

# NOVA VOICE



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The Voice of the Legal Profession in Nova Scotia



2017  
MID-WINTER  
CONFERENCE



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## PRESIDENT'S MESSAGE

# THREE CONVERSATIONS IN FEBRUARY



DENNIS  
JAMES, QC

Patterson Law

Interwoven with the substantive offerings of this year's CBANS Mid-Winter on February 2 and 3, were three conversations about changing expectations of our legal system. As CBA members we were extremely lucky to have had a complete suite of outstanding substantive sessions presented by our volunteers. But these three conversations remind me that while the essence of our daily chore as lawyers is much the same as lawyers have always done, what has changed overtime is how the legal system is expected to function.

Picking up where then Justice, now Senator Murray Sinclair ended last year, Senator Wanda Thomas Bernard reminded us during her address at the CBANS Bench and Bar, how the legal system needs to more effectively and fairly respond to all Canadians, specifically the African-Canadian community. She highlighted statistics that speak to over-representation of black Nova Scotian males in the criminal justice system. She also raised concerns over the collection of records about police contacts, which data is not being analyzed, to assess how HRM police can improve its interaction with all communities.

There was a significant divergence of perspectives of three people who addressed

the CBANS Mid-Winter on how the criminal system responds to sexual assault. Denise Smith, Deputy Director of the NS Public Prosecution Service provided a frank assessment of the challenges faced by victims in the system and efforts to support them, while reminding us of the need to safeguard the presumption of innocence. David Butt, criminal defence lawyer, jolted the plenary session with statistics of how few complaints are advanced and advocated for reform in how sexual assault complaints are addressed, including mechanisms within the civil law system. In a provocative address, Christy Blatchford, described what she saw as a rush to judgement in the Ghomeshi trial, and queried whether an acquittal is enough anymore, in the era of social media, and what she saw as a pre-judgement of established media platforms.

On Friday afternoon, Chief Justice MacDonald moderated a panel on diversity within the judiciary. Panelists shared their personal experiences, outlined challenges, and offered encouragement to a room full of mostly younger lawyers and law students about the prospects of creating a judiciary that is truly reflective of Canadian society.

As we lawyers do what we do, we must also respond to the intense expectation that our system respond to calls to be more accessible, transparent and reflective of Canadian society. I appreciate the opportunity to have sat in on these transcending conversations.

## EDITORIAL BOARD

Theresa Graham  
Heidi Schedler  
Candee McCarthy

Charlene Moore  
Jennifer Keliher

**COVER PHOTO:** *The Honourable Chief Justice J. Michael MacDonald, Senator Wanda Thomas Bernard, Dennis J. James, QC, Bench and Bar Dinner, February 2, 2017.*  
**Photographer:** Bruce Jollimore.



Jean Beeler, QC,  
Weldon McInnis

**VICE PRESIDENT** The Mid-Winter Conference, Feb. 2-3 at the Halifax Marriott Harbourfront Hotel was a success, attracting 198 registrants. The annual Bench and Bar Reception and Dinner was held on February 2nd at the Casino with 302 attending, featuring guest speaker Senator Wanda Thomas Bernard and music by Rhapsody Quintet and jazz vocalist Daniel Matto. We have three interesting online CLE sessions coming up: Quantifying Damages on March 22; In-House Moving to Out-House/In-House Top Ten List on March 29; and Contemplating Retirement or Leaving Practice on April 7. Watch for registration info in your CBANS Weekly Bulletin. [Litigation Practice Skills](#) one-day training will be held on May 12 at the Law Courts.



Jack Townsend,  
Cox & Palmer

**EQUITY** Our newly-constituted Equity Committee (made up of Jack Townsend, Jacqueline Ruck, Heidi Walsh-Sampson, Benjamin Perryman, and Sara Nicholson) met for the first time on January 20 to discuss future initiatives, including the broader dissemination of a trans rights resource guide previously developed for the Nova Scotia judiciary. Our next meeting is scheduled for April 21, when we will be joined by Emma Halpern, the NSBS Equity Officer, to discuss potential areas for collaboration with her office. The Committee also helped organize and deliver the diversity on the bench panel discussion at this year's Mid-Winter Conference.



Heidi Schedler,  
Nova Scotia  
Securities  
Commission

**COMMUNICATIONS & PUBLIC RELATIONS** With our second electronic issue of [Nova Voce](#), we are moving forward with improving our virtual presence. Take a few moments to check out our fancy new [website](#), and be sure to follow [@CBA\\_NS](#) on twitter. We love retweets, so please tag us in any tweets you think might interest our members. As always, if you have any thoughts or suggestions for how we can improve our communications, [let us know](#).



Gail Gatchalian,  
Pink Larkin

**TREASURER** Revenues from membership dues, the Mid-Winter Conference, the Bench and Bar Reception and Dinner, and Sections are all tracking as anticipated. We realized additional revenue from the pilot afternoon workshops run on Friday, February 3rd, which included the very successful Diversity on the Bench panel.

Our Branch, like all branches, as well as the National CBA office and the CCCA, agreed to contribute to the Re-Think project. Our portion of expenses projected for September 2016 through to February 2017 was \$4,615.00. We paid this amount last month.



Annette Boucher,  
QC, Legislative  
Counsel Office

**MEMBERSHIP** Will you be a CBA Champion? How? Ask non-CBA members to visit the [CBANS](#) website and send an [email](#) directly at [cbainfo@cbans.ca](mailto:cbainfo@cbans.ca) about becoming a CBA member. That easy! When a lawyer becomes a CBA member and gives your name as the "referral" to this campaign, you will receive a recruitment bonus from CBANS.



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# LOOKING BACK AT THE EFFECT OF COURTHOUSE CLOSURE: A PERSPECTIVE

DAVID  
HIRTLE

Hirtle Legal  
Services, Inc.

*In May of 2015, CBANS voiced its displeasure with respect to the government's decision to close certain satellite courts in rural Nova Scotia without consultation with stakeholders and expressed strong concerns with impacts the measures would have on access to justice. Now two years after the CBANS submission, David Hirtle offers his perspective.*

The closure of rural Nova Scotia courthouses has been the subject of much discussion recently. Since early days, courthouses have been centrepieces of rural Nova Scotia

communities.

Over time, the face of the rural community has gradually changed. Some change has been welcome, some change has not.

Courthouses in Lunenburg and Liverpool existed for over a century prior to being closed in 2010 and 2015 respectively.

Over the course of time, court proceedings did gradually move to Bridgewater. But, proceedings in Supreme, Provincial and Family Court were scheduled on particular days in courthouses outside Bridgewater, giving members of those communities the benefit of being heard in their local community.

The closure of courthouses does not happen in isolation of all other change. Rural courthouses, a century or more old, were in

old buildings. Now, public buildings must be physically accessible to everyone. Beyond that, there were logistical configurations that made things difficult, such as access to the public washrooms being in front of the bar, making it impossible for members of the public sitting in the gallery to access the washroom when court was in session.

Old buildings often have poor acoustics, and words in a court proceeding are most important. Despite renovations to the Liverpool courthouse in the early 2000's, the courthouse became an acoustic chamber of horrors. Counsel sometimes had to alter their seating position to hear witnesses or ask the Judge to be a translator, of sorts.

Security also became an issue. Meeting with persons in custody in old courthouses

*Continued on next page*

## #DIVERSITYMATTERS



JACK  
TOWNSEND  
Cox & Palmer

We tried something different at this year's Mid-Winter Conference.

Instead of two days of traditional CPD sessions, the afternoon of the second day was devoted to two optional workshops. One of these workshops was a panel discussion by Justice Linda Oland, Judge Jean Whalen, Robert Wright, and Professor Tuma Young

regarding diversity on the bench.

The workshop was a huge success. Attendance was considerably higher than anticipated, reviews were extremely positive, and the panelists spoke frankly and openly about their experiences with the judicial appointment process, the reality of sitting as a judge, and the importance of diversity on the bench.

For me, the latter issue was the most thought-provoking. Why should we strive to have a diverse bench? It can't be as simple as 'because it's 2017,' or 'because it's the right thing to do.' There's got to be more to it than that.

For some, diversity on the bench carries symbolic significance. The court is an important public institution, entrusted with enforcing the equality and anti-discrimination guarantees in the Charter and human rights legislation. Accordingly, the bench should be at the forefront of promoting equity and achieving social justice for historically marginalized groups. Legal scholars have argued that a representative judiciary can help foster group recognition because there is acknowledgement of a group's positive contribution to society.

Another consideration relates to public

*Continued on page 6*





# CHANGES TO THE *INCOMPETENT PERSON ACT*



**CHARLENE  
MOORE**

Nova Scotia  
Legal Aid

On November 22, 2016, the NS Department of Justice invited key stakeholders, including members of the CBANS, to discuss the upcoming changes to the *Incompetent Persons Act*. The CBANS sections present at the meeting included Elder Law, Wills, Estates, & Trusts, and Health Law. Minister Whalen attended as well, though she did not speak.

The meeting was a continuation of a stakeholder engagement process initiated in November 2016 through a series of public consultations to help inform the drafting of new legislation for the spring of 2017 to address concerns raised in the June 2016 *Webb* decision.

In *Webb* the AGNS conceded that sections 2(b), 3(3), 3(4), 14 and 16 of *IPA* were unconstitutional and did not comply with the *Charter*. The government was given one year to prepare new legislation that

would comply with the Charter, address the severe restrictions on the rights of persons subjected to guardianship orders in the current legislation, and recognize that there is a continuum of capacity that may warrant guardianship in some circumstances but not others. DOJ advised the new legislation would affirm the right of autonomy of all adults, limit the duration of guardianship orders, and implement review periods.

During the meeting stakeholders were asked a series of questions about what the new legislation should look like including:

- What should be the most significant goals and principles of the new legislation?
- What facts must be known before a court can transfer a person's decision-making authority to someone else?
- Should there be things that disqualify a person from being able to be appointed as a guardian?
- Should there be a list in the new legislation, limiting a guardian's authority?
- Should guardians be permitted to make gifts on behalf of an incompetent person?
- Should guardians be compensated?
- How often should orders be reviewed?
- How should the new legislation apply to

- guardians appointed under the old law?
- How else should the law be improved to support and protect those experiencing some type of mental incapacity?

The questions generated several comments and perspectives from the attendees. In particular, comments were made that the existing system is too long and too expensive when competency is questioned and the right to counsel is imperative for those whose competency is challenged. The challenge now for the government, which has undertaken a process of consultation and research, is to draft legislation that will comply with the *Charter* and hopefully, incorporate the innovative and thoughtful reflections brought out during the consultation process.

The court in *Webb* has given the government one year from June 28, 2016 to draft new legislation for the impugned sections of the *Act*. Until then, applications can continue under the *IPA* and all orders made under the *Act* remain valid.

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**Sections Spotlight features a recent meeting or initiative of a CBANS section.**

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## NOVA VOICES – *Continued from previous page*

was done face-to-face in a room with no barriers and no security. Perhaps this was fine decades ago, but things have changed. Over the years, there have been escapes from both the Liverpool and Bridgewater courthouses, exposing members of the public to potentially dangerous situations. Adaptations were made to all three courthouses in recent years, but they were band-aids. Compared to the security for prisoners that we benefit from in the new Bridgewater Justice Centre this

security was miles away from what it should have been.

The biggest issue from an access to justice perspective is the transportation difficulty for people to get to court. Even when more courthouses existed, there were always parts of the counties that were far away. Transportation is a historic and ongoing issue in rural Nova Scotia. However, solving the transportation problem is beyond a courthouse or justice issue.

