



NOVA SCOTIA  
BARRISTERS' SOCIETY

## COUNCIL HIGHLIGHTS

The Nova Scotia Barristers' Society Council met **Friday, January 18, 2019** at Dalhousie University's Schulich School of Law in Halifax and conducted the following business:

### **Big Issue Discussions (Strategic Framework – EDI & TRC)**

- 1. Equity Lens Training** – Angela Simmonds, Equity & Access Manager, and Jane Willwerth, Strategy & Engagement Officer, led Council through equity lens training exercises. Council members and attendees had small group discussions and worked through scenarios in which they would ask equity lens questions and challenge unconscious biases and assumptions. Council discussed the next steps to lead equity training and education for themselves and the profession.
- 2. Truth & Reconciliation Commission Working Group – Update** – Angelina Amaral, Chair of the Truth & Reconciliation Commission (TRC) Working Group, updated Council on the group's progress and core members since its creation in September 2018. She will report back in April with their draft Terms of Reference and Work Plan. The group will undertake an environmental scan of current relationships between the legal and Indigenous communities in Nova Scotia. It was proposed that TRC Working Group updates become a standing item on future Council agendas.
- 3. Schulich's Response to the TRC** – Professor Richard Devlin, Schulich School of Law, presented the law school's response to the Truth & Reconciliation Commission. The school established a first year course, Aboriginal and Indigenous Law in Context, as part one of their three-pronged response to the TRC's Call to Action #28. They continue to move to a "pervasive integration" of Indigenous and Aboriginal law into their programs and are considering creating a mandatory upper year requirement in Indigenous law.
- 4. Access to Justice Institute – Update** – Jane Willwerth, Strategy & Engagement Officer, provided an update on the #TalkJustice project. Council will need to consider steps to reengage with the project and to advocate for the government's response to the stories that were gathered through #TalkJustice.
- 5. Gender Equity and Racial Equity Committee Presentations** – Ryan Brothers and Level Chan, Co-Chair and Member of the Racial Equity Committee (REC), respectively, updated Council and attendees on the REC's law student engagement and support work. They highlighted the Race & the Law Paper Prize, the Reception for Racialized & Indigenous Articling Clerks, and the committee's efforts to improve the law firm recruitment processes for racialized law students. Sheree Conlon QC, Council Member and Co-Chair of the Gender Equity Committee (GEC), gave an overview of the GEC's efforts to address sexual harassment and discrimination within the profession including their survey of law students' experiences in the recruitment process. The GEC will continue their efforts to address this issue through 2019.



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- 6. Student Presentations & Question Period** – Jacques Tynes, Dalhousie Black Law Students Association President, and Ellen Williams, Schulich's Law Students Society President, spoke to Council on the issues facing law students today. Ms. Tynes focused on the barriers racialized students at the law school face, particularly by those who are members of the Indigenous, Black and Mi'kmaq (IB&M) Initiative. She explained that many students from diverse backgrounds continue to confront assumptions and biases held by their peers and faculty members. She highlighted the need for more cultural competency training, better supports for lawyers facing harassment and discrimination, and for annual Society check ins with law students. Ms. Williams echoed many of Ms. Tynes' sentiments and encouraged Council to consider the law student recruitment process from both equity and accessibility standpoints. She spoke about the need to challenge many of the traditions and assumptions held by lawyers who sit on recruitment panels.

### **Policies/Processes**

- 7. Trust Account Regulations Working Group (TARWG) – Report and Regulation Amendments** – Sean Walker, Director of Finance & Administration, presented the TARWG's report and proposed trust account operations (i.e. signatories, suspected theft, reporting, etc.) regulation amendments. Council approved the proposed amendments subject to one change that mandates a reporting of both "confirmed" and "suspected" theft to the Society.
- 8. Legislative Name Change** – President Frank DeMont QC summarized his potential Society name change memo. He received 145 responses from members. 61% of respondents were in favour of a name change. Some members expressed concerns with the cost of a name change. Council discussed whether now is the time for change and if the cost is too much. They decided to defer the name change issue for now since there is no clear mandate from a majority of the membership.
- 9. 2019 Council Elections** – President DeMont reminded Council members of the upcoming Council District Election cycle. The GNC continues to reach out to the membership and encourages lawyers to run in the election. Extra efforts are being made to encourage lawyers from diverse communities and backgrounds to put their name forward.
- 10. February Council Meeting and Strategic Planning Session** – President DeMont reported that the Strategic Planning session will take place May 9-10. Andy Norton, the Law Society of Alberta's Director of Business Technology, will lead Council through the planning. Council will meet with Committee Chairs in February and assist their work plans. There will also be an introduction to the Canadian Centre for Professional Legal Education Program (CPLED), a high level budget introduction, and a report from the Code of Professional Conduct Committee on Multidisciplinary Practices (MDPs).
- 11. Assigning work in the Activity Plan to Committees** – Tilly Pillay QC, Executive Director, noted that Committee Chairs will join Council at their February meeting.



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Council will think about projects and activities that could be assigned to committee work plans that directly correspond to Council's 2019 Activity Plan.

### Approvals

**12. Process for External Body Appointments** – Ms. Pillay reviewed her memo outlining an interim process for all future external body appointments by the Society to go through the Governance & Nominating Committee. The matter will be returned to once the Court Liaison Committee Task Force has completed its work. The proposed process was approved by Council.

**13. 2019 Activity Plan** – Ms. Pillay reviewed the 2019 Activity Plan. It will be approved at the February Council meeting.

### In Camera

**14. There were three items held in camera.**

**Consent Agenda** – The following Consent Agenda matters were approved:

**15. November 23, 2018 Meeting Minutes**

**16. Resignations:** Ms. Danielle Renee Fostey; Ms. Daniela Morgana Loggia; Mr. Cyril Randall; Ms. Goldie Trager (all effective 01/18/2019)

**17. Committees Appointments:** Mark Scott QC (Vice-Chair) – Complaints Investigation Committee; Graham Dennis – Lawyers Fund for Client Compensation Committee; Denise Smith QC – Code of Professional Conduct Committee

**18. Establishment of a Line of Credit**

**19. Committee Resignation:** Kelly Mittelstadt – Finance Committee

**Items for information** – Council received the following informational items:

**20. 2018-2019 Council Calendar**

**21. President's Report**

**22. Executive Director Report**

**23. November 30, 2018 Summary Financial Reports**



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#### **24. Accessibility Considerations at the Society**

The next Council Meeting is scheduled for **Friday, February 15 at 9:00 am at the Society's office in Halifax.**