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:: NOTICES ::

SOCIETY NEWS

New edition of Nova Scotia Law News now online

The Society is pleased to provide an electronic, printable version of *Nova Scotia Law News*, Volume 36 No. 3 August 2011. Prepared by Library & Information Services, this quarterly publication includes digests of cases from all Nova Scotia courts, case commentaries and articles. The digests are written by research lawyers and reviewed by practising members. The case comments are written and reviewed by volunteer practising members.

To download the current issue, please visit <http://www.nsbs.org/library.php>.

The Court of Appeal decisions that appear on the title page of this issue are hyperlinked to the digests. The digests are linked to the full text of the decision. All decisions found in the *Nova Scotia Law News* are available in full text from [Law News Online](#).

There are no case comments in this issue of the *Nova Scotia Law News*.

All case comments previously published in the *Nova Scotia Law News* can be found in [Secondary Sources](#), a database that includes case comments and articles from the *Nova Scotia Law News*, articles from the *Society Record*, and papers presented at Society-sponsored conferences.

NSBS in the news ...

Legal Feeds, the blog of *Canadian Lawyer* and *Law Times*, covered the 9th Annual Pride Reception, co-presented by the Society and the CBA-NS. Visit Legal Feeds online to see a photo gallery from the July 21 event at [Gallery Page](#) and [Strange in Halifax](#). The blog can be accessed anytime at <http://www.canadianlawyermag.com/legalfeeds/>

Guest speaker Pooja Gehi was also interviewed by the Chronicle Herald for a July 22 article, *Transgender health care 'medically necessary'*.

Society Committees for 2011-2011

On July 15, Council appointed the Society's Regulatory and Council Committees for 2011-2012, and approved the Society's appointments to the Judicial Council, Law Foundation of Nova Scotia, Law Reform Commission, LIANS Board of Directors, Nova Scotia Legal Aid Commission and the Statutory Costs and Fees Committee.

The current list of Committees and other appointments for 2011-2012 is now available for viewing on the Committees page of the Society's website: <http://www.nsbs.org/committees.php>.

Canada's 2011 Women of the Year – Equity Officer nominated as “Everyday Hero”

Emma Halpern, the Society's Equity Officer, is nominated in Canada's 2011 Women of the Year awards!

The Dartmouth resident is among ten nominees from across the country in the “Everyday Hero” category, which celebrates volunteers who are enriching their communities. Emma's nomination is based on her volunteer work with the Bringing Restorative Justice into Schools program across Nova Scotia, a peer-mediated conflict resolution process that has led to a reduction in suspensions.

To vote for Emma, visit the [Everyday Hero section](#) of the awards' website.

For more than 83 years, *Chatelaine* has been sharing award-winning and inspiring stories of women around the globe making a difference in their world. *Chatelaine's* Women of the Year awards, presented in partnership with Citytv, carry on

that tradition and celebrate the many remarkable and inspiring women who are making changes big and small in their communities and the world.

Find out more: <http://site.chatelaine.com/womenoftheyear/default.aspx>

INVITATION: Book Launch & Reception – August 15 at NSBS

The Osgoode Society and the Nova Scotia Barristers' Society invite you to attend a reception and book launch to celebrate the release of a new book by Professor Philip Girard of Halifax.

Lawyers and Legal Culture in British North America: Beamish Murdoch of Halifax (Toronto: University of Toronto Press for the Osgoode Society for Canadian Legal History, 2011).

Prof. Girard has written an account of an everyday lawyer's practice in the first half of the 19th century. It is also an exploration of Canadian legal culture and of the links between law and politics.

Author of the award-winning Bora Laskin biography and a host of other publications, [Prof. Girard](#) is University Research Professor and Professor of Law, History & Canadian Studies at Schulich School of Law, Dalhousie University. He joins Osgoode Hall Law School as the [Lewtas Professor](#) for the 2011-2012 academic year.

The Osgoode Society is Canada's leading legal historical organization, and the publisher of 84 books on legal history from across the country, including *The Supreme Court of Nova Scotia, 1754-2004: From Imperial Bastion to Provincial Oracle*, edited by Philip Girard, Jim Phillips and Barry Cahill (2004); *The Thousandth Man: A Biography of James McGregor Stewart*, by Barry Cahill (2000) and *Essays in the History of Canadian Law, Vol. III: Nova Scotia*, edited by Jim Phillips (1990).

Book launch & reception

August 15, 2011, 4:45 to 6:00 pm

Nova Scotia Barristers' Society

1660 Hollis Street (11th floor – turn left off elevator), Halifax, NS

(Please note: The Granville Street entrance is locked after 5:30 pm, but the Hollis Street entrance remains open all evening.)

2011 Annual Report available online

The Society's 2011 Annual Report and Financial Statements are available on the website:

www.nsbs.org/annualReport.php.

[Highlights](#)

Code of Professional Conduct: national guidelines to take effect in Nova Scotia on Jan. 1, 2012

Lawyers in Nova Scotia will be regulated by a new set of national guidelines for ethical and professional conduct, starting January 1, 2012. The *Code of Professional Conduct* was developed by the Federation of Law Societies of Canada, in consultation with provincial law societies across the country. The Federation has requested that all law societies adopt it and many have, or are in the process of doing so.

Read the full details in this June 6 [news item](#) on the Society's website, and see the [current draft](#) of the Code of Professional Conduct online.

Follow the Society on Twitter.com

If you would like to receive Twitter updates from the Society, please follow us at <http://twitter.com/NSBS>.

FROM THE COURTS

Notices to the Bar

Important updates for the legal profession are routinely posted on the Courts Nova Scotia website, on the "Notices to the Bar" page under the RESOURCES links on the left side of the website. Subscribe to the RSS service to be automatically notified whenever something new is added to the web page. For instructions, visit <http://www.courts.ns.ca/General/bar.htm>

Updates to the profession can also be accessed at any time on the Federal Court's web page titled [Notices to Parties and the Legal Profession](#).

FROM THE PROVINCE

Memo to members from the Correctional Services Division, NS Department of Justice

Dear Mr. Pink,

In the 2011-2012 budget year we are making changes to some correctional program areas. These changes will not affect essential services nor jeopardize public safety. That said, they will result in efficiencies and allow us to refocus services as appropriate.

One of the changes will be the elimination of both the adult and youth bail supervision programs for a cost saving of \$170,000. Unfortunately, both programs were under-utilized and neither has met established program goals.

As a result, effective immediately, referrals to these programs will no longer be accepted and Nova Scotia Correctional Services will no longer maintain the adult and youth bail supervision programs. Current cases under supervision will be maintained until the case can be closed as a result of suspension or resolution of the associated court process.

Yours truly,
Diana L. MacKinnon, A/Executive Director

ENVIRONMENT: Comment deadline for *Environment Act* extended to Sept. 6

Nova Scotians have extra time to comment on proposed changes to the *Environment Act*. The deadline for written comment has just been moved to September 6 from the original date, Aug. 22.

"We have heard people's concerns over the timing of the consultation, which is why we are extending the deadline by two weeks," Environment Minister Sterling Belliveau said last week.

A discussion paper on the proposed amendments to the act is available at www.gov.ns.ca/nse. Provide feedback through the online form, by emailing policy@gov.ns.ca or by mailing Environment Act Review, 5151 Terminal Road, PO Box 442, Halifax, NS, B3J 2R7.

The act has undergone a legislative review that takes place every five years. The suggested changes, which aim to improve efficiency and effectiveness, are based on discussions with Department staff and input received from interested parties and the public in recent years. Comments on the proposed changes will be considered before amendments are brought forward in the legislature this fall.

JUSTICE: Attorney General announces judicial appointment

Attorney General and Justice Minister Ross Landry has announced the appointment of Paul Scovil as a new judge to the family and provincial courts.

"Mr. Scovil has the experience and the background to be an excellent judge," Mr. Landry said in this August 2 [announcement](#). "I am confident he will serve the people of Nova Scotia, and our justice system, well."

Mr. Scovil was called to the Nova Scotia bar in 1982 and has more than 28 years of experience. He has been a Crown prosecutor with the Public Prosecution Service for 14 years. He last worked at its Bridgewater office.

Mr. Scovil was selected from a list of candidates put forth by the Committee on Provincial Judicial Appointments. Committee members include two members of the Nova Scotia Barristers' Society, judges of the provincial and family courts and four members appointed by the Minister of Justice. The committee recommendations are based on criteria in the Guidelines for Provincial Judicial Appointments.

JUSTICE: Construction begins soon on new Medical Examiner's facility

The province is investing in a new, modern medical examiner's facility for Nova Scotia. Construction on the 27,000-square-foot, \$12.9-million facility in the Burnside Business Park will begin shortly and is expected to take 14 months. Marco Martimes Ltd. won the construction tender.

The medical examiner's service currently uses rented facilities at the QEII Health Sciences Centre in Halifax to perform autopsies. It also has other leased office space in Halifax.

"For the first time, the Nova Scotia Medical Examiner's Service will have all of its operations under one roof," Dr. Matthew Bowes, the Medical Examiner for Nova Scotia, said in this [July 25 announcement](#). "The new office will allow us to perform more autopsies, have better security and give families the privacy they need when they meet with us."

The new facility will also:

- meet the demand of an increasing number of autopsies done by the service, which have doubled in recent years
- be certified under Leadership in Energy and Environmental Design, which ensures a building is designed and built to strong energy efficiency and environmental standards
- allow a greater teaching component for the service
- allow for more capacity in the event of a catastrophe

JUSTICE: Review of offender-to-offender assault complete

A review of an incident between two offenders at the Central Nova Scotia Correctional Facility found that correctional staff responses were appropriate and in accordance with policies and procedures. The altercation, in a dayroom at the facility, happened on the evening of May 11. One offender was seriously injured and taken to hospital.