The justice system will never be everything to everybody. Centralizing courthouses in larger justice centres is a change whose time has come. While not all will agree with this, the new justice centre in Bridgewater is accessible, functional and on balance allows participants in the justice system to be more efficient.

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**Nova Voices features the perspectives, experiences and viewpoints of CBANS members around Nova Scotia.**



# JENNIFER KELIHER

**Called to the bar:** 2015

**Firm:** Burchells LLP

**Area of Practice:** Civil Litigation,  
Administrative Law

**Describe your professional experience to date:** After graduating from the Schulich School of Law in 2013, I returned to my (old) hometown of Edmonton to complete a judicial clerkship with the Alberta Court of Appeal. I then joined Burchells to finish my articles in my (new) hometown of Halifax.

**Describe your current practice:** My current practice focuses primarily on civil litigation and administrative law, including work in the areas of human rights law, professional regulation, and employment law. I also do some work for our firm's creditors' rights group and aboriginal law group.

**Describe the unique qualities you bring to your practice:** Having worked at a court, my tendency is to assess cases from the perspective of the decision-maker. As a result, I take a very balanced look at the merits of my files and really try to identify and focus in on the key legal issues. I am also a big proponent of plain language drafting, and try to simplify my writing wherever I can.

**Describe one of your most satisfying achievements in practice:** My most satisfying achievements in practice so far have come through work I've done with my firm's aboriginal law practice group. Last year, two colleagues and I argued the first duty to consult case in New Brunswick on behalf of one of our First Nations clients. Although we were unsuccessful in the result, I felt a great sense of achievement being in the courtroom raising important legal issues on behalf of a dynamic community.

**Describe your past and present involvement with the CBA:** I joined the CBA as an articling student and since that time have attended regular meetings of the Young Lawyers' Section and Aboriginal Law Section. I currently sit on the CBA-NS Communications Committee.

**What other activities and volunteer pursuits occupy your time:** Outside of work I try to be as physically active as possible. I curl, play dodgeball, and recently took up running. I also volunteer as a judge at provincial figure skating competitions.

**What do you consider to be the greatest challenges facing young lawyers:** Two challenges come to mind. The first is access



to mentorship and finding the person or persons who can teach you all the tacit, useful stuff that can't be found in a textbook. The second is mental health. Law is a stressful profession, and it is a challenge to figure out how to deal with that stress and how to determine and live your priorities.

**What do you wish senior lawyers understood about junior lawyers:** The billable hour (for those of us who use that method) isn't necessarily the best indicator of whether junior lawyers are providing quality legal services.

**What words of wisdom do you have for new lawyers:** Although not yet wise, I would offer two pieces of advice: (1) seek out opportunities, as you are ultimately responsible for your own professional development; and (2) be proactive on your own behalf, and on behalf of your colleagues and clients.

## EQUITY – Continued from page 4

confidence in the judicial system. It has been argued that the judiciary should reflect the diverse population affected by its decisions, so as to ensure that the public perceives the court system as impartial and accessible. A diversified judiciary helps to ensure that justice is not only done, but is also seen to be done.

I find both these arguments compelling. However, I am most persuaded by an argument Robert Wright put forward during the workshop – namely, that a diversified bench helps to improve the quality and administration of justice. As Justice Cory noted at para. 119 of *R. v. S. (R.D.)*, the “sound

belief behind the encouragement of greater diversity in judicial appointments was that women and visible minorities would bring an important perspective to the difficult task of judging.” Arguably, these experiences and perspectives, in turn, contribute to a more contextualized and socially sensitive decision-making process.

It is for all these reasons that diversity on the bench is important, and it is for all these reasons that the Equity Committee and CBA-NS host events like this workshop.

However, I want to end with a word of caution. We do not want events like this workshop to

become glorified cocktail parties, where we all sit around and congratulate ourselves on our accomplishments to date and a job well done. Progress has been made, particularly through the recent appointments of Judge Catherine Benton and Judge Ronda van der Hoek to the provincial and family courts. However, we cannot become prideful or complacent. As Naiomi Metallic noted in a recent interview with CBC, Nova Scotia cannot simply rest on its laurels with these appointments; the work is not done.

Naiomi's right. There is still much work to be done – so let's all keep working on this issue.



# PRESTON'S LAND TITLES INITIATIVE



**THERESA  
GRAHAM**

Wickwire Holm

Last spring, film students at NSCC shone a light on an issue that many people living in Preston have been struggling with for generations: the *Land Titles Clarification Act*, enacted in 1963. Its purpose was to provide simpler and less expensive mechanism for clarification of titles. Over time, however, the *LTCA* has become neglected, with the unfortunate result that many residents of Preston are still fighting to gain title to land that has been occupied by their families for generations.

As a result of the NSCC documentary and subsequent promises from the provincial government for aid, the NSBS formed the Preston's Land Titles Initiative, comprised of lawyers offering their services *pro bono*, making applications pursuant to the *LTCA* and identifying weaknesses with the current process.

Many members of the Initiative were drawn to the work for personal reasons.



**Andrew Nicol,  
Boyne Clarke**

"I have an undergraduate degree in history and part of my studies involved research on Africville, so when this came up, I jumped at the opportunity."



**Matthew Moir,  
Weldon McInnis**

"Small Dartmouth law firms represented many residents of North Preston. I began at Weldon McInnis just after the government stopped processing these applications. I fielded the inquiries of our understandably disappointed clients, whose files were not being moved along because the government had effectively de-funded the program, even though the legislation had not been repealed."

The lawyers involved in the Initiative have noticed the dissatisfaction of the community. "My sense is that the community is frustrated, mainly with government, that these title issues have been allowed to accumulate over generations. This has affected members of the community from leveraging equity in their property, obtaining grants to repair property, or passing property on to the next generation," says Nichol.

The lawyers themselves have been experiencing similar frustration. "The requirements and expense make the application process prohibitive. Even with *pro bono* legal services, there are surveys, title searches and recording or probate fees to consider. It is frustrating to see a worthy piece of legislation go underutilized and misinterpreted," says Lumsden. Moir agrees, "the *LTCA* requires that procedures be prescribed by regulation but no regulations have been enacted. I find it both interesting and frustrating that the Department of Natural Resources purports to be creating procedure and legal tests outside of the authority of the *LTCA*, which then simply appear on the Department's website."

The Initiative is hoping to change that. As a member of the Initiative myself, I have been involved in preparing memorandums and presentations on behalf of the Initiative to various government departments in the hopes it will result in meaningful changes to the way the *LTCA* is interpreted and supported by other legislation. Meantime, we all benefit from the ongoing *pro bono* work. As Nichol says, "the rewarding part is knowing that you are working towards giving someone title to their property so that they can enjoy the rights and benefits that come with property ownership."

The NSCC is airing part two of *Untitled: A Legacy of Land in North Preston* on February 24 at 12:00 p.m. at the NSCC Waterfront Campus.

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**Giving Back brings attention to the pro bono work and volunteerism of CBANS members.**



**Kathleen Lumsden,  
Stewart McKelvey**

"As part of a mixed-race family (my adopted brother is black), I want to be personally involved in advancing the interests of our Nova Scotia black communities."

# CRISIS MANAGEMENT LAWYERS, OR WHAT I LEARNED WATCHING SCANDAL



**CANDEE  
MCCARTHY**  
Candee McCarthy  
Law

If you, like me, sit with your iPad each week and watch gladiator/lawyer Olivia Pope effectively manage some outlandish crises at the White House, then your idea of the tools used by lawyers in crisis management may not be realistic.

Or are they?

More often we see 'Crisis Management' as a service offered by firms; mainly larger firms and mainly directed at business clients or public figures. Crisis management can be broadly defined as assisting individual clients or organizations avoid, manage, or recover from crisis situations. It is a multi-faceted approach that may include class action litigation, government affairs, media relations and protecting your client's reputation.

Olivia uses the Press to protect her clients by directing or creating the discussion. Media has changed over the years such that when a crisis hits, the Press instantly reports to the public, and the public instantly engages with your client and with others on an extremely broad scale. This presents new challenges for lawyers who are trained to be pensive, prepared, make well organized arguments and to think it's better to say nothing than to say the wrong thing. Crisis management, however, often requires lawyers to engage publicly, with or without public relations specialists, in often rapid-fire exchanges via social media. Crisis management lawyers realize the importance of a strategic message, and the importance of how quickly that message must be communicated.

So why are law firms and lawyers, or more accurately 'Litigation PR' better equipped to handle crisis management than PR specialists?

Litigation PR emphasizes one-way, asymmetrical communication, intended to reinforce the legal strategy and theory of the case and reduce potential damage to the client. Litigation PR is highly dependent on the media. It is because of the media's increased attention to lawsuits that litigation PR has become a necessity for many high-profile clients. Because typical PR campaign strategies and tactics may be harmful during a lawsuit, the legal strategy must be considered a priority.

Lawyers have other advantages over PR specialists in crisis management. Lawyers have the protection of privilege. Lawyers know the law. Lawyers are less likely to be fooled or intimidated by other lawyers and are more likely to know what not to say on record when dealing with potential litigation.

Crisis management can be political, requiring both small 'p' and capital 'P' politics. A crisis management lawyer who understands media and politics has an advantage over other players.

Lanny Davis, prominent crisis management lawyer in the U.S., explains in his book *Crisis Tales*, that Martha Stewart contacted him after she was criminally charged. Her criminal lawyers were advising her not to speak to the Press. Martha Stewart the brand, the celebrity, however, felt a need to protect her public image. Davis talks of balancing Stewart's legal needs with managing her brand's reputation – the key role of a crisis management lawyer.

This year's CBANS mid-winter conference included a presentation by Todd J. Burke,

Gowlings WLG, and Margaret Murphy, St. Mary's University titled "Crisis Management: What to do before, during and after."

Dennis James, QC, CBANS President explained that in recent years, there was a clear sense that Nova Scotia lawyers and their clients were dealing with crises as they occurred rather than planning for them in advance. The Dalhousie Dentistry and the St. Mary's University orientation crises demonstrated a clear need for a more proactive approach. The speakers agreed that the way the McCain meat recall crisis was managed is the "gold standard." McCain effectively managed the legal issues but also very effectively communicated the company's value and importance placed on food safety.

Essential take-aways from the speakers:

- Crisis management begins before a crisis occurs. There should be planning and anticipation of how a crisis should be handled if it arises.
- Lawyers must have a clear understating of the client's core values and an ability to communicate in a way that upholds those values. Before, during, and after.
- Marrying the disciplines of law and public relations is key.
- All involved must understand the expertise others bring to managing the crisis. A crises management team will not be effective if they are not all going in the same direction.
- Crisis management requires follow-through.

So, why not kill two birds with one stone: channel your inner Olivia Pope AND add value to your client experience by providing crisis management. Seems like a win-win.

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***Trending focuses on a new development in the law or the legal profession.***



# AN INTERVIEW WITH NOVA SCOTIA DEPUTY MINISTER OF JUSTICE KAREN HUDSON, Q.C.



JENNIFER REID

Casey Rodgers  
Chisholm Penny  
Duggan LLP



AGNES MACNEIL

Nova Scotia  
Department of  
Justice

**Q: You have had an interesting career path. Tell us about your background.**

**A:** My father worked for the Bank of Nova Scotia and I grew up in Kingston, Jamaica and Toronto, Ontario. I spent lots of time in Nova Scotia though, coming down in the summer to work at my uncle's farm. I really enjoyed my time here, so much so that I did my undergrad at Acadia. Facing graduation, I decided I needed some sort of "trade" so I took the LSATs.

I have to admit, I never met a lawyer before the first day I started at Dalhousie Law School. When it came time to look for articles, I put my sights on the bigger law firms – after all, it was the era of L.A. Law.

