
12:00 noon – 1:00pm  
(Joint Meeting with the Real Property Section)

**Topic:** “Insurance Coverage for Organizations”

**Speaker:** To Be Determined from W.C.L. Bauld Insurance

**Location:** NS Department of Justice, 8th Floor,  
1690 Hollis Street, Halifax, NS

## Family Law:

**Date & Time:** Wednesday, May 25, 2016 – 5:30 pm  
cash bar / 6 pm dinner

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

**Topic:** 18th Annual Bench and Bar Dinner

**Date & Time:** June, 2016 Annual Summer Social

**Location:** To Be Announced

## General Practice, Solo & Small Firm:

**Date:** Wednesday, May 26, 2016  
12:00 noon – 1:00 pm

**Topic:** The Business of Succession Planning “There is No Time Like the Present”

**Speaker:** Deborah Gillis, QC, Crowe Dillon Robinson

**Location:** To Be Announced

## Government & Public Sector Lawyers:

**Date & Time:** Thursday, May 19, 2016  
12 noon – 1:00 pm

**Location:** Boardroom, Department of Business,  
Suite 600, Centennial Building,  
1660 Hollis St, Halifax, NS

**Topic:** Update on the NSBS Journey into Entity Regulation

**Speaker:** Jill Perry, President of Nova Scotia Barristers’ Society

## Health Law:

**Date & Time:** Wednesday, June 8, 2016  
12 noon – 1:00 pm

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

**Topic:** Personal Information and Personal Health Devices

**Speaker:** David Fraser, McInnes Cooper

## Insurance Law:

**Date & Time:** Thursday, May 19, 2016  
12 noon – 1:00 pm

**Location:** Cox & Palmer, 1959 Upper Water St.,  
Suite 1100, Halifax, NS

**Topic:** The Mechanics of Supreme Court of Canada Leave Applications

**Speaker:** Jennifer Taylor, Stewart McKelvey

**Date & Time:** Friday, June 3, 2016, 12 noon – 1:00 pm

**Location:** Cox & Palmer, 1959 Upper Water St.,  
Suite 1100, Halifax, NS

**Topic:** Head Injuries in Personal Injury Litigation

**Speaker:** Dr. David B. King, MD FRCPC

## Municipal Law:

**Date:** Thursday, May 26, 2016, 1:00 pm

**Location:** Offices of Taylor, MacLellan Cochrane,  
50 Cornwallis St, Kenville, NS

**Speaker:** Jon Cuming, Taylor MacLellan & Cochrane

**Topic:** Under Pressure - The Municipal Lawyer’s Guide to Navigating the Duty of Loyalty and Confidentiality”

**Date:** Tuesday, June 7, 2016  
12 noon – 1:00 pm  
(Joint meeting with the Privacy & Access Section)

**Location:** McInnes Cooper, Purdy’s Wharf Tower 11,  
13th Floor, Halifax, NS

**Speaker:** David Fraser, McInnes Cooper

**Topic:** “Confidentiality Risks of Doing Business with the Public Sector”



**Privacy & Access Law:**

**Date:** Tuesday, June 7, 2016  
 12 noon – 1:00 pm  
 (Joint meeting with the Municipal Law Section)

**Location:** McInnes Cooper, Purdy’s Wharf Tower 11, 13th Floor, Halifax, NS

**Speaker:** David Fraser, McInnes Cooper

**Topic:** “Confidentiality Risks of Doing Business with the Public Sector”

**Real Property:**

**Date & Time:** Wednesday, May 18, 2016  
 12:00 noon – 1:00pm

**Topic:** “Income Tax Considerations”

**Speaker:** Brad Olsen, Grant Thornton

**Location:** Grant Thornton Offices, Suite 801, 1100 - 2000 Barrington Street, Halifax

**Date & Time:** Wednesday, June 1, 2016  
 12:00 noon – 1:00pm  
 (Joint Meeting with the Business Law Section)

**Topic:** “Insurance Coverage for Organizations”

**Speaker:** To Be Determined from W.C.L. Bauld Insurance

**Location:** NS Department of Justice, 8th Floor, 1690 Hollis Street, Halifax, NS

**Wills, Estates & Trusts:**

**Date & Time:** Tuesday, May 10, 2016  
 12 noon – 1:00pm

**Topic:** Aboriginal Estates

**Speakers:** Naiomi Metallic, Burchells LLP and Jason Cooke, Burchells LLP

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

**Date & Time:** To Be Announced

**Topic:** Getting a Passing Grade on Passing Accounts

**Speaker:** Sharron Atton

**Location:** To Be Announced

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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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# SPECIAL DATES

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## 2016/17 EXECUTIVE COMMITTEE AND BRANCH COUNCIL SCHEDULE

### Executive Committee Meeting Dates/Times:

Wednesday, September 7th, 3:30 – 6 pm

Wednesday, October 5th, 4:30 – 6 pm

Wednesday, November 2nd, 4:30 – 6 pm

Wednesday, December 7th, Pre-Council Executive Meeting, 4 – 4:30 pm

Wednesday, January 11th, 2017, 4:30 – 6 pm

Wednesday, February 8th, 4:30 – 6 pm

Wednesday, March 8th, Pre-Council Executive Meeting, 4 – 4:30 pm

Wednesday, April 12th, 4:30 – 6 pm

Wednesday, May 10th, 4:30 – 6 pm

Wednesday, June 14th, Pre-AGM Meeting, 4 – 4:45 pm

### Council:

Wednesday, December 7th, 4:30 – 6:30 pm

Wednesday, March 8th, 4:30 – 6:30 pm

### AGM

Wednesday, June 14th, 5 – 6:15 pm; immediately followed by the President's Reception