The full incident review report is available online at www.gov.ns.ca/just/updates.asp.

"We don't tolerate violence of any kind in our facilities but, unfortunately, incidents like this do happen," Justice Minister Ross Landry said in this [July 28 announcement](#). "We're committed to investigating any serious incident that happens in one of our facilities and making changes if necessary ... in this case, staff acted quickly and appropriately and ensured the offender received health-care services immediately. I'm very pleased that all policies and procedures were followed, but I also recognize that we can learn something from every incident that occurs."

The review considered the timelines for reporting the incident to the Halifax Regional Police. To ensure appropriate use of corrections and police resources, Department of Justice and Halifax Regional Police worked together to update and document the procedure for notifying police of incidents at the Central Nova Scotia Correctional Facility.

For example, non-serious incidents, like property damage, will now be reported online. Emergency incidents, like an escape or major disturbance, are to be reported via 911 while other events that require police presence but not an emergency response are reported by calling a dedicated non-general inquiry number.

JUSTICE: Inmate dies in custody

An inmate died on July 25 at about 4:30 am at Central Nova Scotia Correctional Facility in Burnside. Halifax Regional Police are investigating, but foul play is not suspected. The 48-year-old man was remanded to the correctional facility awaiting trial. As is the case when an inmate dies in custody, police and the Office of the Medical Examiner were notified. The Department of Justice has also launched an internal investigation.

AFRICAN NOVA SCOTIAN AFFAIRS: Minister congratulates community, HRM for Africville renaming

African Nova Scotian Affairs Minister Percy Paris congratulated former residents of Africville and their descendants, as the site of the community was formally renamed Africville on July 29.

"I know this day has been a long time coming for many members of the community," Mr. Paris said in this [July 29 release](#). "Reclaiming the name Africville is more than just a symbolic gesture, it honours the spirit and perseverance of this community ... I congratulate former residents and their descendants on this milestone, and I thank Mayor Peter Kelly and Halifax Regional Municipality for taking this important step to right a historic wrong."

Representatives from Halifax Regional Municipality and members of the Africville Genealogy Society and Africville Heritage Trust unveiled a new sign rededicating Seaview Park on the Bedford Basin as Africville.

As part of a February 2010 agreement between all levels of government, the province has committed \$1.5 million to help build the Africville Seaview Church Museum. The project is expected to be complete for the African Diaspora Heritage Trail conference, being held Sept. 22-24 in Halifax.

HUMAN RIGHTS COMMISSION: Transit accessibility moves forward in Nova Scotia

Public transit improvements will soon benefit riders with disabilities in Halifax Regional Municipality. Late this fall, Metro Transit will launch major policy and operational changes to improve accessibility on all of its routes. Metro Transit worked with the Human Rights Commission and passengers Tammy Robertson and Michael Craig to help create many of these changes.

Ms. Robertson and Mr. Craig, who both use wheelchairs, could not use most of the routes on the transit system despite most of the bus fleet being accessible. Their experience reflected widespread frustration among people in the disabled community. They took their concerns to the Nova Scotia Human Rights Commission, which brought both sides together to improve service.

"This initiative has allowed the largest transit system in the Maritimes to provide leadership on our commitments under the United Nations Convention on the Rights of Persons with Disabilities," said Gerald Hashey, the commission's manager of dispute resolution, in this [July 28 release](#). "Public transit is key to independence and participating fully in life for people with disabilities."

The convention, signed last year by Canada, mandates governments to create "...effective measures to ensure personal mobility with the greatest possible independence."

Upcoming changes:

- Passengers using wheelchairs will be able to use low-floor buses serving any route, providing the ramp can be lowered so they can board the bus. Now, low-floor buses only pick up passengers if the route is designated fully accessible.
- Passengers, with proper identification, who require attendants will have their attendant's fare included in their own.
- Snow clearing at the Mumford and Dartmouth terminals will be improved and increased to a 24-hour priority.
- The Request a Stop program, which provides for disembarking between stops for safety at night, will extend to disabled passengers at any time of day if it becomes reasonably necessary to accommodate them. This would occur in situations of adverse weather or for safety reasons.

More details will be provided by Metro Transit as improvements are introduced.

FINANCE: Province issues 2010-11 Public Accounts

The province's public accounts for 2010-11, released July 28, show Nova Scotia is making progress on the Back to Balance fiscal plan, with a \$569 million surplus attributed to a better-than-expected economic performance during the recession and controlled government spending.

Total expenses for 2010-11 were \$9.3 billion, with \$63.5 million in additional appropriations. Both are down from past years. Total revenues for 2010-11 were \$9.9 billion, up \$666 million over 2009-10. The province's net debt decreased by \$217.8 million to \$12.8 billion. In April 2010, it was estimated the net debt at the end of 2010-11 would be \$14 billion.

The public accounts documents are available online: www.gov.ns.ca/finance/en/home/publications/publicaccounts.

PREMIER' OFFICE: Three Acting Deputy Ministers appointed

Three long-time public servants have been appointed as acting deputy ministers, Premier Darrell Dexter said in this July 28 announcement. Sandra McKenzie will take the role at Economic and Rural Development and Tourism, effective Aug. 22. Scott Logan will be acting deputy minister of Intergovernmental Affairs and Ernest Walker will be acting CEO of the Office of Aboriginal Affairs, both effective Aug. 1. For more details, see the [July 28 announcement](#).

HEALTH/WELLNESS: Drug information system will better protect Nova Scotians

The province is implementing a drug information system to better protect the health of Nova Scotians. Pharmacists, doctors and other prescribers will be able to share information about the medications patients are taking.

By 2014, the system will provide medication histories to health care professionals to help provide care for their patients. Part of the Better Care Sooner Plan is to use information technology to track and enhance the quality and safety of patient care.

The system will provide a complete, up-to-date list of a patient's medications from across the province. Whether someone visits a family doctor, specialist, hospital emergency department or walk-in clinic, this information will help ensure the patient receives the most appropriate care. As well, prescribers will be able to see immediately what prescriptions patients already have, which can help them avoid overprescribing, especially important in dealing with narcotics and other regulated drugs. Patients will no longer have to carry their prescriptions in a bag or write out a list whenever they see a health care provider other than their family doctor. The system is part of the electronic health record. For more details, see the [July 28 announcement](#).

Error & Omission Notices

A number of new *Land Registration Act* and *Registry Act* Error & Omission notices have recently been posted online. Please note the new notices from the **Digby** and **Halifax County Land Registration Offices**.

To view these notices in full, refer to the Errors & Omissions page on the [Property OnLine](#) (POL) website.

IMMIGRATION: Settlement agreement for economic class of Nova Scotia Nominee Program

NOTE: The following was released on July 11, 2011 as part of the settlement agreement in a class action between the Province of Nova Scotia and the law firm of Branch MacMaster LLP on behalf of their clients.

The Province of Nova Scotia and the law firm of Branch MacMaster LLP announce that they have reached a proposed agreement to settle the class action brought to address issues surrounding the former Economic Stream of the Nova Scotia Nominee Program. The proposed agreement is subject to approval by the court and a hearing will be held September 26, 2011 at 9:30 am Atlantic Time in Halifax.

Generally speaking, eligible class members will each be entitled to \$75,000, less any legal fees the court approves as fair and reasonable. If any class members already received compensation under the program, these amounts will also be deducted.

If you or clients require more information, visit the website <http://www.branchmacmaster.com/nova-scotia-immigration/> or contact Ward Branch, counsel for the proposed class at 604-654-2966 or Tom Peck with the Nova Scotia Office of Immigration at 902-424-3742.

Call for nominations and applications: Queen's Counsel Appointments 2011

Dear Members:

In the fall of this year, the Advisory Committee on Queen's Counsel Appointments, chaired by the Honourable Justice Peter Bryson, will consider candidates for the next Queen's Counsel appointments.

The criteria for these appointments are:

- (a) fifteen years or more as a member of the Bar of Nova Scotia as of September 30, 2011 and eligible to practise law in Nova Scotia;
- (b) demonstrated professional integrity, good character and outstanding contributions to the practice of law through one or more of:
 - (i) recognition by other members of the profession as an exceptional barrister or solicitor,
 - (ii) exceptional contributions through legal scholarship, teaching or continuing legal education,
 - (iii) demonstration of exceptional qualities of leadership in the profession, and
 - (iv) engaging in activities of a public or charitable nature in such a way as to raise the esteem in which the legal profession is held by the public;
- (c) the Advisory Committee on Queen's Counsel Appointments is asked to consider regional, gender and minority representation among the persons recommended for appointment as Queen's Counsel.

In order to be considered as a candidate for a Queen's Counsel appointment, you must apply pursuant to this request. The Committee will not consider applications or nominations from previous years.

A complete application or nomination package must consist of an original and 12 copies of the following documents:

- (a) application or nomination form;
- (b) authorization for disclosure of information and release; and
- (c) information form.

These forms are available on the Queen's Counsel Process page of the Society's website:

<http://www.nsbs.org/queensCouncilProcess.php>

Ordinarily the information will be confined to the form provided. However, if you find the space on the form insufficient, additional material that you may wish to provide (not exceeding two pages in length) will be considered by the Committee. Material exceeding two pages will not be forwarded to the Committee.

In addition, please ensure you have provided with your application materials a current telephone number where you can be reached. If you wish, you may include two letters of reference for consideration by the Committee. The inclusion of reference letters is optional.