Like most students I asked for reference letters. I still remember one letter. It was from an older man (although now as I think back, he was probably only 50) who referred to me as "an attractive young lady." When I read it I cringed but thought I was just being too sensitive. Looking back it was a dismissive sexualizing spotlight, although I know that wasn't the intent.

After big firm articles, I was lucky to join Legal Aid. Legal Aid was like M\*A\*S\*H (heart-wrenching with a side of fast, furious fun). Later, I became Executive Director of Legal Aid.

I applied to be Deputy Minister because it was a chance to bring my access to justice work to another level.

**Q: What Access to Justice Initiatives have you been involved with?**

**A:** When I was ED of Legal Aid, I was proud

that I helped broaden the mandate and helped more people within existing resources. Legal Aid also strengthened relationships with stakeholders. In-community service delivery, increased cultural competency, and intentional collaboration were three platforms. These may just seem like a lot of words but it made a real difference. The Aboriginal Justice Strategy was born from this. As a result of this change in direction, Legal Aid was awarded the CBA NS excellence in diversity award.

In 2015, I was chosen by Canada's 13 Legal Aid Plans to chair the national association which worked with the CBA to develop national benchmarks. "Benchmarks" sounds bureaucratic but it's really about spotlighting issues and setting aspirational and attainable goals. Financial eligibility for only the poorest of the poor was one focus.

Work with the National Symposium on Criminal Justice, sponsored by the Chiefs of Police, and presentations to the National Judicial Institute and the Senate was time well spent.

Focus on the economically vulnerable has been a common thread.

As part of Nova Scotia's Access to Justice Coordinating Committee, led by our Minister of Justice and our Chief Justice, we support creating a one-stop shop "211" number for finding legal information and help. Gaps still exist, so Talk Justice Forums are underway to listen and identify areas of greatest need.

**Q: What do you see as barriers to access to justice for women?**

**A:** I'll throw out four observations:

- Poor people have a harder time accessing justice
- Women are poorer than men (earning 73 cents for every dollar)
- Most single-parent families are headed by women
- Family courts are swamped with self-represented litigants

Economic stability of women and children, in other words "breaking the chains of poverty" is a priority here. Nova Scotian women and children (women still comprise the majority of recipients), are owed millions of dollars in maintenance arrears. The Minister of Justice is right to put a priority focus on doing better.

**Q: Do you see any particular barriers to success for women lawyers?**

**A:** Law practice has had a "male-personality culture" valuing aggression, self-confidence and a 5 a.m. to 9 p.m. time commitment. Combine this with my observation that women don't want to give up the reins as the "family operational director," and there is a problem.

It's not surprising that there are many articles such as "Why supermom is leaving the law firm" (I forget who authored that, but I always remember the title).

That said, I think that gap is closing. When the CBA focuses on how we practice law (e.g. the Futures Initiative) it helps us all make today better than yesterday.

**Q: What do you think women lawyers could do to support and assist other women?**

**A:** Madeleine Albright summed it up, I think best, "There is a special place in hell for women who do not help other women."

I have always made time for friends and colleagues, which is hard to do but has been very important to me. Seeking out mentors

*Continued on page 17*



## TERM LIFE INSURANCE

## TYPICAL LENDER'S MORTGAGE INSURANCE

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Coverage remains the same unless you request a reduction.



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Beneficiary is anyone you choose.



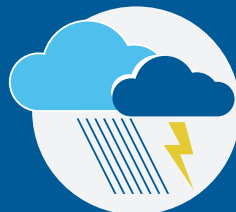
Beneficiary is the financial institution.



Insurance remains in effect as long as you pay the premiums or decide to cancel.



You lose coverage when mortgage is repaid, assumed or in default.



Fully portable even if you move your mortgage.



You will have to re-qualify if you change or move your mortgage.



Unique rates based on gender, age, health and smoking status. Lower premiums for healthy clients.



Rates the same for all clients of the same age.



Protects whatever you want: family, education costs, debt repayment, etc.



Protects the lender.







**Jessica Lyle, 2016 Distinguished Service Award recipient, celebrating the distinguished and exceptional service that she has made to CBANS.**



**Jennifer Taylor, 2016 Zöe Odei Young Lawyers Award recipient, honouring her exceptional service to CBANS, the community and charitable causes.**



**Sarah MacIntosh, 2016 CBANS Community Service Award recipient, recognizing her valuable contribution to community or charitable causes at a local, provincial or federal level.**







# 2017 MID-WINTER CONFERENCE









# R. V. JORDAN: DIRECT AND INDIRECT IMPACTS



**DOUG  
LLOY, QC**  
Nova Scotia  
Legal Aid

By now, the practical impact of the Supreme Court of Canada's decision in *R. v. Jordan* has taken hold on a criminal law practitioner's professional life. The chief *ratio* emerging from this decision is the minimization of delay in bringing contested cases to trial. A two-tier framework was constructed by the SCC to evaluate when a case may be dismissed due to delays. For summary conviction matters, the SCC created a rebuttable presumption of a s. 11(b) *Charter* violation (trial within a reasonable time) for cases that are not concluded within eighteen months. For indictable matters, the SCC created a rebuttable presumption of a s. 11(b) violation for cases that are not concluded by trial within thirty months. In both levels of court, delays in bringing a case to trial which are attributable to the defence, or waived by the defence, are deducted from these presumptive ceilings.

The actual fallout from *Jordan* is professionally challenging and practice-changing:

- **The Crown.** Arguably, of all of the justice participants, the Crown is impacted the most by *Jordan*. Delays caused by prematurely-laid charges where the investigation is not yet finished, unavailability of Crown witnesses for trial, plus other reasons, can add to the delay in bringing a case to trial.

Where a court's trial docket is pushing the presumptive ceiling, the Crown may be forced to triage cases to ensure that more serious cases are protected from s. 11(b) challenges. This may result in the Crown being forced to drop or settle (at less than favourable terms) less serious cases in order to create an opening for more serious cases on the docket. This would be an extreme reaction, but one that may logically arise from this situation.

- **The Defence.** Any negative fallout from *Jordan* to the defence is not immediately apparent, given that defence delays are excluded from the time considered for the purposes of the presumptive ceiling. Nevertheless, there will likely be less tolerance for claims that the defence is not ready for trial. *Jordan* will require defence counsel to be familiar with the file earlier, anticipate and marshal defences more quickly and complete trial prep at an accelerated pace, just due to the atmosphere of efficiency.
- **The court.** *Jordan* re-emphasizes s. 11(b)'s imperative to conduct trials within a reasonable time, placing pressure on the court to keep the conveyor belt of justice moving quickly.

For a devoted criminal law court such as the Provincial Court, *Jordan* increases an already fast tempo to get contested cases to trial. This may likely increase strict observance of the rules that apply to interlocutory applications and encourage rulings that lead to judicial stays for the sake of trial timeliness.

Finally, as an unintended consequence of *Jordan*, it is speculated that the Nova

Scotia Supreme Court may implement *de facto* specialization, from which Justices with criminal law experience are selected to hear criminal cases. Theoretically, such Justices would use their familiarity of criminal law to better ensure that cases get to trial quickly.

In Nova Scotia, the newly-expanded Restorative Justice initiative will help by re-directing some less serious cases away from the usual criminal justice channel to a more holistic model where justice can be achieved without the stigma of a conviction.

What this means for counsel is more work upfront: identify triable issues earlier, including witness testimonial aids if required, make timely pre-trial applications, subpoena witnesses for trial on an accelerated basis and set aside expedited trial preparation time more often than was done pre-*Jordan*.

It may not be an entirely new world that has been created since the issuance of *Jordan* in October 2016; but it will be a different one.

***Douglas J. Lloy, Q.C., is a Senior Legal Aid lawyer who practices criminal defence law at the New Glasgow office of Nova Scotia Legal Aid. He is a published author and a former Crown Attorney.***

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***Viewpoint is a feature that gives our members the opportunity to share their thoughts and opinions on legislation, decisions, and legal issues making headlines.***

# COLLABORATING WITH THE BAR TOWARDS EQUITY



The Honourable  
J. Michael  
**MACDONALD**

Chief Justice of  
Nova Scotia

As judges, we may not always be aware of practical challenges facing those who use our courts. That is why it is so important for us to directly engage the Bar, the media and the public, so that all and any potential barriers may be addressed.

Simply put, our courts must be as user-friendly as possible, within the parameters of appropriate decorum. We want to be welcoming and inclusive to all.

That is why our ongoing liaison with the Canadian Bar Association – Nova Scotia Branch is so important. More to the point, in recent months we have had the pleasure of working with the CBA-NS Equity Committee and the Women Lawyers’ Forum. This has resulted in two initiatives that we were most pleased to advance.

The first involves our recent amendment to Practice Memorandum #4, dealing with courtroom attire for counsel. Specifically, during our discussions, it came to light that some lawyers have personal circumstances, such as pregnancy, that can make it difficult to adhere to the standard directive.

The Chief Judges shared those concerns with our respective courts and, last fall, we approved a change that allows counsel to wear altered robes or business attire in the courtroom. Those who wish to take advantage of this provision can simply contact the court clerk or other court officer, privately in advance of the proceedings, to explain the circumstances.



**From one of our #TalkJustice story circles at the Halifax Law Courts last September. #TalkJustice is a public engagement project supported by Nova Scotia’s Access to Justice Coordinating Committee, which the Chief and the Minister of Justice co-chair.**

Our second initiative saw the development of a guide for judges and lawyers on proper terminology and etiquette to respectfully interact with transgender individuals. This is a most welcomed and valuable resource that is being shared with every judge in the province. In my view, it is also worthy of sharing with a much broader audience.

We congratulate and thank the CBA-NS for bringing these important issues to our attention, and for helping to develop solutions that work for everyone.

But we see this as just the beginning. We will enthusiastically continue the dialogue.

As well, the dialogue is ongoing with other important court users. For example, we hope to soon adopt up-to-date media guidelines which have been produced in cooperation with journalists who sit on our Media Liaison Committee.

The judiciary is also committed to doing its part to enhance inclusiveness on the

Bench. Nova Scotia’s Chief Judges asked Justice Linda Lee Oland to study and offer recommendations as to what we, as judges, can do to ensure a more diverse judiciary in Nova Scotia. I am pleased to report that we are in the process of implementing all 11 of her recommendations.

As well, we are working with the Nova Scotia Barristers’ Society to hear “first voices.” Under the auspices of our Access to Justice Coordinating Committee, we are embracing the Society’s [#TalkJustice](#) initiative, a wonderful public engagement tool designed to hear directly from community members on their experiences with legal services and the justice system. You can expect to hear much more about this exciting initiative very soon.

We truly appreciate the Bar’s leadership as we strive to ensure equity, inclusion and accessibility in all aspects of the justice system, and we look forward to working with you again on future initiatives.





# PAST LIVES

CBANS invites you to step back in time to the days when waking up every day did not mean going to work as a lawyer. We all have 'Past Lives' - tales of working a job that was not connected to the law before we decided to take the legal plunge, whether it be that one-off, fun-filled summer job or a full-on career. For some CBANS members life before law involved transatlantic flights, musical instruments, and carnivals. Have a read and let these tales whisk you back to your pre-law days.