Persons may either apply personally or may nominate a member of the Bar. All applicants will be treated equally by the Committee, whether they are nominated or whether they apply personally.

Your complete application or nomination must be received by Justice Bryson **no later than 4:00 pm, Friday, September 30, 2011**. It may be mailed or delivered to:

**Advisory Committee on Queen's Counsel Appointments
c/o The Honourable Justice Peter Bryson
The Law Courts, 1815 Upper Water Street
Halifax NS B3J 1S7**

Thank you for your attention to this matter.

Yours very truly,
Marian F. Tyson QC, Deputy Minister

OTHER NOTICES

Hosts needed for At-Home Dinners – CLC Halifax 2011 – August 13

WE NEED VOLUNTEERS! As active members of our branch council, please consider welcoming into your home for an informal dinner a few lawyers and guests from across Canada, here for the CBA's annual Canadian Legal Conference. At-home dinners on the Saturday evening, August 13 are an important component of the conference. An informal meal and Maritime hospitality are all that's required. Interest is great and we need more at-home hosts.

If you can accept as few as two or more out of town lawyers and guests, please immediately contact Robert Purdy at RPurdy@pattersonlaw.ca.

A message from Halifax 2011 organizing committee **A Night of food, friendship & fun**

Who: YOU!

What: Host an At-Home Dinner

When: Saturday, August 13, 2011

Where: Your home or a location of your choice

Why: To network with colleagues from all over the country for an evening of food, friendship & fun!

The Canadian Bar Association's Annual Canadian Legal Conference (CLC) will be held in Halifax, August 14-16, 2011.

One of the most popular traditions of the CLC is the At-Home Dinner. At these dinners, members of the local bar host a dinner for some of the attendees and their spouses who attend from across the country.

The CBA is seeking members within reasonable proximity to downtown Halifax to open their homes and welcome conference participants and their spouses to an At-Home Dinner on Saturday August 13, 2011. For this important conference element to be successful, we need to find hosts for approximately 400 dinner guests.

As a host, you are asked to plan and serve a meal of your choosing for your guests. You decide how many people to host and set the tone of the evening: choosing anything from a down home family BBQ to a formal dining experience. Just keep in mind that it is simply meant to be a night of food, fellowship & fun!

We hope that you will consider hosting some of your colleagues from across Canada at a dinner and invite you to contact Robert to express interest or with any questions. Thank you for your consideration.

Robert Purdy QC, *CLC At-Home Dinner Chair*
rpurdy@pattersonlaw.ca

Wendy Johnston QC & Brian Tabor QC, *CLC Co-Chairs*
btabor@smss.com
wendy.johnston@mcinnescooper.com

For more details on the conference or to register, visit www.cba.org/halifax2011.

RELANS requests feedback to finalize program – survey deadline August 5

The Real Estate Lawyers Association of Nova Scotia is planning:

The Real Estate Transaction: From Beginning to End
Afternoon • Monday, December 5th • Westin Nova Scotia

This will be a legal education program for anyone wanting to learn the details, subtleties, problems (and their solutions) of real estate transactions.

The Real Estate Transaction will include a detailed review of the various elements of standard and special real estate transactions; using small group sessions, panel discussions, short-snapper presentations, lectures and Q&A. It is open to anyone who wishes to attend, but will be of particular value to those lawyers who are young in practice or those who do not yet do a high volume of real estate transactions.

RELANS requires your feedback before finalizing this program. Those interested in attending are asked to follow this link and respond to the few short questions on or before Friday, August 5.

<http://www.surveymonkey.com/s/RELANSNov2011>.

Canadian Securities Administrators (CSA) seeking input on national proposal

The Canadian Securities Administrators (CSA) have published for comment proposed National Instrument 51-103 Ongoing Governance and Disclosure Requirements for Venture Issuers (NI 51-103), which includes proposed amendments to related instruments, forms and consequential amendments.

The proposed rule introduces a new mandatory regulatory regime for venture issuers. It is designed to streamline and tailor venture issuer disclosure to make it more useful and user-friendly for investors. The proposal:

- outlines disclosure requirements that are more suitable and manageable for issuers at this stage in their development; and
- streamlines requirements so venture issuers have more time to focus on business growth and development.

The CSA developed the proposed rule with the assistance of feedback collected during in-person consultation sessions that were held across the country in the spring and fall of 2010, as well as written comments from market participants.

The CSA is seeking written comments from investors and industry on the proposed national instrument and related amendments. To comment, please refer to the CSA Notice and Request for Comment announcing proposed NI 51-103 and related consequential amendments, which is available on the website of the Nova Scotia Securities Commission at the following link: http://www.gov.ns.ca/nssc/CSANotices/noticerequestJuly_29_2011.pdf

The comment period is open until October 27, 2011.

For more information, contact:

Abel Lazarus

Nova Scotia Securities Commission

(902) 424-6859

lazaruah@gov.ns.ca

Notices from LISNS: sign up soon for Play in a Day

The Legal Information Society of Nova Scotia (LISNS) invites lawyers to register now for the next Play in a Day event, which is titled "Star Truck - A Space Oddity - Revenge of the Clowns". All of the details are available in this [news item](#) on LISNS website – www.legalinfo.org.

Invitation to enter First Annual ShoeBox-ing Match: Halifax Refugee Clinic

The Halifax Refugee Clinic invites your law firm to enter our First Annual ShoeBox-ing Match! This is a friendly competition that promotes financial support of the Clinics Emergency Settlement Fund and the collection of much-needed personal care items for newly arrived refugees in need.

Empty boxes will be delivered directly to your office location by our wonderful volunteers. If you want to sign up please email: halifaxrefugeeclinic@gmail.com.

E-vites will also be sent. Thank you for your commitment to social justice!"

Halifax Refugee Clinic

InForum is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at info@nsbs.org.

Office of the Atlantic Refugee Clinic (ARC)
1581 Grafton St., Halifax
Tel: (902) 422-6736
<http://halifaxrefugeeclinic.org>

AWARDS & APPOINTMENTS

PUBLIC PROSECUTION SERVICE: Crown attorneys appointed in Sydney and Truro

Two Crown attorneys have been named in the province. Mark Gouthro has been appointed in Sydney and Laura Barrett has been appointed in Truro.

"I am pleased to have both Mark Gouthro and Laura Barrett join our team of Crown attorneys," said Martin Herschorn, Director of Public Prosecutions, in this [July 20 announcement](#). "Their criminal law experience will be invaluable to the Public Prosecution Service."

Mr. Gouthro is a native of Glace Bay. He graduated from the University College of Cape Breton with a bachelor of business administration in 2004 and from Dalhousie Law School in 2007. Mr. Gouthro articulated with Sampson McDougall Barristers and Solicitors in Sydney. In 2008 he joined Sheldon Nathanson Barristers and Solicitors where he concentrated on criminal law, family law and child protection.

Mr. Gouthro is a former member of the board of directors of the Second Chance Society in Sydney and a former ski patroller and patrol leader. He was also active with the Dalhousie Law Students Society as third year representative and with UCCB Business Society as a council member and as vice-president.

A native of St. John's, Ms. Barrett graduated from Memorial University in 1998 with a Bachelor of Science in biology, and from the University of Saskatchewan in 2002 with a master's degree in molecular biology. She graduated from the University of Saskatchewan Law School in 2005.

Ms. Barrett articulated with the Saskatoon law firm of Stevenson Hood Thornton Beaubier joining as an associate in 2006. She joined the Truro firm of Burchell MacDougall in 2008. While in private practice, Ms. Barrett concentrated both on civil litigation and on criminal defence work. She has also acted as a per diem Crown attorney for the Nova Scotia Public Prosecution Service and a standing agent Crown attorney for the Public Prosecution Service of Canada.

Ms. Barrett is a former member of the board of directors of the Colchester East Hants Hospice Society. While at law school she was a member of the Saskatchewan Law Review Board of Editors and was the recipient of the Canada Law Book Prize.

Best places, best practices

Progress Magazine | July 2011

Progress Magazine's list of Best Places to Work 2011 includes Cox & Palmer, Ritch Durnford Lawyers, and Boyne Clarke LLP.

Call for Nominations: Progress Women of Excellence Awards

The Canadian Progress Club, Halifax-Cornwallis, is seeking nominations for its 22nd annual Women of Excellence Awards. The organization's signature fundraising event supports Phoenix Youth Programs and other charities in the community. The deadline for nominations is August 15, and the awards dinner is scheduled for November 16.

Progress Women of Excellence Awards Dinner
Wednesday, November 16, 2011
World Trade and Convention Center
Reception at 6 pm, Dinner & Awards at 7 pm

Nominate your candidate by email: nominations@cpchalfaxcornwallis.ca
or by calling Jacqueline at 902.442.5514.

[2011 Nomination Package](#)

Further details are available at <http://www.cpchalifaxcornwallis.ca/>.

VOLUNTEER & PRO BONO OPPORTUNITIES

Artists Legal Information Services (ALIS)

Artists Legal Information Services (ALIS) is a legal support organization based in Halifax. It currently consists of volunteer law students at Dalhousie University who seek to promote the legal rights of artists.

Our mission is to make a stronger, more vibrant arts community in Nova Scotia by helping to resolve legal issues for artists living there. This will be accomplished by providing free clinics, workshops and library resources to artists in Atlantic Canada. We work with all types of artists to help them understand how the law impacts them, and provide a framework for navigating potential obstacles.

If you are a lawyer with experience in contract law, entertainment law, tax law, or just have an interest in the needs of local artists, then we would love to hear from you. We are looking for support from the Atlantic Canada legal community on a *pro bono* basis.

If you are interested in getting involved, please contact us at daniel.pink@gmail.com. For more information please visit www.nsalis.com.

reachAbility Volunteer Opportunities

reachAbility's Legal Referral Service is a community-based service that bridges the gap between existing local resources and public need. We provide an opportunity for persons living with disabilities to better understand their legal rights, as well as providing lawyers with an opportunity to use their legal skills in a volunteer capacity to address the needs of an often marginalized segment of our community.

reachAbility's Legal Referral Service offers access to free legal advice for any person with a disability. Lawyers throughout the province volunteer their time and expertise to our clients and we're always looking for new perspectives. The time commitment that we ask from our volunteers is small – a single one-hour consultation each year – but it is a commitment that will make an immediate difference in the life of a Nova Scotian with a disability.

Join other volunteering members of the Legal Community by completing our online Lawyer Volunteer Form at: <http://reachability.org/legal-programming/lawyer-sign-up-form/>

For further information, contact us: (902) 429-5878 or legal@reachability.org

Or visit us online: <http://reachability.org/legal-programming/legal-referral-services-lawyer-information/>

Antigonish Heritage Museum Board – Legislation Committee

We are seeking a volunteer to serve on the above noted committee. We are an incorporated, not-for-profit organization that was created by Bill No. 13 Province of Nova Scotia, that was assented to by the Lieutenant Governor on May 9, 1997.

We would request that anyone interested in serving on this committee please contact the undersigned at the following email: antheritage@parl.ns.ca

If there are any questions, please contact the undersigned.

Yours truly
Joselyn Gillis, Curator, Antigonish Heritage Museum Board
902-863-4947

LIANS and NSBS Mentorship Program

The LIANS and NSBS Mentorship Program officially launched on Wednesday, April 6 with the first annual event. The highlight of the evening was a keynote speech given by the Honourable Judge Anne Derrick, who spoke about the importance and benefits of a mentorship program.

For information about the new program, visit the [Mentorship Program](#) section on the LIANS website, under the Risk and Practice Management heading at http://lians.ca/rpm/mentorship_program/.

Documents available on the website include the **Mentorship Program Application Form**, a **Model Mentoring Activity Plan** for participants and a **Mentoring Guidelines** booklet. Also available are photos from the launch event and a complete transcript of Judge Derrick's keynote speech.

Share your knowledge – make a difference

The Legal Information Society of Nova Scotia (LISNS) invites qualified volunteers to join its Legal Content Committee. The Committee reviews legal content for LISNS website www.legalinfo.org and makes suggestions for new content and improvements to existing content. The committee meets 2-3 times per year and input between meetings is by email.

If you are interested or want to learn more, contact Committee Chair Kevin MacDonald kevin.macdonald@cdr.ns.ca or Maria Franks execdir@legalinfo.org.

MISSING WILLS

Seeking will for the late Allan Douglas Clements

Lawyers with any information on the location or existence of an original Last Will and Testament of Allan Clements; DOB 14 April 1934; are asked to please contact:

Peter Robertson
Muttart Tufts Dewolfe & Coyle
20 Cornwallis Street
Kentville, Nova Scotia, B4N 3X3
Tel. (902) 678-2157

At the time of his death on July 6, 2011, Mr. Clements resided at 8403 Highway 221, Centreville. He resided in said area the majority of his life.

Seeking missing will for current resident of Clayton Park

Mrs. Elizabeth Lough, an 84-year-old Clayton Park resident, is unable to recall the name of the lawyer who prepared her will. Lawyers with any information on the location or existence of a will for Mrs. Gough are asked to please contact her son Robert Lough at 443.3506.

Public Trustee seeks last will and testament of Lilyan Mae Brodrick of Lower Sackville

The Public Trustee of Nova Scotia is looking for the Last Will and Testament of Lilyan Mae Brodrick. She died June 14, 2011.

The family believes she may have hired a lawyer in the Sackville area to prepare the will. But the Public Trustee hopes that all lawyers would check their records to see if they did a will for this lady. She had resided at 13 Howland Drive, Lower Sackville, Nova Scotia.

If you have any information, please contact **M. Estelle Theriault QC**, the Public Trustee of Nova Scotia, at **424-7760** (phone) or **424-0616** (fax).

Seeking will for the late Helen Frances Smith

Lawyers with any information on the location or existence of an original Last Will and Testament of Helen Frances Smith are asked to please contact:

Laurie C. LaViolette
Bedford Law
Suite 100, 1496 Bedford Highway
Bedford, NS B4A 1E5
(902) 832-2100
laurie@bedfordlaw.com

At the time of her death, February 25, 2011, Helen Frances Smith had been a resident of Northwood Center in Halifax since 2004. Prior to 2004, Ms. Smith was a resident of St. John's, Newfoundland.

Seeking will for Marion Bridge man

Family of Clarence Howard Richardson, who passed away on January 19, 2009, are hoping to make contact with the lawyer who prepared his will. Mr. Richardson lived at 3961 Gabarus Highway, Marion Bridge, Cape Breton. If you have any information that would assist in this search, please contact his daughters Rose Lee at 902 865 6483 or Sandra Richardson at 204 389 5734 or sand.r@hotmail.com.

Seeking will for Gilbert James Weatherhead of Upper Rawdon

Lawyers with any information on the location, or existence, of an original Last Will and Testament of Gilbert James Weatherhead are asked to please contact:

Harry D. Thompson QC, Cox & Palmer
110-1959 Upper Water Street, Halifax, NS B3J 3E5
902-491-4467 | Hthompson@coxandpalmer.com

Gilbert James Weatherhead, who resided in Upper Rawdon all of his life, passed away on October 6, 2010 at the age of 80 years.

Seeking legal contact for Jean (Janie) Barton of Edgewood Ave., Halifax

The extended family of Jean (Janie) Barton of Edgewood Avenue, Halifax, is hoping to locate the lawyer who might have handled her legal affairs. Ms. Barton was taken from her home and is now a ward of the Seniors Protection Services. She has no close family in Nova Scotia and this situation leaves many questions unanswered. She has always been very independent and extremely private regarding her personal life, to the point that no one including her family knows if she has a will or power of attorney. We assume that she must have had legal counsel in the past and, although we are not looking for a will at present, we are hoping to locate the lawyer that would have handled her legal affairs.

If anyone has information, they are asked to contact:
Betty Kerr (niece), St. Catherines,
pandby@hotmail.com

Seeking missing will for Glace Bay woman

I am attempting to find the name of the lawyer that would have assisted Ms. Barbara Ellen Martin, in writing her last will and testament. Ms. Martin's date of birth was March 3, 1932, and she resided at 178 Wallace Road, Glace Bay, Nova Scotia.

Thank you for your assistance in this matter,
S/Sgt Kathy Seymour
Legislative Security Service, Investigative Liaison Unit
416-325-2426 (office) | 416-473-7996 (cell) | 416-325-3171 (fax)

Seeking missing will for Dartmouth man

I am attempting to locate the will of the late Lionel Roberts of Dartmouth, husband of Olga Roberts. Mrs. Roberts believes a will was prepared by Stephen Aronson in the late 1970s. If anyone is aware of the existence of the will, please contact me.

Regards, Kent W. Rodgers
Casey Rodgers Chisholm Penny, Dartmouth
Tel. 902-434.6181 | Email: krodgers@ns.sympatico.ca

Seeking missing will for Lunenburg man

Seeking the Last Will and Testament of Richard Miles Steele, late of Bayport County of Lunenburg, Nova Scotia. If anyone has the original will or information on its whereabouts, please notify Derrick Wickstrom at Wickstrom Kinley, 1-902-624-0991.

Derrick G. Wickstrom, Barrister, Solicitor, Notary Public
WICKSTROM KINLEY
506 Main St., Mahone Bay, NS B0J 2E0
PH (902) 624-0991 | FX (902) 531-5291

Seeking will for Mary Aileen Boyd of Halifax

Lawyers with any information on the location of the original Last Will and Testament of Mary Aileen Boyd are asked to please contact her only child, Gary Boyd. Mary Aileen Boyd, who resided in Halifax for most of her life, passed away on May 12, 2010.

Many years ago, Mr. Boyd prepared a will on his mother's behalf, when he was practising law in Yellowknife, NWT. It is believed that a Halifax lawyer – perhaps in the Quinpool Road area – witnessed the execution of the will at the time, but the location of the original will is currently not known. Mr. Boyd is her only child and his father predeceased her in 1960.

Thank you for any assistance you can provide.
Gary Boyd, Merlin Caribbean Inc
Phone: 809-613-2262
Email: garyjboyd@hotmail.com or garyboyd.smvc@gmail.com
Skype: garyjboyd

CAREER OPPORTUNITIES www.nsbs.org/careers.php

:: CONFERENCES & SEMINARS ::

NSBS ADMISSIONS & PROFESSIONAL DEVELOPMENT

Visit the [CPD](#) page at [NSBS.org](#)

One-day seminar: Advanced Cross-examination Techniques

Thursday, October 27, 2011

Schooner Room, Casino Nova Scotia, Halifax

Register online: [Details and registration](#)

Note: Early-bird registration until September 12

Pozner & Dodd's first live presentation of Advanced Cross-Examination Techniques to the Nova Scotia Bar!

America's top trial advocacy team, Larry Pozner and Roger Dodd, are bringing their one day program on Advanced Cross-examination Techniques to Halifax on October 27, 2011.

Whether your practice is civil or criminal, or you're preparing for your first or fiftieth trial, this is a presentation that no litigator can afford to miss. With practical tips and instructive true-life examples, Pozner and Dodd teach you simple, straightforward, effective techniques from the Chapter Method of Cross-examination that will surprise and reinvigorate even the most experienced litigators.