**Olga Young, Jazz Aviation LP:** Before practicing law, I worked as a flight attendant for Air Canada. In the first few years, I flew on a reserve basis and visited cities all around the world including London, Beijing and Tel Aviv. After enrolling in law school, I began working "red-eye" flights and would pack legal texts in my suitcase to study while away. Shortly before graduating, the airline announced it would begin flying to Athens. Being a fluent Greek speaker, I opted to fly the new route and deferred legal practice

indefinitely. Eventually I made the decision to get called to the Bar and I left the airline and began practicing law. In the years that followed, I longed to return to the aviation industry. Fortunately for me, the stars aligned and I now work as an in-house lawyer at Jazz Aviation LP, a regional airline that operates flights on Air Canada's behalf, in a role that satisfies both the lawyer and aviation enthusiast in me.



**Jim Jansen, Legal Services, Halifax Regional Municipality:** From 1979 to 1999 I worked for the Bill Lynch Shows, a travelling carnival familiar to most residents of Nova Scotia, New Brunswick and PEI. Seven days a week, from early May to late October, I worked with, among many others: Soggy (the owner), Shaker, Edna, Boxer, Blab, Boots, Bucko and Satch. We were a small community that relocated weekly. I worked games, or "joints" to use the carnival term—the colour block, the six arrows and the peawheel. I fixed cotton candy machines, and, of course, drove a truck and trailer from spot to spot. Sometimes now, working as a municipal prosecutor, I think about how fortunate I am to earn a wage when it is raining.



**Stuart Gilby, Burchells:** I started law school at the tender age of 42. After high school I travelled and worked in Europe, the United States, Mexico, and Central America for five years and have lived and worked in three Canadian provinces having had some 25 or 30 jobs before becoming a lawyer. Some of my past jobs include aupair and housekeeper for family in England; carpenter and trapper of vampire bats in Costa Rica; undocumented labourer in Texas; and "dangerous snag faller" in BC – cutting down trees that had been struck by lightning and were on fire. As for my family-related work, my wife has given birth to three children, we adopted four children, and have fostered or cared for a lot more.



**Michael Scott, Patterson Law:** My first career was as a classical guitarist. I started performing professionally in my teens and toured extensively as a soloist and with orchestra. At age 23, I was appointed to a faculty position at Dalhousie University and divided my time between performing, recording and teaching.

*Outside the Office highlights a lifestyle issue of interest to CBANS members.*





# EXECUTIVE COMMITTEE 2016-2017

## President

**James, QC, Dennis J. – Patterson Law**  
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## Vice-President

**M. Jean Beeler, QC – Weldon McInnis**  
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## Treasurer

**Gatchalian, Gail L. – Pink Larkin**  
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## Immediate Past-President

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## Communications & Public Relations Chair

**Schedler, Heidi G. – Nova Scotia Securities Commission**  
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## Equity Committee Chair

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## Legislation and Law Reform Committee Chair

**Cooke, Jason – Burchells LLP**  
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Phone: 902-423-6361 Fax: 902-420-9326  
Email: [jcooke@burchells.ca](mailto:jcooke@burchells.ca)

## Membership and Member Services Committee Chair

**Boucher, Annette, QC – Legislative Counsel Office**  
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## Young Lawyers Section Chair

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## Executive Director

**Tucker, Tina – CBA Nova Scotia**  
1809 Barrington Street, Suite M102, Halifax, NS B3J 3K8  
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Email: [tina.tucker@cbans.ca](mailto:tina.tucker@cbans.ca)

## CAREER COMPASS – *Continued from page 11*

and being a mentor can be time-consuming but the benefits can be surprising. Having recently joined the Deputy Ministers' table, I enjoy that I have an intentional mentoring relationship with Deputy Minister Frances Martin. Putting time into intentional forums such as the CBA's Women Lawyers Forum is well worth it for yourself and others.

**Q: What is your focus as Nova Scotia's new Deputy Minister of Justice?**

**A:** I have always been guided by a few mottos:

"Make today better than yesterday"

"Be impatient"

"Ask why and why not"

"Work hard and be nice to people"

My approach this year is motivated by the letter C: communication, collaboration, clarity and courage. Justice is becoming more responsive but we can't take our foot off the gas pedal.

**Q: Any food for thought you would like to leave with our readers?**

**A:** I'd like to quote Rosemary Brown, who was elected to the British Columbia provincial legislature in 1972 and was the first black woman in Canada to be part of a

parliamentary body:

"We must open the doors and we must see to it that they remain open so that others can pass through."

**Note about the authors: Jennifer Reid and Agnes MacNeil are Co-Chairs of the NS Women's Forum Section**

**Source: CBA National "Sections and Community" article, October 21, 2016**

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**Career Compass focuses on a workplace or career perspective of interest to CBA members.**

# Life Insurance *or* Mortgage Insurance

by Dawn Marchand, VP Canadian Bar Insurance Association

Your \$1 million offer for a house in a great neighborhood has just been accepted. Together, both you and your partner earn a good living and have qualified for an \$800,000 mortgage. But if one of you dies, an important part of the financial equation disappears.

So, before you go to the bank to sign on the dotted line, do a bit of homework and check out your options for insuring the amount of your mortgage. The bank will offer you mortgage insurance but as a member of the legal community, you have exclusive access to term life insurance through the Canadian Bar Insurance Association (CBIA).

Consider this example: for a 41-year-old male non-smoker, the bank will charge \$232.00 per month\* for \$800,000 of mortgage insurance. CBIA term life would only cost \$45.34 per month. Savings for women are even greater; for the same coverage, a 41-year-old female non-smoker will also pay the bank \$232.00 per month but her CBIA term life premium is only \$33.73 per month.

The significant savings is likely reason enough, but wait—there are even more reasons to at least consider term life insurance before signing on for mortgage insurance.

## Ownership & Control

Unlike mortgage insurance where the bank is the policy owner, with term life insurance, you are the policy owner. When you die, mortgage insurance is paid directly to the financial institution and is used only to pay off the mortgage balance. Insurance benefits are paid directly to your designated beneficiary (i.e. spouse) and they are able to determine how best to use the funds (for example, paying the mortgage and/or covering other expenses such as education, debt or to supplement a loss of income).

## Decreasing vs. Level Coverage

With mortgage insurance, the amount of overall coverage decreases with each mortgage payment made. As your mortgage reduces, your coverage goes down but your premiums do not. With a term life insurance policy, the benefit amount is guaranteed for the life of your policy. Premium rates will likely increase at regular intervals but at any point, you can choose to reduce your coverage amount and, if you do, your premiums would also be reduced.

*“I like my bank, but I’ve never liked mortgage insurance, it just doesn’t make sense: the beneficiary is the bank, not your family; it’s usually more expensive than other types of insurance; the bank owns the policy and is in control; and the insurance declines with the mortgage balance. I think the only reasons people buy it are the convenience, or perhaps they feel it may affect their eligibility for the loan, but that’s impossible—you can’t be denied a mortgage because you refuse mortgage insurance.”*

Izhak Goldhaber, SVP Business Development and Customer Experience, CBIA





## Underwriting

Typically there is very little pre-purchase underwriting required for mortgage life insurance; usually just a few simple questions. This is one of the reasons why premiums are typically higher than for term life insurance. Life insurance typically requires a comprehensive underwriting process prior to purchase. CBIA's Term 80 product was designed to provide a positive client experience with minimal intrusiveness. The degree of underwriting required is dependent on the amount of life insurance applied for.

## Portability

If you move your mortgage to another financial institution, or if you buy a new house and need a new mortgage, or if you simply renew your mortgage for a longer term, you may have to requalify for mortgage insurance coverage. You could be considered uninsurable, and would not be able to get mortgage insurance. In contrast, CBIA's term life insurance stays intact as long as you continue to pay premiums, even if you move your mortgage or buy a new home.

So caveat emptor! Remember, mortgage insurance is typically sold by bank employees who may not be trained to explain the benefits of different insurance options. With CBIA, you receive quality advice from advisors familiar with the many product options available. Working together, you are assured of determining the coverage that is best for your specific situation.

\*all rates quoted are as at January 2017 and do not include PST (where applicable).

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Canadian Bar Insurance Association (CBIA) is committed to being the trusted provider of choice for insurance and financial solutions to the legal community, their families and employees in Canada. Our products and services are planned and designed to meet the needs and reflect the unique characteristics of the legal community at a cost that provides both superior value and stability. It's all we do!

Find your local Authorized Independent Advisor at:

**[barinsurance.com](http://barinsurance.com)**







# SECTION MEETINGS



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

[http://www.cba.org/pd/province\\_en.aspx](http://www.cba.org/pd/province_en.aspx) and choose Nova Scotia.

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

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

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

## TELECONFERENCING OF SECTION MEETINGS

For those registrants unable to attend Section meetings in person, teleconferencing is available for a \$10.00 fee. Selection of this option should be made at time of registering.

## NSBS CPD REQUIREMENT

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

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

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

the end of August.

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

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

## DEVELOPING A CPD PLAN

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

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

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

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

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

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

## EXTENSIONS FOR DECLARING YOUR PROFESSIONAL DEVELOPMENT PLAN

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



# SECTION CHAIRS & VICE-CHAIRS 2016-17

|  |   |   |  |
|--|---|---|--|
| <b>Aboriginal Law</b>                          | Bryna Fraser                            | <b>Health Law</b>                               | Kimberley Pochini<br>Mary Anne Persaud |
| <b>Administrative Law</b>                      | Amy Bradbury<br>Kathryn Raymond         | <b>Insurance Law</b>                            | Stacey England<br>Philip Chapman       |
| <b>Bankruptcy Law</b>                          | Ben Durnford<br>Pamela Branton          | <b>Intellectual Property</b>                    | Heather Oke<br>Keith Lehwald           |
| <b>Business Law</b>                            | Jennifer Hamilton Upham<br>Matthew Moir | <b>Labour and Employment Law</b>                | Andrew Nielsen<br>Bradley Proctor      |
| <b>Canadian Corporate Counsel</b>              | James Spurr<br>M. Patricia Towler       | <b>Law Students</b>                             | Iain Macdonald<br>Melissa Pike         |
| <b>Charities &amp; Not-for-Profit</b>          | Dary Jessome<br>Selina Bath             | <b>Military Law</b>                             | Brian Bailey<br>Lt. Derek Schroeder    |
| <b>Citizenship &amp; Immigration Law</b>       | David Nurse<br>Sarah McInnes            | <b>Municipal Law</b>                            | Heidi Walsh-Sampson<br>Jack Townsend   |
| <b>Civil Litigation / ADR</b>                  | Gary Richard<br>Donn Fraser             | <b>Privacy and Access Law</b>                   | Alayna Kolodziechuk<br>Derek Brett     |
| <b>Constitutional and Human Rights</b>         | Ian McIsaac<br>Kelly McMillan           | <b>Real Property</b>                            | Maureen Ryan<br>Jane Gourley-Davis     |
| <b>Construction Law</b>                        | Peter Rumscheidt<br>Kevin Gibson        | <b>Securities Law</b>                           | Garnet Brooks<br>Claire Milton, QC     |
| <b>Criminal Justice</b>                        | Brian Bailey                            | <b>Sexual Orientation &amp; Gender Identity</b> | Jack Townsend<br>M. Ann Levangie       |
| <b>Elder Law</b>                               | Jessica Lyle<br>Peter Rumscheidt        | <b>Taxation Law</b>                             | C. Jennifer Campbell<br>Karen Stilwell |
| <b>Environmental, Energy &amp; Resources</b>   | Trevor MacDonald<br>Matthew Clarke      | <b>Wills, Estates and Trusts</b>                | Tanya Butler<br>Allen Fownes           |
| <b>Family Law</b>                              | Krista Forbes<br>Jennifer Kooren        | <b>Women's Forum</b>                            | Jennifer Knebel Reid<br>Agnes MacNeil  |
| <b>General Practice, Solo &amp; Small Firm</b> | Laurie LaViolette<br>Jennifer Schofield | <b>Young Lawyers</b>                            | Ryan Brothers<br>Jennifer Taylor       |
| <b>Government &amp; Public Sector Lawyers</b>  | Karen Kinley<br>Katherine Carrigan      |   |  |