This powerful program plays to dozens of sold-out audiences of trial lawyers and non-litigators across Canada and the United States every year. Register early, as space is limited. Early bird deadline closes September 12, 2011. For more information and to register, see the detailed [program brochure](#).

OUTSIDE CONFERENCES & SEMINARS

Also visit the [Other Professional Development](#) page on our website.

Upcoming Events from the Atlantic Provinces Trial Lawyers Association

APTLA ONLINE LEGAL EDUCATION

The Atlantic Provinces Trial Lawyers Association invites you to enhance your practice through online legal education. Eliminate travel expenses and hear from top trial lawyers from the convenience of your office, home or hotel room using a desktop computer or laptop. **SeminarWeb Live!** provides real-time delivery of papers, presentations, podcasts and video presentations. Participants can ask questions, participate in surveys, and post comments from their computers. There is also a broad selection of self-paced online programs, canvassing all areas of a litigation practice; including:

- Case Intake and Evaluation
- iPhone and iPad for Lawyers: Apps You Need to be Using
- Trying a Case on a Budget
- Powerpoint and Trial: Persuading a 21st Century Jury
- After 25 Years: Lessons Learned Every Trial Lawyer Should Know
- Chronic Pain & Unemployment Equals Depression: A Rateable Disease

To learn more about upcoming programs or the list of available self-paced seminars, visit APTLA's SeminarWeb Live! page at <http://www.seminarweblive.com/ap> or call support at 800 443 1757. More information about these and APTLA's other legal education events can be found at www.apvla.ca.

Upcoming events from CBA-NS

The CBA Canadian Legal Conference

Get the inside track on new developments in the law!

August 14-16, Halifax

Details and registration available online: www.cba.org/halifax2011

The 2011 CBA Canadian Legal Conference (CLC) will deliver quality professional development (PD), with 12 hours of accredited PD over two days. Subjects include privacy issues, multi-jurisdictional class actions, the new Canadian securities regulator, and many more. A full stream of dedicated Canadian Corporate Counsel Association programming is planned. As day turns to evening, relax and enjoy the best entertainment Halifax has to offer!

- At-Home Dinners (Aug. 13);
- Opening Night Festivities (Aug. 14) at the Cunard Centre featuring Celtic music, the Atlantic Canada Jazz Quartet, and Los Flamencos, followed by a lobster dinner;
- Law firm receptions (Aug. 15);
- Maritime Music Extravaganza (Aug. 15) showcasing Nova Scotia's top music stars including Jimmy Rankin, Ashley MacIsaac, and many more;
- Maritime Kitchen Party and Pub Dance (closing gala, Aug. 16) with dinner and entertainment including fiddle medleys, step dancing, spoon playing and much more! Separate ticket required.

Exclusive offer for local lawyers

The Canadian Bar Association is pleased to offer specially rated packages for the Nova Scotian legal community attending the Canadian Legal Conference and Expo in Halifax August 14-16, 2011. Connect with colleagues from across the nation at the CLC's outstanding day programs and nightly social events.

*****This exclusive offer is available to all members of the Nova Scotia Bar.**

Social Events Package - \$295

Join fellow lawyers from across Canada for 3 evenings of exceptional entertainment. Highlights include fiddling sensation Richard Wood at the Opening festivities and top musical talents from the Maritimes Jimmy Rankin, Ashley MacIsaac, Bruce Guthro, and Laura Smith at Monday's extravaganza. The closing Gala includes music from Greg Simm and Anthony Rissesso, and features a high energy traditional kitchen party show featuring fiddle medleys, step dancing, spoon playing, pipes, whistles, folk songs and storytelling all presented with audience participation.

Package includes:

- Opening Festivities at the Cunard Centre (Sunday, August 14)
- Monday Night Maritime Music Extravaganza (Monday, August 15)
- Closing Gala (Tuesday, August 16)

Please contact mtgs@cba.org or [click here](#) to register online.

Combo: Social events Package + One Day Conference Pass - \$650

The perfect mix of education, entertainment and networking. Learn from the top legal minds during the day and enjoy evenings of musical entertainment and networking. The combo special includes the Social Events Package (above) and a PD day of your choice at the conference.

Be inspired by our keynote speakers:

Sunday August 14: [Arianna Huffington on Fearless Leadership](#)

Monday August 15: Dialogue with the Minister of Justice

Tuesday August 16: [Simon Sinek](#), motivational speaker and bestselling author of *Start with why*.

[Click to view Professional Development Program](#)

Please contact mtgs@cba.org or [click here](#) to register online

Golf at the Oakfield Golf and Country Club on Monday, August 15, 2011 - \$249

Enjoy a day of golf at the prestigious Oakfield Golf and Country Club and support a good cause. A portion of the registration fee will be donated to the Law for the Future Fund (LFFF), and a tax receipt will be issued in that amount. Price includes transportation from the Delta Halifax, continental breakfast, use of the driving range, 18 holes of golf, a power cart, a delicious lunch buffet and lots of exciting prizes.

The LFFF provides financial support for legal research. Since its inception in 1984, LFFF has helped support more than 130 innovative and timely research projects and has given over \$2.75-million to worthwhile initiatives.

Space is limited so please contact Robyn Lalonde at robynl@cba.org or (800) 267-8860, ext. 132 for registration information.

The CBA's National Alternative Dispute Resolution Section proudly presents:

Proportionality and the Effective Use of ADR

Save the Date and Earn CPD Credits!

Tuesday, August 16 – 9:00-12:00

Canadian Legal Conference

World Trade and Convention Centre, Halifax, Nova Scotia

Clients increasingly are demanding that their disputes be resolved efficiently. Counsel therefore need to know - and in some Canadian jurisdictions are professionally obliged – to advise their clients about the most appropriate dispute resolution method to resolve the case at hand. With the rapid growth of ADR, the importance and necessity of access to credible and skilled mediators, arbitrators and other ADR professionals have taken on heightened significance.

This program features top Canadian practitioners who will share their insights into the latest trends, focusing on mediation, arbitration, ethical issues and cross-Canada developments. The program will provide attendees with information about ADR methodologies, to assist those advising clients, and will provide lawyers who are mediators and arbitrators with substantive information and education. This is a must-attend event for counsel – whether experienced or new to ADR - and for mediators and arbitrators who want to acquire new insights into effective and proportional dispute resolution.

Light lunch and refreshments to follow for program registrants and those interested in obtaining additional information on the ADR Section – RSVP in advance to Catherine Bisson

Co-Chairs/Speakers:

Anne Gottlieb, Mediation at Work Ltd (Toronto)

Michael Schafler, Fraser Milner Casgrain LLP (Toronto)

Speakers:

- Laura Bruneau, Bruneau Group (Ottawa)
- J. Brian Casey, Baker & McKenzie LLP (Toronto) Jacinta Gallant, Resolution PEI (Charlottetown)
- Pamela Large-Moran, PLM Law/Conflict Resolution Services (CRS) Atlantic (Charlottetown)
- Jean McKenna, Ritch Dunford Lawyers (Halifax) Elaine Newman, Newman Arbitrations Inc. (Toronto) Jennifer Ross-Carrière, Mxi Technologies Ltd. (Ottawa) Ray Wagner, Wagner & Associates (Halifax)

Earn 3 hours towards your CPD credits, including 45 minutes on Ethics! [Register Now!](#)

Friends of the late Sgt. Mark Gallagher Dinner

Raising funds for the construction and furnishing of a new vocational school in Rivière Froide, Haiti

Saturday, Sept. 10, 2011 at 6pm

World Trade and Convention Centre, 1800 Argyle Street, Halifax

For more information and to purchase tickets, download the [PDF order form](#).

50:50: Vision of Halifax

October 19 and 20, 2011

Medjuck Architecture Building, 5410 Spring Garden Road, Halifax

To celebrate its 50th anniversary, Dalhousie's Faculty of Architecture and Planning invites you to imagine Halifax 50 years from now. The past 50 years have brought tremendous change to our city and region, and we'd like to explore what the future might hold for our children and grandchildren in 2061!

We are inviting design professionals, city-builders, and the public to participate in a two-day workshop that will take place in the architecture and planning studios at Dalhousie University.

Download the announcement: <http://architectureandplanning.dal.ca/images/forms/5050.pdf>

50:50: Vision THEMES: http://architectureandplanning.dal.ca/alumni/5050_themes.shtml

Call for team leaders: Anyone can be a team leader. All you need is a vision for the city and the ability to lead a team of eight in turning this vision into a compelling presentation for public viewing. We are looking for 20 leaders.

Registration deadline (for team leaders): August 15, 2011

Download a Team Leader Visionary Proposal Form:

http://architectureandplanning.dal.ca/images/forms/5050_leader_form.pdf

Call for participants: If you'd like to brainstorm with experts about the future of the city, come join us! Planners, architects, developers, engineers, artists, project managers, members of government, ecologists, historic preservationists and the general public are all invited to participate. We're hoping to have 150 participants.

Registration deadline: September 2, 2011

Download a Design Workshop Participation Form:

http://architectureandplanning.dal.ca/images/forms/5050_participant_form.pdf

Frequently Asked Questions: http://architectureandplanning.dal.ca/alumni/5050_faq.shtml

For more information: Contact nancy.farmer@dal.ca tel. (902) 494-1378

MUNDIAVOCAT – Football World Cup for Lawyers

June 1 – 10, 2012

Rovinj, Croatia

This event includes:

- The 16th edition of the MUNDIAVOCAT CLASSIC (open to all lawyers)
- The 3rd edition of the MUNDIAVOCAT MASTER (lawyers aged 35+)

For details or to register, see the website: www.munciavocat.com

InForum is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at info@nsbs.org.