# 2016-17 SECTIONS MEETINGS SCHEDULE

## ABORIGINAL LAW

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

**Chair:** Bryna Fraser  
Barteaux Durnford  
1701 Hollis Street, Suite L106, Halifax, NS B3J 3M8  
Phone: 902-377-2233  
Email: bryna.hatt@barteauxdurnford.com

**Vice-Chair:** TBA

### Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 20, 2016, 12:00 noon – 1:00 pm  
Location: Barteaux Durnford, L106-1701 Hollis Street, Halifax, NS  
Topic: "Planning Sessions and Topics of Interest"  
Meeting Chair: Bryna Hatt, Barteaux Durnford, Aboriginal Law Section Chair

Date & Time: ✓ Tuesday, October 25, 2016, 12:00 noon – 1:00 pm  
(Joint meeting with the Government & Public Sector Lawyers Section)  
Location: Barteaux Durnford, L106-1701 Hollis Street, Halifax, NS  
Topic: "Crown Duty to Consult with Aboriginal Peoples"  
Speaker: Diane Rowe, Nova Scotia Department of Justice

Date & Time: ✓ Thursday, February 9, 2017, 12 noon – 1:00pm  
Location: Burchells LLP, 1800-1809 Hollis St, Halifax, NS  
Topic: Treaty History and Treaty Rights Litigation in the Maritimes  
Speakers: Rosalie Francis, Burchells LLP; Jennifer Keliher, Burchells LLP; Harvey Morrison, QC, McInnes Cooper

Date & Time: Thursday, May 25, 2017 (Time TBA)  
(Joint Meeting with the Young Lawyers Section)  
Location: To Be Announced  
Topic: Indigenous Justice Systems  
Speakers: Naiomi Metallic, Schulich School of Law and Tuma Young, Cape Breton University

## ADMINISTRATIVE LAW

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

**Chair:** Amy Bradbury  
Barteaux Durnford  
L106-1701 Hollis Street, Halifax, NS B3J 3M8  
Phone: 902-429-3400  
Email: amy.bradbury@barteauxdurnford.com

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

### Dates and Proposed Topics:

Date & Time: ✓ Tuesday, November 1, 2016, 12:00 noon – 1:00 pm  
Location: Merrick Jamieson Sterns Washington & Mahody, 5475 Spring Garden Road, Halifax, NS  
Topic: "Practice Before the Nova Scotia Utility and Review Board"  
Speaker: John Merrick, QC, Merrick Jamieson Sterns Washington & Mahody

Date & Time: ✓ Wednesday, November 30, 2016, 12:00 noon – 1:00 pm  
Location: Barteaux Durnford, L106-1701 Hollis St, Halifax, NS  
Topic: An Update on Access to Information  
Speaker: Catherine Tulley, Office of the Information and Privacy Commissioner of Nova Scotia

Date & Time: ✓ Thursday, February 9, 2017, 12:00 noon – 1:30 pm  
(Joint Meeting with the Law Student Section)  
Location: Barteaux Durnford, L106-1701 Hollis St, Halifax, NS  
Topic: Administrative Law Practice – A Practical Guide for New Lawyers  
Speakers: Marjorie Hickey, QC, McInnes Cooper and Kimberley Turner, QC, Pink Larkin

## BANKRUPTCY AND INSOLVENCY

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

**Chair:** Benjamin Durnford  
McInnes Cooper  
1300-1969 Upper Water Street, PO Box 730  
Halifax, NS B3J 1V1  
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Email: ben.durnford@mcinnescooper.com

**Vice-Chair:** Pamela Branton  
Burchell MacDougall  
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Email: pbranton@burchellmacdougall.com

### Dates and Proposed Topics:

No Meetings Scheduled

## BUSINESS LAW

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

**Chair:** Jennifer Hamilton Upham  
Patterson Law  
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Email: jupham@pattersonlaw.ca

**Vice-Chair:** Matthew Moir  
Weldon McInnis  
118 Ochterloney Street, Dartmouth, NS B2Y 1C7  
Phone: 902-469-2421  
Email: mmoir@weldonmcinnis.ca

### Dates and Proposed Topics:

Date & Time: ✓ Tuesday, September 13, 2016, 12:00 noon – 1:00 pm  
Location: Burchell MacDougall, 710 Prince Street, Truro, NS  
Topic: "Shareholders Agreements – Review of Various Protective Provisions"  
Speaker: Pamela Branton, Burchell MacDougall





- Date & Time:** ✓ Wednesday, October 26, 2016, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS  
**Topic:** “Business Immigration”  
**Speaker:** Sarah McInnes, McInnes Cooper
- Date & Time:** ✓ Wednesday, November 16, 2017, 12:00 noon – 1:00 pm  
**Location:** Patterson Law, 2100-1801 Hollis St, Halifax, NS  
**Topic:** Legal Opinions – Including Trends and Changing Practice  
**Speaker:** Jared Schwartz, Patterson Law
- Date & Time:** ✓ Thursday, November 24, 2016, 12:00 noon – 1:00 pm (Joint meeting with the Charities & Not-for-Profit Section)  
**Location:** Wickwire Holm, 1801 Hollis St., Suite 300, Halifax, NS  
**Topic:** “Not-for-profit Financial Concepts for Lawyers”  
**Speaker:** Debi Peverill, Peverill & Associates

## CANADIAN CORPORATE COUNSEL

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

- Chair:** James G. Spurr  
 Halifax Regional Water Commission  
 450 Cowie Hill Road, Halifax, NS B3K 5M1  
 Phone: 902-490-6101  
 Email: james@halifaxwater.ca
- Vice-Chair:** M. Patricia Towler  
 Chartered Professional Accountants of Nova Scotia  
 300-1871 Hollis Street, Halifax, NS B3J 0C3  
 Phone: 902-425-7273  
 Email: ptowler@cpans.ca

### Dates and Proposed Topics:

- Date & Time:** ✓ Wednesday, December 7, 2016, 12:00 noon – 1:00 pm  
**Location:** Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS  
**Topic:** Standard of Proof in Discipline Hearings  
**Speaker:** Loretta Manning, Cox & Palmer

## CHARITIES AND NOT-FOR-PROFIT

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

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

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

- Chair:** Dary Jessome  
 Stewart McKelvey  
 900-1959 Upper Water Street  
 PO Box 997, Halifax, NS B3J 2X2  
 Phone: 902-429-4111  
 Email: djessome@stewartmckelvey.com

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

### Dates and Proposed Topics:

- Date & Time:** ✓ Thursday, November 24, 2016, 12:00 noon – 1:00 pm (Joint meeting with the Business Law Section)  
**Location:** Wickwire Holm, 1801 Hollis St., Suite 300, Halifax, NS  
**Topic:** “Not-for-Profit Financial Concepts for Lawyers”  
**Speaker:** Debi Peverill, Peverill & Associates
- Date & Time:** ✓ Thursday, February 9, 2017, 12:00 noon – 1:00 pm (Joint meeting with the Insurance Law Section)  
**Location:** Wickwire Holm, 1801 Hollis St., Suite 300, Halifax, NS  
**Topic:** “Insurance for Not-for-Profits”  
**Speaker:** Sean Murray, WCL Bauld Insurance
- Date & Time:** ✓ Wednesday, February 15, 2017, 12:00 noon – 1:00 pm (Joint meeting with Taxation Law and Wills, Estates & Trusts Sections)  
**Location:** McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS  
**Topic:** Testamentary Charitable Giving  
**Speaker:** Robert Miedema, BoyneClarke LLP

## CITIZENSHIP & IMMIGRATION LAW

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

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

- Chair:** David Nurse  
 McInnis Cooper  
 1300-1969 Upper Water Street, Halifax, NS B3J 1V1  
 Phone: 902-640-3033  
 Email: david.nurse@mcinnescooper.com

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

### Dates and Proposed Topics:

- Date & Time:** ✓ Wednesday, September 15, 2016, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS  
**Topic:** “Update on NSOI Programs”  
**Speakers:** Representatives from the Nova Scotia Office of Immigration



# 2016-17 SECTIONS MEETINGS SCHEDULE

## CITIZENSHIP & IMMIGRATION LAW (cont'd)

- Date & Time:** ✓ Tuesday, October 18, 2016, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS  
**Topic:** "Taking the Temporary Out of the TFW Program"  
**Speaker:** Jordi Morgan, Atlantic of the Canadian Federation of Independent Business (CFIB)
- Date & Time:** ✓ Thursday, November 21, 2016, 12:00 noon – 1:00 pm  
**Location:** Halifax Stanfield International Airport  
**Topic:** "Meeting with CBSA/Airport Tour or ESDC/TFW Program Update"
- Date & Time:** ✓ Thursday, December 15, 2016, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1969 Upper Water St, Suite 1300, Halifax, NS  
**Topics & Speakers:** "Yes, You Can KanBan" with Elizabeth Wozniak, North Star Immigration Law Inc.
- Date & Time:** ✓ Thursday, January 19, 2017, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1969 Upper Water St, Suite 1300, Halifax, NS  
**Topic:** "Quarterly Meeting with Nova Scotia Office of Immigration"
- Date & Time:** ✓ Tuesday, March 7, 2017, 12:00 noon-1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS  
**Topic:** An Informal Conversation with the Co-Chairs of the NS Government's Immigration Advisory Council  
**Speakers:** Wadih Fares and Dr. Colin Dodds

## CIVIL LITIGATION/ADR

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

**Chair:** Gary A. Richard  
 Burchell MacDougall  
 710 Prince St, PO Box 1128 RPO Prince  
 Truro, NS B2N 5H1  
 Phone: 902-895-1561  
 Email: grichard@burchellmacdougall.com

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

### Dates and Proposed Topics:

- Date & Time:** ✓ Thursday, January 19, 2017, 12:00 noon – 1:00 pm  
 (Joint meeting with Municipal Law)  
**Location:** Burchell MacDougall, 210-255 Lacewood Dr, Halifax, NS  
**Topic:** Mediation Processes Before the UARB  
**Speakers:** Jane O'Neill, McInnes Cooper and Peter Rogers, QC, McInnes Cooper
- Date & Time:** Thursday, May 18, 2017, 12:00 noon-1:00 pm  
 (Joint Meeting with Government & Public Sector Lawyers Section)

**Location:** Michael Baker Boardroom, Joseph Howe Building  
**Topic:** Judicial Review of Non-Adjudicative Administrative Action  
**Speaker:** Sean Foremen, NS Department of Justice

## CONSTITUTIONAL & HUMAN RIGHTS

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

**Chair:** Ian McIsaac  
 Barrister & Solicitor  
 PO Box 25083, Truro, NS B2N 7B8  
 Phone: 902-986-2151  
 Email: ian@mcisaaclaw.net

**Vice-Chair:** Kelly McMillan  
 Nijhawan McMillan  
 100-2085 Maitland Street, Halifax, NS B3K 2Z8  
 Email: kelly@nmbarristers.com