Or contact:

Corporate Sport Organisation

15 / 29 rue Guilleminot

75014 Paris, France

Tel. +33 (0)1 77 70 65 15

Fax +33 (0)1 77 70 65 14

Email: info@mundiavocat.com

Also please note, the Mundiavocat General Assembly will take place from September 30 to October 2, 2011. For information on Rovinj, see www.rovinj.hr.

:: CLASSIFIEDS ::

Assistance with Florida law and U.S. immigration

I am a practising member of both the Nova Scotia and Florida Bars. Should you or any of your clients have questions regarding Florida law, I would be pleased to assist. I am also familiar with U.S. immigration rules, should you or any of your clients have questions regarding U.S. immigration.

William A. (Bill) Sutherland, Q.C.
Barrister, Solicitor & Notary Public
Suite 27, 6960 Mumford Road
Halifax, Nova Scotia B3L 4P1
Tel. 902-445-2500 Ext 7
Fax. 902-445-5187
wasutherland@hfxmail.com
(Member, Nova Scotia and Florida Bars)

Nova Scotia Reports available for free

Available for the taking: Nova Scotia Reports, 2d series, v.1-206 and Digests, v.1-110.
Please contact Lindy Stephens at lindy.stephens@mcinnescooper.com or 902-444-8606.

Court robes for sale – new price!

Includes robe, shirt (15-33), tabs and cufflinks. Current cost to have made is over \$1,000. Custom-made in 1998 and rarely worn. Robe would best fit women from 5'2" to 5'4". Price now \$300, reduced from \$350. Photos available. Email glennija@gov.ns.ca.

Vacant lot in Bedford suitable location for law offices

A vacant lot is available for sale that would be suitable for an office building for lawyers, dentists, doctors or other professionals. The lot is located on 1670 Bedford Highway, across from the Bedford South Mall and next to Shoppers and Sunnyside Mall. It is zoned Commercial Highway (CHWY). Not allowed: condo and/or multi-unit residential building (unless zoning change); allowed: office building, commercial retail, doctors, lawyers, dentists, physicians, hotel, motel, etc.

Lot size: 18,664 square feet
Asking price: \$330,000 (NEGOTIABLE)

For details, please contact:
Basim Sobeih, Real Estate Consultant, Commercial / Residential
Century 21 ABC Realty Ltd.
Mobile: 902.488.8117
Fax : 902.463.3245
basim.sobeih@century21.ca

Black leather couch

Elegant, high-end black leather couch would go well in any office/home - purchased 2009, Crate and Barrel NYC. Please contact Andrew Munro - amunro.law@gmail.com or cell: 789-6842

Pictures at: <https://picasaweb.google.com/andrewjmunro/CrateAndBarrelBlackLeatherCouch#>

Halifax property suitable for law practice

**5538 Macara Street
Halifax, NS
\$292,500**

Consider this opportunity to own your own place of business (zoned C2) in the heart of the north end of the peninsula. Fantastic for a law practice or any other consulting-based business, this property is a two-minute drive to both bridges and easily accessible to downtown. It is in a central location near bus lines and many amenities, including the Hydrostone Market with its numerous cafes and restaurants.

The building has lovely hardwood floors, and a perfect setup for a reception and waiting area, plus meeting offices. The second level boasts three large rooms allowing for more offices/storage space. The property also offers a patio in the south-facing backyard with some green space perfect for lunch breaks. The garden contains grapevines as well as mature plum trees and highbush blueberries. Two parking spaces on the side of the building are a great bonus.

For more details or to arrange a viewing, please contact John DeWitt at jdewitt@eastlink.ca or (902)223-7653.

Collection of legal books available

A large number of legal reference books in Halifax are available to a good home. The collection belonged to the late Arthur Hare QC, who passed away on Dec. 3, 2010. If anyone is interested, please contact Golda Redden at Hare@ns.sympatico.ca for further details.

Kentville law practice for sale

Law Practice in Kentville for sale; 43-year general practice with substantial litigation focus. Numerous corporate clients and extensive collection of executed wills. Excellent equipment, furnishings and location. Sufficient work for two energetic lawyers. Leaving practice for health reasons.

Call Walter O. Newton at 902 678 9707 for more details.

Female court clothes for sale – never worn (please note email address correction)

For sale: New, never worn, court clothes for female, size 6 to 9. Includes tabs, two white shirts (neck size 14), skirt and jacket/vest (with arm vents). Purchased for over \$850 at Colwell's. Will sell for \$450 OBO. For more information, please contact sdenney@nsbs.org.

Barrister's robes for sale

One set of women's Viscose legal robes, waistcoat and two tabs, valued at \$828 from Colwell's. Mint condition (only worn a few times). Custom made in 1995. Selling for \$400.00. If interested and for further details, contact Dr. John D Smith at 448-6375 or john@smith.ns.ca.

Well-established sole practice available in Halifax

Sole practitioner wishes to retire from a long term, very successful, community-based metro practice; loyal clientele; professional and dedicated staff; terms negotiable.

Reply to:
Box 33042, Canada Post
6139 Quinpool Road
Halifax, NS B3L 4T6

Office to share in Bedford

Bedford lawyer has office to share in professional building. Lawyer or other professional preferred. Cost depends on amenities required. Call Connie at 835.7615 or email connierusk@ns.sympatico.ca.

:: NEW FROM LIBRARY & INFORMATION SERVICES ::

Quantum tables: personal injury damages, sentencing, employment notice periods

Did you know there are quantum tables on the topics of personal injury damages, sentencing and employment notice periods, to assist members when conducting research in these areas? All of these tables are available online through the Society's website – just click the Library tab on the left side of the screen, then select Quantum Tables from the sub-menu.

The [Sentencing Quantum Service](#) draws upon Nova Scotia decisions received from the Courts of Nova Scotia since 2003. To use the service, members can select a main offence from the drop-down box (e.g., controlled drugs, sexual offences, youth criminal justice act, etc.) **and/or** enter a keyword (e.g., assault, theft, conspiracy, etc.). The results of a search are displayed in a table with the following information: the case name and citation, a link to the full text of the decision, the charge(s) involved, the prior record of the accused, any aggravating circumstances, the term of imprisonment and/or fine imposed, and order.

The [Personal Injuries Quantum Service](#) also draws upon Nova Scotia decisions received from the Courts of Nova Scotia since 2003. To use the service, members can select a type of injury from the drop-down box (e.g., head, legs, multiple injuries, etc.) **and/or** enter a keyword (e.g., ankle, fracture, nurse, etc.). The results of a search are displayed in a table with the following information: the case name and citation, a link to the full text of the decision, the type of injury involved, the occupation/age/sex of the injured person, and any award for general damages or future loss.

The [Wrongful Dismissal: Notice Periods](#) service, created by Michael J. O'Hara, originally appeared in the *Nova Scotia Law News* in 1997 and was later updated for a Continuing Legal Education Society of Nova Scotia seminar in 2000. With the assistance of the staff at Library & Information Services, the table was developed into a searchable, online service.

To use the service, members can search by position (or select a position using the Index) **and/or** length of service **and/or** age. The results of a search are displayed in a table with the following information: the case name and citation, a link to the full text of the decision, the position/age/length of service of the employee, and the notice period awarded. New cases are added to the service every January and June by Mr. O'Hara.

Questions about the quantum tables? Contact the staff at Library & Information Services at 425 2665 or toll-free at 1 866 219 1202, or send an email to nsbslib@nsbs.org.

Nova Scotia Legislative Supplement – now available online

Library & Information Services prepares brief notes on the legislation passed at the most recent sitting of the Nova Scotia Legislature. The [Legislative Supplement](#) for the 3rd Session of the 61st General Assembly is now available online.

Summaries are included only for that legislation likely to be of interest to the Society's membership. For complete information, please consult the [statutes](#) available online through the Office of the Legislative Counsel's website.

:: NEW DECISIONS ::

Library & Information Services - Keeping you informed

CRIMINAL LAW – Appeals – ineffective counsel *R. v. Fraser*, C.A.C. No. 330167, Saunders, J.A., July 21, 2011. [2011 NSCA 70](#); **S631/11**

CRIMINAL LAW – Disclosure – observations of police *R. v. Carvery*, C.R.H. No. 343275, Robertson, J., July 22, 2011; May 16, 2011 (orally). [2011 NSSC 283](#); **S633/10**

InForum is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at info@nsbs.org.