### Dates and Proposed Topics:

- Date & Time:** ✓ Monday, September 19, 2016, 12:00 noon – 1:00 pm  
 (Joint Meeting with Government & Public Sector Lawyers Section)  
**Location:** Joseph Howe Building, 1690 Hollis St, Halifax, NS  
**Topic:** Supreme Court of Canada Appointments and Atlantic Canada: Background and Constitutional Implications  
**Speaker:** Ian McIsaac, Barrister & Solicitor
- Date & Time:** ✓ Friday, October 7, 2016, 12:00 noon – 1:00 pm  
**Location:** Stewart McKelvey, 900-1959 Upper Water Street, Halifax, NS  
**Topic:** "Lawsuits Against Canadian Company Hudbay Minerals Inc. over Human Rights Abuse in Guatemala"  
**Speaker:** Cory Wanless, Klippensteins LLP
- Date & Time:** ✓ Thursday, November 24, 2016, 12:00 noon – 1:00 pm  
**Location:** Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS  
**Topic:** Minding the Gap: Why and How Nova Scotia Should Enact a New Cyber-Safety Act  
**Speaker:** Jennifer Taylor, Stewart McKelvey

## CONSTRUCTION LAW

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

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

**Vice-Chair:** Kevin Gibson  
 McInnes Cooper  
 1300-1969 Upper Water St., PO Box 730 Stn. Central  
 Halifax, NS B3J 2V1  
 Email: kevin.gibson@mcinnescooper.com



## Dates and Proposed Topics:

- Date & Time:** ✓ Thursday, October 20, 2016, 8:00 am – 9:00 am  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS  
**Topic:** “SCC Decision on Ledcor Construction v. Northbridge Indemnity”  
**Speaker:** Kevin Gibson, McInnes Cooper
- Date & Time:** ✓ Wednesday, November 16, 2016, 8:00 am – 9:00 am  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS  
**Topic:** “Who is a Constructor under Nova Scotia’s Occupational Health and Safety Act? R. v. McCarthy’s Roofing Limited”  
**Speaker:** Jeff Aucoin, McInnes Cooper
- Date & Time:** ✓ Tuesday, December 20, 2016, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS  
**Topic:** Notice Provisions in Construction Agreements  
**Speaker:** Christopher Wilson, McInnes Cooper
- Date & Time:** Monday, March 13, 2017, 12:00 noon – 1:00 pm (Joint Meeting with the Law Student Section)  
**Location:** Schulich School of Law, Glube Room  
**Topic:** Legal Practice in the Construction Industry  
**Speakers:** Kevin Gibson, McInnes Cooper; Jennifer Gray, McInnes Cooper; Elizabeth McIsaac, McInnes Cooper
- Date & Time:** Thursday, April 13, 2017, 8:00 am – 9:00 am  
**Location:** Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS  
**Topic:** Public-Private Partnerships (P3s) in the International Arbitration Context  
**Speakers:** John Keith, QC, Cox & Palmer and Caitlin Regan-Cottreau, Cox & Palmer

## CRIMINAL JUSTICE

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

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

**Vice-Chair:** TBA

## Dates and Proposed Topics:

No Meetings Scheduled

## ELDER LAW

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

- Age Discrimination;
- General Planning for Aging: A Case-Management and Multidisciplinary Approach;

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

**Chair:** Jessica L. Lyle  
 Sealy Cornish Coulthard  
 200-56 Portland Street, Dartmouth, NS B2Y 1H2  
 Phone: 902-466-2500  
 Email: jllyle@scclaw.ca

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

## Dates and Proposed Topics:

- Date & Time:** ✓ Wednesday, October 26, 2016, 5:30 pm – 8:00 pm (Joint meeting with the Family Law Section)  
**Location:** Prince George Hotel, 1725 Market Street, Halifax, NS  
**Topic:** “Divorce and Dementia”  
**Speaker:** M. Ann Levangie, Patterson Law
- Date & Time:** ✓ Tuesday, November 22, 2016, 12:00 noon- 1:30 pm (Joint Meeting with Health Law and Wills, Estates & Trusts Sections)  
**Location:** Department of Justice, 1690 Hollis St, Halifax, NS  
**Topic:** Provincial Consultation on Adult Guardianship Law
- Date & Time:** ✓ Thursday, December 8, 2016, 12:00 noon – 1:00 pm (Joint Meeting with Wills, Estates & Trusts Section)  
**Location:** To Be Announced  
**Topic:** “Post-Webb Panel”  
**Speaker:** To Be Announced
- Date & Time:** April, 2017 (Firm date TBA) (Joint meeting with the Wills, Estates & Trusts & Health Sections)  
**Location:** To Be Announced  
**Topic:** “Personal Directives”  
**Speaker:** To Be Announced

## ENVIRONMENTAL, ENERGY & RESOURCES LAW

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

**Chair:** Trevor MacDonald  
 Stewart McKelvey  
 900-1959 Upper Water Street, PO Box 997 Stn Central  
 Halifax, NS B3J 2X2  
 Phone: 902-420-3200  
 Email: tmacdonald@stewartmckelvey.com





# 2016-17 SECTIONS MEETINGS SCHEDULE

## ENVIRONMENTAL, ENERGY & RESOURCES LAW (cont'd)

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

### Dates and Proposed Topics:

No Meetings Scheduled

## FAMILY LAW

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

**Chair:** Krista Forbes  
Nova Scotia Legal Aid  
200-2830 Agricola Street, Halifax, NS B3J 1B3  
Phone: 902-420-3450  
Email: krista.forbes@nslegalaid.ca

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

### Dates and Proposed Topics:

Date & Time: ✓ Wednesday, September 28, 2016, 5:30 pm – 8:00 pm  
Location: Prince George Hotel, 1725 Market Street, Halifax, NS  
Topic: "Ongoing Process Changes"  
Speaker: The Honourable Associate Chief Justice Lawrence I. O'Neil, Supreme Court of Nova Scotia Family Division

Date & Time: ✓ Wednesday, October 26, 2016, 5:30 pm – 8:00 pm  
(Joint meeting with the Elder Law Section)  
Location: Prince George Hotel, 1725 Market Street, Halifax, NS  
Topic: "Divorce and Dementia"  
Speaker: M. Ann Levangie, Patterson Law

Date & Time: ✓ Wednesday, November 23, 2016, 5:30 pm – 8:00 pm  
Location: Prince George Hotel, 1725 Market Street, Halifax, NS  
Topic: "Supervised Access"  
Speakers: Honourable Beryl MacDonald, NS Supreme Court, Family Division; Rosathya Ros, Supervised Access and Exchange Coordinator, Veith House; Shelley Hounsell-Grey, NS Legal Aid

Date & Time: ✓ Wednesday, January 25, 2017, 5:00 pm-6:30 pm  
Location: Schulich School of Law  
Topic: The New Mobility in Nova Scotia  
Speakers: Rollie Thompson, QC, Dalhousie University and Krista Forbes, NS Legal Aid

## GENERAL PRACTICE, SOLO & SMALL FIRM

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

common interests of general practitioners within the CBA.

**Chair:** Laurie LaViolette  
Bedford Law Inc.  
100-1496 Bedford Highway, Bedford, NS B4A 1E5  
Phone: 902-832-2100  
Email: laurie.bedfordlaw@gmail.com

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

### Dates and Proposed Topics:

Date & Time: ✓ Thursday, November 17, 2016, 12:00 noon – 1:00 pm  
(Joint Meeting with Real Property Section)  
Location: Patterson Law, 2100-1801 Hollis St, Halifax, NS  
Topic: Due Diligence in Real Estate Transactions  
Speaker: Blair MacKinnon, Heritage House Law Office

Date & Time: ✓ Tuesday, January 24, 2017. 12:00 noon – 1:00 pm  
(Joint meeting with Wills, Estates & Trusts Section)  
Location: Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS  
Topic: Estate Bullying  
Speaker: Cora Jacquemin, Registrar of Probate

## GOVERNMENT & PUBLIC SECTOR LAWYERS

**Terms of Reference:** The Forum is a platform for CBA members who are employed as lawyers at various levels of government or in public sector agencies.

Its objectives are to:

- Provide mechanisms for public sector lawyers to exchange information and ideas; serve as a national network to enable public sector lawyers to connect on shared issues; advance the understanding of the roles played by public sector lawyers; raise the profile of its members by ensuring public sector lawyers interests are represented within the CBA; bring to the CBA the unique perspective of practicing law within a government setting; serve as the national voice of public sector lawyers within the activities of the Forum and those of the CBA; promote networking and delivery of programs through the Forum's provincial and territory branches.

**Chair:** Karen Kinley  
Legislative Counsel Office  
PO Box 1116 Stn Central, Halifax, NS B3J 2X1  
Phone: 902-424-8941  
E-mail: kinleykl@gov.ns.ca

**Vice-Chair:** Katherine Carrigan  
NS Department of Justice  
1690 Hollis Street, 8th Floor  
PO Box 7 Stn. Central, Halifax, NS B3J 2L6  
Phone: 902-424-5092  
Email: carrigkf@gov.ns.ca

### Dates and Proposed Topics:

Date & Time: ✓ Tuesday, October 25, 2016, 12:00 noon – 1:00 pm  
(Joint meeting with the Aboriginal Law Section)  
Location: Barteaux Durnford, L106-1701 Hollis Street, Halifax, NS  
Topic: "Crown Duty to Consult with Aboriginal Peoples"  
Speaker: Diane Rowe, Nova Scotia Department of Justice

Date & Time: ✓ Monday, November 14, 2016, 12:00 noon – 1:00 pm  
Location: Office of the Legislative Counsel, 1809 Barrington



- Topic: Street, Halifax, NS  
 Speakers: "A primer on the Law Amendments Committee"  
 Gordon Hebb, QC and Karen Kinley, Legislative Counsels
- Date & Time: ✓ Wednesday, December 7, 2016, 12:00 noon – 1:00 pm  
 Location: Michael Baker Boardroom-Joseph Howe Building  
 Topic: "God is in the Detail: Tips for Prosecuting Regulatory Offences in Nova Scotia"  
 Speaker: Alex Keaveny, Crown Attorney, Public Prosecution Service
- Date & Time: ✓ Monday, January 23, 2017, 12:00 noon – 1:00 pm  
 Location: Department of Justice –Joseph Howe Building  
 Topic: Assisted Dying Legislation  
 Speaker: Dr. Gus Grant, College of Physicians & Surgeons of Nova Scotia
- Date & Time: ✓ Tuesday, February 28, 2017, 12:00 noon-1:00 pm  
 Location: Department of Justice-Joseph Howe Building  
 Topic: Plain Language Drafting Techniques for NS Regulations or "What You are Doing Wrong and How to Fix It"  
 Speaker: Rachel Jones, Registrar of Regulations for Nova Scotia
- Date & Time: ✓ Tuesday, April 11, 2017, 12:00 noon-1:00 pm  
 Location: Michael Baker Boardroom-Joseph Howe Building  
 Topic: Superboxes and Superordinate Laws  
 Speaker: Jim Rossiter, Department of Justice Canada
- Date & Time: ✓ Thursday, May 18, 2017, 12:00 noon-1:00 pm  
 (Joint Meeting with Civil Litigation/ADR Section)  
 Location: Michael Baker Boardroom, Joseph Howe Building  
 Topic: Judicial Review of Non-Adjudicative Administrative Action  
 Speaker: Sean Foremen, NS Department of Justice

## HEALTH LAW

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

**Chair:** Kimberley Pochini  
 Patterson Law  
 10 Church Street, PO Box 1068, Truro, NS B2N 5G9  
 Phone: 902-896-6160  
 Email: kpochini@pattersonlaw.ca

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

### Dates and Proposed Topics:

Date & Time: ✓ Thursday, October 6, 2016, 12:00 noon – 1:00 pm  
 (Joint Meeting with the Privacy & Access Law Section)  
 Location: Patterson Law, 1801 Hollis Street, Halifax, NS  
 Topic: "Three Year Review of the Personal Health Information Act, A Retrospective and A Look Forward"  
 Speaker: Suzanne Kennedy,LLM

Date & Time: ✓ Tuesday, November 22, 2016, 12:00 noon- 1:30 pm  
 (Joint Meeting with Elder Law and Wills, Estates & Trusts Sections)  
 Location: Department of Justice, 1690 Hollis St, Halifax, NS  
 Topic: Provincial Consultation on Adult Guardianship Law

Date & Time: April, 2017 (Firm date TBA) (Joint meeting with the Elder Law Section and the Wills, Estates & Trusts Section)  
 Location: To Be Announced  
 Topic: "Personal Directives"  
 Speaker: To Be Announced

## INSURANCE LAW

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

**Chair:** Stacey England  
 Burchell MacDougall  
 710 Prince Street, PO Box 1128, Truro, NS B2N 5H1  
 Phone: 902-895-1561  
 Email: sengland@burchellmacdougall.com

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

### Dates and Proposed Topics:

Date & Time: ✓ Thursday, February 9, 2017, 12:00 noon – 1:00 pm  
 (Joint meeting with the Charities & Not-for-Profit Section)  
 Location: Wickwire Holm, 1801 Hollis St., Suite 300, Halifax, NS  
 Topic: "Insurance for Not-for-Profits"  
 Speaker: Sean Murray, WCL Bauld Insurance

## INTELLECTUAL PROPERTY

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

**Chair:** Heather Oke  
 NS Department of Justice  
 8th Floor, 1690 Hollis Street, Halifax, NS B3J 3J9  
 Phone: 902-424-4222  
 Email: okehr@gov.ns.ca

**Vice-Chair:** Keith Lehwald  
 Burchells LLP  
 1800-1801 Hollis Street, Halifax, NS B3J 3N4  
 Phone: 902-423-6361  
 Email: klehwald@burchells.ca

### Dates and Proposed Topics:

No Meetings Scheduled

## LABOUR & EMPLOYMENT LAW

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



# 2016-17 SECTIONS MEETINGS SCHEDULE

## LABOUR & EMPLOYMENT LAW (cont'd)

**Chair:** Andrew Nielsen  
Pink Larkin  
201-1463 South Park Street, PO Box 36036  
Halifax, NS B3J 3S9  
Phone: 902-423-7777  
Email: anielsen@pinklarkin.com

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

### Dates and Proposed Topics:

**Date & Time:** Thursday, March 23, 2017, 12:00 noon-1:00 pm  
**Location:** Pink Larkin, 1463 South Park St, Halifax, NS  
**Topic:** Financial Issues in the Settlement of Dismissal Cases (Union and Non-Union)  
**Speakers:** Daniel Ingersoll, QC, Cox & Palmer and Gordon Forsyth, QC, Pink Larkin

**Date & Time:** Wednesday, April 5, 2017, 5:30 pm – 8:00 pm  
**Location:** Prince George Hotel, 1725 Market St, Halifax, NS  
**Topic:** Young Lawyers Night: Discussion of Recent Decisions of Interest

**Date & Time:** Thursday, May 25, 2017, 5:30 pm – 8:00 pm  
**Location:** To Be Determined  
**Topic:** Dinner Meeting with the Labour Board of Nova Scotia

## LAW STUDENTS

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

**Chair:** Iain Macdonald  
1478 Carlton Street, Halifax, NS B3H 3B7  
Phone: 902-889-1043  
Email: iain.macdonald@dal.ca

**Vice-Chair:** Melissa Pike  
201-6350 Coburg Road, Halifax, NS B3H 2A1  
Phone: 902-422-6011  
Email: melissa.j.pike@gmail.com

### Dates and Proposed Topics:

**Date & Time:** ✓ Wednesday, October 26, 2016, 7:00 pm – 8:30 pm  
(Joint meeting with the Women's Forum Section)  
**Location:** Weldon Law Building, Glube Room (Room 411, Halifax, NS)  
**Topic:** "Connect: Women in Law"

**Date & Time:** ✓ Thursday, February 9, 2017, 12:00 noon – 1:30 pm  
(Joint Meeting with the Administrative Law Section)  
**Location:** Barteaux Durnford, L106-1701 Hollis St, Halifax, NS  
**Topic:** Administrative Law Practice – A Practical Guide for New Lawyers  
**Speakers:** Marjorie Hickey, QC, McInnes Cooper and Kimberley Turner, QC, Pink Larkin

**Date & Time:** Monday, March 13, 2017, 12:00 noon – 1:00 pm  
(Joint Meeting with the Construction Law Section)

**Location:** Schulich School of Law, Glube Room  
**Topic:** Legal Practice in the Construction Industry  
**Speakers:** Kevin Gibson, McInnes Cooper; Jennifer Gray, McInnes Cooper; Elizabeth McIsaac, McInnes Cooper

## MILITARY LAW

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

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

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

### Dates and Proposed Topics:

**Date & Time:** ✓ Friday, November 18, 2016, 6:30 pm  
**Location:** CFB Halifax (Stadacona)  
Dinner Meeting

## MUNICIPAL LAW

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

**Chair:** Heidi Walsh-Sampson  
Municipality of the County of Kings  
87 Cornwallis Street, PO Box 100  
Kentville, NS B4N 3W3  
Phone: 902-678-5290  
Email: hwlshsmpson@county.kings.ca

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

### Dates and Proposed Topics:

**Date & Time:** ✓ Wednesday, November 9, 2016, 12:00 noon – 1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water Street, Halifax, NS

**Topic:** "Northern Construction Enterprises Inc. v. HRM 2015 decision of the Court of Appeal"  
**Speaker:** Peter Rogers, QC, McInnes Cooper

**Date & Time:** ✓ Friday, December 2, 2016, 12:00 noon – 1:00 pm  
**Location:** Cox & Palmer, 1100-1959 Upper Water Street, Halifax, NS  
**Topic:** "Polling District Boundaries and Court of Appeal: West Hants v. UARB, 2016 NSCA 57"  
**Speakers:** Jane O'Neill and Peter Rogers, QC, McInnes Cooper





**Date & Time:** ✓ Thursday, January 19, 2017, 12:00 noon – 1:00 pm  
(Joint meeting with the Civil Litigation/ADR Section)  
**Location:** Burchell MacDougall, 210-255 Lacewood Drive, Halifax, NS  
**Topic:** “Mediation Processes Before the UARB”  
**Speaker:** Wayne Cochrane, Nova Scotia Utility & Review Board

## PRIVACY & ACCESS LAW

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

**Chair:** Alayna Kolodziechuk  
Barrister & Solicitor  
355 Rue Sainte Marguerite, Montreal, QC H4C 2W9  
Phone: 902-452-8090  
Email: akolodziechuk@gmail.com

**Vice-Chair:** Derek Brett  
Burnside Law Office  
9-109 Ilsley Avenue, Dartmouth, NS B3B 1S8  
Phone: 468-3066  
Email: derekbrettesq@gmail.com

### Dates and Proposed Topics:

**Date & Time:** ✓ Thursday, October 6, 2016, 12:00 noon – 1:00 pm  
(Joint Meeting with the Health Law Section)  
**Location:** Patterson Law, 1801 Hollis Street, Halifax, NS  
**Topic:** “Three Year Review of the Personal Health Information Act, A Retrospective and A Look Forward”  
**Speaker:** Suzanne Kennedy, LLM

**Date & Time:** ✓ Friday, January 27, 2017, 12:00 noon-1:00 pm  
**Location:** McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS  
**Topic:** Online User Rights: Privacy Rights in Litigation  
**Speaker:** Derek Brett, Burnside Law Office

## REAL PROPERTY

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

**Chair:** Maureen Ryan  
Bedford Law Inc.  
100-1496 Bedford Highway, Bedford, NS B4A 1E5  
Phone: 902-832-2100  
Email: maureen@bedfordlaw.com

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

### Dates and Proposed Topics:

**Date & Time:** ✓ Wednesday, October 19, 2016, 12:00 noon – 1:00 pm  
**Location:** Weldon McInnis, 118 Ochterloney Street, Dartmouth, NS  
**Topic:** “Tax Sales”

**Speaker:** Matthew Moir, Weldon McInnis

**Date & Time:** ✓ Thursday, November 17, 2016, 12:00 noon – 1:00 pm  
(Joint Meeting with General Practice, Solo & Small Firm Section)  
**Location:** Patterson Law, 2100-1801 Hollis St, Halifax, NS  
**Topic:** Due Diligence in Real Estate Transactions  
**Speaker:** Blair MacKinnon, Heritage House Law Office

**Date & Time:** ✓ Tuesday, January 17, 2017, 12:00 noon-1:00 pm  
**Location:** Patterson Law, 1801 Hollis St, Halifax, NS  
**Topic:** Restrictive Covenants and Building Schemes  
**Speaker:** Jane Gourley-Davis, Patterson Law

**Date & Time:** Wednesday, April 19, 2017, 12:00 noon-1:00 pm  
**Location:** HRM Legal Services, Duke Tower, Halifax, NS  
**Topic:** The Subdivision Approval Process  
**Speaker:** Kevin Warner, HRM Development Services

## SECURITIES LAW

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

**Chair:** Garnet Brooks  
Burchells LLP  
1800-1801 Hollis St, Halifax, NS B3J 3N4  
Phone: 902-423-6361  
Email: gbrooks@burchells.ca

**Vice-Chair:** Claire Milton, QC  
BoyneClarke LLP  
600-99 Wyse Road, PO Box 876 Stn Main  
Dartmouth, NS B2Y 3Z5  
Phone: 902-469-9500  
Email: cmilton@boyneclarke.ca

### Dates and Proposed Topics:

No Meetings Scheduled

## SEXUAL ORIENTATION & GENDER IDENTITY

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

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

**Chair:** Jack Townsend  
Cox & Palmer  
1100-1959 Upper Water St  
PO Box 2380 Stn Central, Halifax, NS B3J 2V1  
Phone: 902-457-9035  
Email: jktownsend@coxandpalmer.com



# 2016-17 SECTIONS MEETINGS SCHEDULE

## SEXUAL ORIENTATION & GENDER IDENTITY (cont'd)

**Vice-Chair:** M. Ann Levangie  
Patterson Law  
10 Church Street, Truro, NS B2N 5G9  
Phone: 902-893-3071  
Email: alevangie@pattersonlaw.ca

### Dates and Proposed Topics:

Date & Time: ✓ Thursday, November 3, 2016, 5:00 pm – 7:30 pm  
Location: Economy Shoe Shop  
Topic: Annual Meet and Greet with the OUTLaw Society from Dalhousie Law School

Date & Time: Wednesday, March 8, 2017, 7:00 pm  
Location: Weldon Law Building, Room 105, Halifax, NS  
Topic: "The Abominable Crime" movie followed by a discussion  
Speaker: Maurice Tomlinson, LGBTI & HIV and AIDS Activist

## TAXATION LAW

### Terms of Reference:

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

**Chair:** C. Jennifer Campbell  
Patterson Law  
510-1718 Argyle Street, Halifax, NS B3J 3N6  
Phone: 902-405-8000  
Email: jcampbell@pattersonlaw.ca

**Vice-Chair:** Karen Stilwell  
McInnes Cooper  
1300-1969 Upper Water Street, Halifax, NS B3J 2V1  
Phone: 902-425-6500  
Email: Karen.stilwell@mcinnescooper.com

### Dates and Proposed Topics:

Date & Time: ✓ Tuesday, January 31, 2017, 12:00 noon-1:00 pm  
Location: McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS  
Topic: Rectification Case Law Update  
Speaker: Edwin Harris, QC, Parklea Consulting Inc.