CRIMINAL LAW – Procedure – effect of Crown election on appeal of sentence *R. v. F. (R.V.)*, C.A.C. No. 341847, Beveridge, J.A., July 27, 2011. [2011 NSCA 71](#); **S631/12**

CRIMINAL LAW – Sentencing – breach of probation and possession of controlled substance *R. v. Dean*, No. 2248070; 2265145; 2267370; 2274081; 2274082; 2282155, Atwood, J.P.C., July 6, 2011; July 5, 2011 (orally). [2011 NSPC 40](#); **M24**

DAMAGE AWARDS – Personal injuries – traumatic brain injury, causation *Hayward v. Young*, Hfx. No. 244134, Robertson, J., July 18, 2011. [2011 NSSC 294](#); **S633/3**

EVIDENCE – Admissibility – 911 emergency calls *R. v. Hamilton*, C.R.H. No. 336711, Rosinski, J., July 27, 2011. [2011 NSSC 305](#); **S633/15**

FAMILY LAW – Costs – application to vary custody, child support and property division *Smith v. Smith*, No. 1201-64292, Jollimore, J., July 25, 2011. [2011 NSSC 304](#); **S633/14**

FAMILY LAW – Custody, access and child support – variation *Rose v. Rose*, S.F.H.M.C.A. No. 064836, Gass, J., July 19, 2011. [2011 NSSC 295](#); **S633/17**

FAMILY LAW – Custody and child support – variation *Walsh v. Musolino*, S.F.H.M.C.A. No. 059813, Legere-Sers, J., July 21, 2011. [2011 NSSC 289](#); **S633/9**

FAMILY LAW – Divorce – application for interim child support, whether private school education an extraordinary expense *Gordinier-Regan v. Regan*, No. 1201-065135, Jollimore, J., July 19, 2011. [2011 NSSC 297](#); **S633/7**

FAMILY LAW – Divorce – variation of separation agreement re custody, child support, property division *Smith v. Smith*, No. 1201-64292, Jollimore, J., July 28, 2011; June 23, 2011 (orally). [2011 NSSC 269](#); **S633/16**

MAINTENANCE – Child support – application to terminate *Dow v. Dow*, S.F.P.A.D. No. 070520, Legere-Sers, J., June 14, 2011. [2011 NSSC 229](#); **S633/5**

MAINTENANCE – Child support – application to terminate *Tofflemire v. LePage*, S.F.H.D. No. 075066, MacDonald, B. J., June 29, 2011. [2011 NSSC 262](#); **S633/13**

MAINTENANCE – Child support – whether severance pay to be included in income *DeWolfe v. McMillan*, No. 1201-061704, Gass, J., July 21, 2011. [2011 NSSC 301](#); **S633/18**

MAINTENANCE – Common-law relationship – interim spousal support *McQuaker v. Crawford*, S.F.H.M.C.A. No. 074806, Gass, J., July 11, 2011; May 16, 2011 (orally). [2011 NSSC 286](#); **S633/6**

PRACTICE – Appeals – extension of time to file application for leave *Allen v. Nova Scotia (Workers' Compensation Appeals Tribunal) et al.*, C.A. No. 350108, Beveridge, J.A., July 26, 2011. [2011 NSCA 72](#); **S631/13**

PRACTICE – Application – conversion to action *Jeffrie v. Hendriksen*, Hfx. No. 346079, Pickup, J., July 14, 2011. [2011 NSSC 292](#); **S633/2**

PRACTICE – Production of documents – application for stay of order dismissed *Halifax (Regional Municipality) et al. v. Casey et al.*, C.A. No. 351747, Fichaud, J.A., July 18, 2011. [2011 NSCA 69](#); **S631/10**

PRACTICE – Publication ban – documents obtained under the Freedom of Information and Protection of Privacy Act *Leigh et al. v. Belfast Mini-Mills Ltd. et al.*, Hfx. No. 272748, Duncan, J., July 25, 2011. [2011 NSSC 303](#); **S633/12**

PRACTICE – Small Claims Court – jurisdiction *Ross v. Elliott*, Hfx. No. 344363A, Murray, J., July 19, 2011. [2011 NSSC 298](#); **S633/8**

PRACTICE – Summary judgment – facts material to the cause of action *Leigh et al. v. Belfast Mini-Mills Ltd. et al.*, Hfx. No. 272748, Duncan, J., July 20, 2011. [2011 NSSC 300](#); **S633/11**

WILLS AND ESTATES – Wills – beneficiary predeceased testator, entitlement to estate *Jollimore Estate v. Nova Scotia (Public Archives) et al.*, Hfx. No. 335260, Coughlan, J., July 20, 2011. [2011 NSSC 218](#); **S633/4**

SUPREME COURT of CANADA — recent decisions

Library & Information Services - Keeping you informed

The following decisions were released on the [Supreme Court of Canada Judgments](#) website since the last *InForum*. The subject headings and summaries have been prepared by the Supreme Court of Canada.

July 22, 2011

[Dubé v. Canada](#)

Neutral citation: [2011 SCC 39](#) (CanLII)

File No.: 33194.

2010: May 20; 2011: July 22.

Present: McLachlin C.J. and Binnie, Deschamps, Fish, Charron, Rothstein and Cromwell JJ.

ON APPEAL FROM THE FEDERAL COURT OF APPEAL

Aboriginal law — Taxation — Exemptions — Interest income — Status Indian living part time off-reserve investing income in term deposits with caisse populaire located on reserve — Interest income earned on term deposits paid and deposited in savings account — Whether interest income exempt from income taxation as personal property “situated on a reserve” — Connecting factors approach to determining location of intangible personal property — Weight given to creditor’s place of residence, source of invested funds and location where investment income spent — Indian Act, R.S.C. 1985, c. I-5, s. 87(1)(b).

Taxation — Income tax — Exemptions — Income from property — Interest income earned on term deposits deposited in status Indian’s savings account on reserve — Whether interest income exempt from tax as “personal property of an Indian situated on a reserve” — Income Tax Act, R.S.C. 1985, c. 1 (5th Supp.), s. 3, 9 — Indian Act, R.S.C. 1985, c. I-5, s. 87(1)(b).

D is an Attikamek Indian and has been a member of the Obedjiwan Reserve since birth. During the relevant years, D lived part time off-reserve and owned real property off-reserve. As there were no financial institutions on the Obedjiwan Reserve, D used the services of the Caisse populaire Desjardins de Pointe-Bleue situated on the Mashteuiatsh Reserve. He earned interest income on term deposits with the Caisse, which was deposited in a savings account at the Caisse. The Minister of National Revenue made an assessment in which he added the investment income to D’s income for each taxation year from 1997 to 2002. The Minister refused to consider this income to be property exempt from taxation under s. 87 of the Indian Act. The assessment was confirmed and D appealed unsuccessfully to the Tax Court of Canada and the Federal Court of Appeal.

Held (Deschamps and Rothstein JJ. dissenting): The appeal should be allowed.

[Bastien Estate v. Canada](#)

Neutral citation: [2011 SCC 38](#) (CanLII)

File No.: 33196.

2010: May 20; 2011: July 22.

Present: McLachlin C.J. and Binnie, Deschamps, Fish, Charron, Rothstein and Cromwell JJ.

ON APPEAL FROM THE FEDERAL COURT OF APPEAL

Aboriginal law — Taxation — Exemptions — Interest income — Status Indian living on reserve investing income in term deposits with caisse populaire on same reserve — Interest income earned on term deposits paid and deposited in savings account — Whether interest income exempt from income taxation as personal property “situated on a reserve” — Connecting factors approach to determining location of intangible personal property — Whether caisse’s economic activity in “commercial mainstream” off reserve is potentially relevant factor — Indian Act, R.S.C. 1985, c. I-5, s. 87(1)(b).

Taxation — Income tax — Exemptions — Income from property — Interest income earned on term deposits deposited in status Indian’s savings account on reserve — Whether interest income exempt from tax as “personal property of an Indian situated on a reserve” — Income Tax Act, R.S.C. 1985, c. 1 (5th Supp.), s. 3, 9 — Indian Act, R.S.C. 1985, c. I-5, s. 87(1)(b).

B was a status Indian who belonged to the Huron-Wendat Nation. He was born and died on the Wendake Reserve near Quebec City. From 1970 until 1997, B operated a moccasin manufacturing business on that reserve. He invested some of the income from the operation and sale of his business in term deposits with the Caisse populaire Desjardins du Village Huron. The Caisse has since its founding had its head office, its only place of business and its sole fixed asset on the Wendake Reserve. In 2001, the certificates of deposit paid interest that was deposited in B’s transaction savings account at the Caisse. B considered this income to be property exempt from taxation under the *Indian Act*. However, in 2003, the Minister of National Revenue made an assessment in which he added the investment income to B’s income for the 2001 taxation year. The assessment was confirmed and B’s estate appealed unsuccessfully to the Tax Court of Canada and the Federal Court of Appeal. Both courts held that the Caisse generated its revenues in the “economic mainstream”, not on the reserve, and therefore that the interest it paid to B was not situated on the reserve.

Held: The appeal should be allowed.

July 21, 2011

[*Alberta \(Aboriginal Affairs and Northern Development\) v. Cunningham*](#)

Neutral citation: [2011 SCC 37](#) (CanLII)

File No.: 33340.

2010: December 16; 2011: July 21.

Present: McLachlin C.J. and Binnie, LeBel, Deschamps, Fish, Abella, Charron, Rothstein and Cromwell JJ.

ON APPEAL FROM THE COURT OF APPEAL FOR ALBERTA

Constitutional Law — Charter of Rights — Right to equality — Ameliorative programs — Alberta Metis Settlements Act providing that voluntary registration under the Indian Act precludes membership in a Métis settlement — Whether distinction drawn on enumerated or analogous grounds — Whether program genuinely ameliorative — Whether distinction serves or advances object of ameliorative program — Canadian Charter of Rights and Freedoms, s. 15(2) — Metis Settlements Act, R.S.A. 2000, c. M-14, ss. 75, 90.

Constitutional Law — Charter of Rights — Freedom of Association — Alberta Metis Settlements Act providing that voluntary registration under the Indian Act precludes membership in a Métis settlement — Whether legislation violates right to freedom of association — Canadian Charter of Rights and Freedoms, s. 2(d) — Metis Settlements Act, R.S.A. 2000, c. M-14, ss. 75, 90.

Constitutional Law — Charter of Rights — Right to Liberty — Alberta Metis Settlements Act providing that voluntary registration under the Indian Act precludes membership in a Métis settlement — Whether legislation violates right to liberty — Canadian Charter of Rights and Freedoms, s. 7 — Metis Settlements Act, R.S.A. 2000, c. M-14, ss. 75, 90.

Section 35 of the *Constitution Act, 1982* recognizes three groups of Aboriginal peoples — Indians, Métis and Inuit. In Alberta, the relationship between the government and the Métis has evolved to a point where the Métis and the government entered into negotiations centered on establishing settlement lands for Métis communities, extending self-government to those communities, and ensuring the protection and enhancement of Métis culture and identity. The negotiations extended to provisions that would allow the Métis to maintain their separate identity as Métis, distinct from Indians. The *Métis Settlements Act* (“MSA”) was enacted as a result of these negotiations.

The claimants were formal members of a Métis community in Alberta which was established and administered under the terms of the *MSA*. They opted to register as status Indians in order to obtain medical benefits under the *Indian Act*. However, the *MSA* provides that voluntary registration under the *Indian Act* precludes membership in a Métis settlement. Their membership in the Métis settlement was revoked pursuant to s. 90 of the *MSA*. The claimants sought a declaration that the denial of membership pursuant to ss. 75 and 90 of the *MSA* was unconstitutional due to violations of the *Charter* guarantees of equality, freedom of association and liberty. The chambers judge dismissed these claims. The Court of Appeal allowed the appeal, finding that these provisions were inconsistent with the equality guarantee under s. 15 of the *Charter*.

Held: The appeal should be allowed and the judgment of the chambers judge affirmed.

July 15, 2011

[Canada Trustco Mortgage Co. v. Canada](#)

Neutral citation: [2011 SCC 36](#) (CanLII)

File No.: 33422.

2010: December 10; 2011: July 15.

Present: McLachlin C.J. and Binnie, Deschamps, Fish, Abella, Rothstein and Cromwell JJ.

ON APPEAL FROM THE FEDERAL COURT OF APPEAL

Taxation — Income Tax — Collection — Bills of Exchange — Tax debtor drawing cheques from trust account and depositing them in a joint account owned by him and a third party — Minister of National Revenue issuing three requirements to pay to Bank with respect to tax debtor’s tax liability — Bank disputing liability — Whether Bank liable to make payments to tax debtor named as payee of cheques — Whether Bank liable to make payments to tax debtor when receiving cheques payable to tax debtor for deposit in account held jointly by tax debtor and third party — Whether Bank required to comply with requirements to pay — Income Tax Act, R.S.C. 1985, c. 1 (5th Supp.), s. 224 — Bills of Exchange Act, R.S.C. 1985, c. B-4.

The tax debtor M owed tax to the federal government. The Minister of National Revenue became aware that cheques payable to M were being drawn on his trust account and deposited in a joint account owned by M and a third party. Each of the cheques drawn on the trust account was payable to M and delivered to the appellant, Canada Trustco Mortgage Company (the “Bank”) with an instruction to deposit the funds in the joint account. This instruction was given by writing “Dep to” and the account number on the back of the cheque.

The Minister issued three requirements to pay to the Bank as per s. 224 of the *Income Tax Act* (“ITA”). The Bank disputed its liability and the Minister assessed the Bank for the amounts of the cheques for failing to comply with the three requirements to pay. The Tax Court of Canada dismissed the Bank’s appeal and the Federal Court of Appeal upheld the Tax Court decision.

Held (McLachlin C.J. and Fish and Abella JJ. dissenting): The appeal should be allowed, the lower courts decisions set aside and the assessments vacated.

:: NEW BILLS ::

Library & Information Services – Keeping you informed

There are no new bills at this time.

Nova Scotia Bills: <http://nslegislature.ca/index.php/proceedings/status-of-bills/>

:: PROCLAMATIONS UPDATE ::

Library & Information Services - Keeping you informed

The following proclamations were published in the *Royal Gazette, Part II* since the last issue of *InForum*:

Condominium Act, S.N.S. 2009, c. 10.

N.S. Gaz. Pt. 2, [07/29/11](#)

N.S. Reg. 229/2011

Motor Vehicle Act, S.N.S. 2010, c.21.

N.S. Gaz. Pt. 2, [07/29/11](#)

N.S. Reg. 231/2011

Proclamations are published in the *Royal Gazette, Part II*, which is issued every other week and is available by [subscription](#). Unofficial copies of the *Royal Gazette, Part II* are available [online](#) through the Registry of Regulations website.

The Office of the Legislative Counsel maintains a Proclamations of Statutes database, providing the effective dates of proclamations for statutes from 1990 to date. The database is updated with information received weekly from the Executive Council Office. To access the database, go to the Office of the Legislative Counsel's [website](#), then select Proclamations from the list of links on the left side of the page. The information provided by the database is for convenience only. For purposes of interpreting and applying the law, please consult official sources.

The orders in council authorizing the proclamations can be searched via the [Orders in Council](#) database maintained by the Executive Council Office. This database contains information about orders in council dating back to 1991.

:: LIANS TIPS ::

FRAUD ALERT: Increased email fraud attempts

We have had increased reports of scam attempt emails received by members featuring several "Red Flags" ([Read an updated list](#)). These emails purportedly require counsel for legitimate legal matters such as loan collection, real property transactions and collaborative family law, in an attempt to have the lawyer deposit a bogus cheque or bank draft, then demand an immediate refund from the trust account. The emails may be accompanied by convincing yet fraudulent copies of documents such as passports and settlement agreements.

Be vigilant with every request for services that you receive, not just those received via the Internet. Fraudulent requests for services can be made by mail and courier, as well as by individuals who arrive in person to retain you and to use your trust account to receive and disburse funds. Be cautious with all cheques received, especially if they exceed the agreed upon amount.

Remember that **you must always confirm** a prospective client's identification in accordance with the [Client ID Regulations](#) of the Nova Scotia Barristers' Society.

If you do decide to proceed with a transaction, be sure to go to the bank website to verify branch transit number, address and phone number on the cheque. Wait until the bank confirms that the funds are legitimate and are safe to withdraw from the deposit. Where possible, use the [Large Value Transfer System \(LVTS\)](#), an electronic funds transfer system that allows large payments to be exchanged securely and immediately.

Visit our [Fraud section](#) to read more on reported scams and how to avoid them.

For tips to avoid being victimized and to report or seek advice on dealing with fraud and scam attempts, contact Cynthia Nield at cnield@lians.ca or 902 423 1300, x346.

NSLAP WELLNESS TIP: Temper tantrums

The following is an article excerpt from Homewood Human Solutions™, your health and wellness provider.

Between the ages of two and five, children become more independent and assertive. They begin to walk and feed themselves, and their vocabulary increases almost on a daily basis. They learn to count and the rudiments of reading. Acquiring these and other skills leads to growing feelings of independence.

The difficult job of emotional control

Perhaps the most difficult learning task facing young children is emotional control. This requires the child to learn the balance between what they would like to do and the boundaries of acceptable family behaviour. When the child bumps up against this boundary the result is often a temper tantrum. Their feelings of frustration are more than they can handle and explode into what are called anger bursts. Their anger and frustration are mirrored in their behaviour. This can include screaming, kicking, or the child throwing himself on the floor.

Anger bursts are normal

Temper tantrums are a normal part of children's emotional development. Knowing this is nevertheless small comfort for parents who have to deal with them. Here is some information about temper tantrums and some suggestions for ways to deal with them.

The risk of buying peace

Parents at a loss as to how to deal with their child's anger often "buy" peace by giving in to the child's demands. However, giving in tells children that the boundary between their demands and acceptable behaviour is meaningless. It tells them tantrums work and that they don't have to control their anger since things will eventually sort themselves out.

Expect them

If you know temper tantrums can happen and are part of normal childhood development, then you won't be surprised and will be more likely to react in an effective manner.

Keep your cool

Do not let the anger control you. Remain calm and speak in a calm voice. One of the best ways children learn is by watching what people around them do. Children are great mimics; it is their specialty. Staying calm when dealing with their anger is a graphic way of showing them how to deal with their emotions.

Help your children label their feelings

Help your child put his feelings into words. For example, *"It looks like you are angry. Is there something bugging you? I would like to hear what it is."* This sort of approach helps express the anger and initiates dialogue.

Tell your child you share her feelings: *"I understand that you're upset. What would make things better for you?"*

Be firm

It is important not to give in to the temptation to buy peace. It is also important to encourage your children to put their feelings into words. This will demonstrate you care about their feelings. They learn that articulating their anger can lead to a satisfactory resolution and this puts them on the path to learning to manage their feelings of anger and frustration. Staying firm and calm gives the child a sense of security.

Avoid overreacting

Not giving special attention to tantrums tells your children that their carrying on doesn't work. They begin to learn there are more effective and acceptable ways of expressing anger and they will be listened to.

Offer a choice

Another useful tactic is to tell the children they have a choice between two alternatives and what the consequences will be in each case. For example, if the tantrum erupts at dinner: *"You have a choice: you can calm down and tell us what's bothering you. Or you can continue disrupting our meal and go without dessert."* The most important thing is to give manageable choices and to follow through. Even consequences that seem slight are effective if applied with consistency.

Persist

When you first begin to apply the strategy of remaining calm and being firm, it may seem the tantrums are still lasting an awfully long time. Your child is no dummy and is testing the limits you have set to see how far he can go. Hang in there. The child will learn that you will listen to her and deal with her concerns. In time the frequency and duration of the tantrums will decrease and should eventually become rare.

Praise the child for his good behaviours

Praise your child's good behaviours with your words and actions. A good word and a good cuddle are always welcome. Try these strategies and observe the consequences. Doing so will help you progress efficiently towards better dealing with your child's anger bursts.

For more resources and counselling on parenting, visit the NSLAP website at www.nslap.ca. Please note that LAP is your "company" name when you register. When you call the LAP number at 1-866-299-1299, your call will be answered any time, day or night, 365 days per year.