Date & Time: ✓ Wednesday, February 15, 2017, 12:00 noon – 1:00 pm  
(Joint meeting with Charities & Not-for-Profit Law and Wills, Estates & Trusts Sections)  
Location: McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS  
Topic: Testamentary Charitable Giving  
Speaker: Robert Miedema, BoyneClarke LLP

## WILLS, ESTATES & TRUSTS

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

**Chair:** Tanya L. Butler  
Cox & Palmer  
1100-1959 Upper Water Street  
PO Box 2380, Halifax, NS B3J 3N2  
Phone: 902-491-4227,  
Email: tbutler@coxandpalmer.com

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

### Dates and Proposed Topics:

Date & Time: ✓ Tuesday, October 25, 2016, 12:00 noon – 1:00 pm  
Location: Cox & Palmer, 1100-1959 Upper Water Street, Halifax, NS  
Topic: "Family Trust Administration"  
Speaker: Greg Leslie, Collins Barrow Nova Scotia Inc.

Date & Time: ✓ Tuesday, November 22, 2016, 12:00 noon- 1:30 pm  
(Joint Meeting with Elder Law and Health Law Sections)  
Location: Department of Justice, 1690 Hollis St, Halifax, NS  
Topic: Provincial Consultation on Adult Guardianship Law

Date & Time: ✓ Thursday, December 8, 2016, 12:00 noon – 1:00 pm  
(Joint Meeting with the Elder Law Section)  
Location: Cox & Palmer, 1100-1959 Upper Water Street, Halifax, NS  
Topic: "Post-Webb Panel"  
Speaker: To Be Announced

Date & Time: ✓ Tuesday, January 24, 2017. 12:00 noon – 1:00 pm  
(Joint meeting with General Practice, Solo & Small Firm Section)  
Location: Cox & Palmer, 1100-1959 Upper Water St, Halifax, NS  
Topic: Estate Bullying  
Speaker: Cora Jacquemin, Registrar of Probate

Date & Time: ✓ Wednesday, February 15, 2017, 12:00 noon – 1:00 pm  
(Joint meeting with Charities & Not-for-Profit Law and Taxation Law Sections)  
Location: McInnes Cooper, 1300-1969 Upper Water St, Halifax, NS  
Topic: Testamentary Charitable Giving  
Speaker: Robert Miedema, BoyneClarke LLP

Date & Time: April, 2017 (Firm date to be announced) (Joint meeting with the Elder Law Section and the Health Law Section)  
Location: To Be Announced  
Topic: "Personal Directives"  
Speaker: To Be Announced

## WOMEN'S FORUM

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

**Co-Chair:** Jennifer Knebel Reid  
Casey Rodgers Chisholm Penny Duggan LLP  
201-219 Waverley Road, Dartmouth, NS B2X 2C3  
Phone: 902-434-6181  
Email: jreid@crclawyers.com



**Co-Chair:** Agnes MacNeil  
NS Department of Justice  
1690 Hollis Street, 8th Floor, Halifax, NS B3J 2L6  
Phone: 902-424-8642  
Email: agnes.macneil@novascotia.ca

## Dates and Proposed Topics:

Date & Time: ✓ Wednesday, October 26, 2016, 7:00 pm – 8:30 pm  
(Joint meeting with the Law Student Section)  
Location: Weldon Law Building, Glube Room (Rm 411, Halifax, NS)  
Topic: “Connect: Women in Law”

Date & Time: ✓ November 23, 2016, 12:00 noon-1:00 pm  
Location: Department of Justice, 1690 Hollis St, Halifax, NS  
Topic: Different Career Paths: What You Can Do with Your Law Degree  
Speakers: Julia Cornish, QC, Sealy Cornish Coulthard; Krista Forbes, NS Legal Aid; Michelle Higgins, Court Services; Susan MacKay, NS Public Prosecution Service; Dana MacKenzie, Public Service Commission

Date & Time: ✓ Wednesday, December 7, 2016, 6:00pm  
Location: Halifax Distilling Company, 1668 Lower Water St, Halifax, NS  
Topic: Holiday Rum Tasting Event

Date & Time: ✓ Monday, January 23, 2017  
Location: Cyclone Group Fitness, Halifax, NS  
Topic: Yoga with Laurel Schut

Date & Time: Wednesday, March 8, 2017  
Location: Various locations around the province  
Topic: 5th Annual Women’s Day Collection Drive

## YOUNG LAWYERS

**Terms of Reference:** The Young Lawyers Section is made up of members who are under the age of 40 or who have been at the Bar for 10 years or less.

The purpose of the Young Lawyers Section is to promote the interests of young lawyers by:

- imposing responsibility at an early age;
- affording an opportunity of exchanging professional ideas among lawyers of similar age and experience;
- sponsoring programs of particular interest to young people including young lawyers, university or high school students;
- the study of problems peculiar to the young lawyer.

**Chair:** Ryan Brothers  
Nova Scotia Department of Justice  
8th Floor, 1690 Hollis Street, Halifax, NS B3J 3J9  
Phone: 902-424-4776  
Email: brothert@gov.ns.ca

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

## Dates and Proposed Topics:

Date & Time: ✓ Wednesday, September 14, 2016, 5:00 pm – 7:00 pm  
Location: The Old Triangle, Halifax, NS  
Topic: “Dead Wrong: An Evening with Tim Bousquet”

Date & Time: ✓ Wednesday, October 26, 2016, 12:00 noon – 1:00 pm  
Location: Stewart McKelvey, 900-1959 Upper Water Street, Halifax, NS  
Topic: “Pro Tips from the Prothonotary”  
Speaker: Caroline McInnes, Prothonotary

Date & Time: ✓ Tuesday, November 22, 2016, 12:00 noon – 1:00 pm  
Location: Schulich School of Law, 6061 University Avenue, Halifax, NS  
Topic: “How to Get a Job Beyond OCIs”  
Speakers: A career panel for law students

Date & Time: ✓ Tuesday, December 6, 2016, 12:00 noon – 1:00 pm  
Location: Stewart McKelvey, 900-1959 Upper Water Street, Halifax, NS  
Topic: “A Session on Starting your own Law Practice as a Young Lawyer”  
Speakers: Kelly McMillan and Nasha Nijhawan, Nijhawan McMillan

Date & Time: ✓ Wednesday, January 18, 2017, 12:00 noon – 1:00 pm  
(Joint meeting with the Charities & Not-For-Profit Section)  
Location: Patterson Law, 2100 - 1801 Hollis Street, Halifax, NS  
Topic: “Lawyers as Directors on Boards of Non-Profits”  
Speakers: Scott Campbell, McInnes Cooper and Ann Levangie, Patterson Law

Date & Time: ✓ Thursday, February 23 2017  
Location: Art Gallery of Nova Scotia  
Topic: “Bench and Bar Social”

Date & Time: ✓ Tuesday, February 28, 2017, 12:00 noon – 1:00 pm  
Location: Stewart McKelvey, 900-1959 Upper Water St, Halifax, NS  
Topic: Planning Your Financial Future  
Speakers: Mark Ballantyne, RBC; Nathalie Amirault, Grant Thornton LLP; Corinne Boudreau, Two Certainties Law Inc.

Date & Time: Wednesday, March 8, 2017, 6:00 pm-8:00 pm  
Location: Schulich School of Law  
Topic: International Women’s Day Special Event: Pay Equity and the Legal Profession

Date & Time: Wednesday, March 22, 2017, 12:00 noon – 1:00 pm  
Location: To Be Announced  
Topic: “Cultural Competence”  
Speaker: Emma Halpern, Nova Scotia Barristers’ Society

Date & Time: April/May 2017 (Exact date and time to be announced)  
Location: To Be Announced  
Topic: To Be Announced

Date & Time: To Be Announced  
Location: To Be Announced  
Topic: “Trivia Night” co-hosted by the Women’s Forum

Date & Time: June 2017 (Exact date and time to be announced)  
Location: To Be Announced  
Topic: End of Year Social



## **CBA Nova Scotia would like to thank the following organizers and speakers for their outstanding contribution to the 2017 Mid-Winter Conference, February 2 and 3:**

### **ORGANIZERS:**

Dennis J. James, QC, Patterson Law  
M. Jean Beeler, QC, Weldon McInnis  
Clarence A. Beckett, QC, Patterson Law  
Jessica L. Lyle, Sealy Cornish Coulthard  
Agnes E. MacNeil, Nova Scotia Department of Justice  
Brian W. Stilwell, Burchell MacDougall  
Janet E. Curry, NS Workers' Compensation Board  
Amy MacGregor, Cox & Palmer  
Michael MacIsaac, Stewart McKelvey  
Tracey D. Kennedy, Kennedy Schofield & Associates  
M. Patricia Towler, Chartered Professional Accountants of Nova Scotia  
Ryan Baxter, McInnes Cooper

### **SPEAKERS:**

Denise C. Smith, QC, Public Prosecution Service  
David B. Butt, Criminal Defence Lawyer  
Stanley W. MacDonald, QC, Patterson Law  
David Fraser, McInnes Cooper  
Professor A. Wayne MacKay, Schulich School of Law  
Nancy Milford, Doctors Nova Scotia  
Scott R. Campbell, Stewart McKelvey  
Derek Land, Blackburn Law  
Grace Orrell, Collins Barrow Nova Scotia Inc.  
Tracey Kennedy, Kennedy Schofield & Associates  
John Oakey, CPA< Collins Barrow Chartered Accountants  
Robert M. Purdy, QC, Patterson Law  
Stephen Johnston, Intact Insurance  
J. David Connolly, Manulife Financial Legal Department  
Claire F. Gillivan, Halifax Regional Municipality Legal Services  
Robert Andrews, Property Valuation Services Corporation  
Ian MacLean, QC, MacLean & MacDonald  
Christy Blatchford  
Kimberley Turner, QC, Pink Larkin  
Marjorie Hickey, QC, McInnes Cooper  
Candace L. Thomas, Stewart McKelvey  
A. James Musgrave, QC, Cox & Palmer  
Catherine Watson Coles, McInnes Cooper  
Glenn Anderson, QC, Nova Scotia Department of Justice  
Honourable Judge Del Atwood, Provincial Court of Nova Scotia

Britt Lorish, Affinity Consulting Group  
Valerie MacKenzie, Court Services, Nova Scotia Department of Justice  
Honourable Beryl MacDonald, Supreme Court of Nova Scotia Family Division  
Honourable Jean Dewolfe, Provincial Court of Nova Scotia  
Margaret Murphy, St. Mary's University  
Todd Burke, Crisis Management Practice Group, Gowling Lafleur Henderson LLP  
Dennis J. James, QC, Patterson Law  
Jennifer Taylor, Stewart McKelvey  
Kate Green Stanhope, McInnes Cooper  
Peter Rumscheidt, Weldon McInnis  
A. Lawrence Graham, BoyneClarke LLP  
Jessica L. Lyle, Sealy Cornish Coulthard  
Ryan Ferguson, Deloitte Canada  
V. Lynn Gillis, Department of Justice Canada  
Honourable Kevin G. Coady, Supreme Court of Nova Scotia  
Christa Brothers, QC, Stewart McKelvey  
Peter L. Coulthard, QC, Sealy Cornish Coulthard  
Christopher Madill, Stewart McKelvey

### **AND TO THE SPEAKERS AT THE FRIDAY AFTERNOON WORKSHOPS:**

Britt Lorish, Affinity Consulting Group  
Honourable J. Michael MacDonald, Chief Justice of Nova Scotia  
Honourable Linda L. Oland, Nova Scotia Court of Appeal  
Honourable Jean M. Whalen, Provincial Court of Nova Scotia  
Robert Wright, Registered Social Worker  
Tuma T. Young, Assistant Professor Indigenous Studies, Cape Breton University



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