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### SOCIETY NEWS

#### **Next week: Downtown Halifax traffic reconfiguration will affect Granville and Sackville Streets**

Please be advised of upcoming changes to Granville and Sackville Streets in areas nearby the Centennial Building, where the Society's offices are located. Effective Monday, September 19, some downtown Halifax streets will change from one-way traffic to two-way (and vice versa).

Streets affected by this change are as follows:

- **Converting to one-way:**
  - **Granville Street (between Salter and Sackville),**
  - **Sackville Street (between Brunswick and Barrington),**
  - Blowers Street (between Grafton and Barrington), and
  - George Street (between Barrington and Hollis).
- Converting to two-way: Grafton (between Prince and Sackville).
- Changing direction: Market Street (between Sackville and Carmichael).

Initiated by a recommendation from HRMbyDesign and developed through public consultation, the changes in street directions are expected to result in better organization of one-way street patterns. By converting some existing two-way streets to one-way, the plan will allow for new bike lanes and on-street parking spaces.

This is the first set of changes to traffic direction downtown. Two more phases, which will include additional downtown streets, are scheduled for October 2011 and March 2012.

Over the past several years, HRM worked with downtown businesses on the development of a plan to modify traffic patterns on the downtown street network. The plan was first presented at an open house information session targeted at downtown businesses in April 2010. Since that time, modifications have been made based on feedback. A final proposal was presented at an open house session in November 2010.

#### **Phase I: Effective September 19, 2011**

For more information, visit: <http://www.halifax.ca/traffic/StreetNetworkChanges.html>

#### **2011 Recognition Reception – September 23, 2011**

The Nova Scotia Barristers' Society cordially invites you to attend the  
**2011 Recognition Reception**  
**September 23, 2011 | 4:00 – 5:30 pm**  
**Bluenose Ballroom, Delta Halifax**  
**1990 Barrington Street, Halifax**

Please join the Society in celebrating excellence in Nova Scotia's legal profession, as we present the **2011 Distinguished Service Award** to **Robert (Robbie) G. MacKeigan QC**. An outstanding lawyer and community advocate, Mr. MacKeigan is the current Chair of the Law Foundation of Nova Scotia. A Fellow of the Insolvency Institute of Canada, he is a past Chair of the Canadian Law Information Council and past President of the Society (1994-95) and the Canadian Bar Association - Nova Scotia.

Several other achievements will also be honoured:

- **Presentation of 50-Year Practising Certificates** to David Stewart QC and George Caines QC.

- **The 2011 NSBS Presidents' Leadership Award**  
Presented to a graduating law student, this annual award recognizes substantial involvement in the law school and the community. Daniel Pink is currently articling with Wickwire Holm and coordinates volunteer lawyers for the new legal support group, Artists Legal Information Services.
- **The 2011 Race and the Law Paper Prize**  
David Taylor received the third annual prize, sponsored by Stewart McKelvey, for his paper, "First Peoples, Fundamental Rights: Exploring the Potential Use of Section 7 Rights by Aboriginal Claimants." Now in his third year at Schulich School of Law, David will be a clerk at the Supreme Court of Canada in 2012-13.

Please RSVP by September 16: Shirley Shane, [sshane@nsbs.org](mailto:sshane@nsbs.org)

## Server maintenance: September 14, 15 and 16

Please be advised of several brief overnight interruptions to some online member services due to server maintenance. The Membership area (<http://members.nsbs.org>) of the Society's website will not be accessible for a period of about five minutes each night on September 14, 15 and 16.

## 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/NSBS

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

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## Current Issues in Legal Ethics

This is the second in a series of articles that will focus on lawyers' ethical duties under the current *Legal Ethics Handbook* and the new *Code of Professional Conduct* that is expected to come into force in January 2012.

### Reframing the rules of ethics

The rules of ethics in Nova Scotia are currently contained in *Legal Ethics and Professional Conduct: A Handbook for Lawyers in Nova Scotia* (1998), (the "*Handbook*"). The purpose of the *Handbook* has been to provide both the basic rules of ethics and professional responsibility by which lawyers in Nova Scotia must conduct themselves and, at the same time, provide aspirational goals and best practices.

The new *Code of Professional Conduct* (the "*Code*"), anticipated to be implemented in January 2012, looks very different from the *Handbook*. This may lead some to assume that the proposed rules are in fact substantially different and will require a whole new way of thinking about the rules of conduct. That is not the case. The current *Handbook* has 24 rules. The new *Code* is framed around six main rules, which speak of relationships and put the sub-rules into context. Key to this new format is helping lawyers consider all related ethical duties when addressing an ethical matter.

The new rules are grouped within these six new areas:

- **Standards of the Legal Profession**, which deals with the duty of integrity – as with the *Handbook*, integrity underlies all other duties and comes first;
- **Relationship to Clients** – this includes competence, quality of service and confidentiality;
- **Marketing of Legal Services**;
- **Relationship to the Administration of Justice**;
- **Relationship to Students, Employees and Others**; and

- **Relationship to the Society and Other Lawyers.**

The new *Code* continues to fulfill the two main functions we set out to fulfill with the *Handbook* – an aspirational function and a regulatory function. To further assist in setting out the ‘black letter’ rules, as compared to what could be called the ‘best practices’ concepts in the Commentaries following each rule, the *Code* consistently uses ‘must’ in the rules, and ‘should’ or ‘may’ in the Commentaries. For the most part, footnotes have been eliminated, as the goal is to achieve national standards that are clearly set out in the rules and commentaries, and that are for the most part not subject to substantive local amendment or interpretation.

A helpful definitions section is contained in the *Code* following the Preface, and is similar to the terms found in our Interpretation section of the *Handbook*. The terms defined in the *Code* will be applied across the country, thereby creating enhanced consistency in application and interpretation of the rules across Canada.

The coming months will bring online education options, a searchable online version of the *Code*, and an online mandatory assessment for all members to complete **by April 30, 2012**.

So please take time to review the new [Code of Professional Conduct](#) and be sure to contact us with your questions (Elaine Cumming, Professional Responsibility Counsel, 422 1491, [ecumming@nsbs.org](mailto:ecumming@nsbs.org)). Watch future *InForum* and *Society Record* issues for further articles and FAQs.

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## In Memoriam

The Society wishes to advise members of the recent death of the following colleague. We extend our condolences to her friends and families.

- Laurel R. Bauchman, Saltspring Island, BC – August 20, 2011 [Obituary](#)

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## FROM THE COURTS

### The Hon. Justice Douglas L. MacLellan retires from Nova Scotia Supreme Court

The Honourable Justice Douglas L. MacLellan of the Supreme Court has retired after more than 19 years on the Bench. He was first appointed as a County Court Judge in District #6 and a local Judge of the Supreme Court Trial Division in May of 1992. He became a Justice of the Supreme Court in January of 1993.

Prior to joining the Bench, Justice MacLellan spent 20 years practising law in Nova Scotia Legal Aid’s Antigonish office. Most recently, Justice MacLellan presided in Antigonish and Pictou as a supernumerary Judge. For more details, visit the news area on the Courts of Nova Scotia website at [www.courts.ns.ca](http://www.courts.ns.ca).

### Chief Justice of the Federal Court to step down on September 30

(OTTAWA, August 16, 2011) – The Honourable Allan Lutfy has advised the Minister of Justice of his resignation as Chief Justice of the Federal Court, effective September 30, 2011, after serving eight years as Chief Justice and three years as Associate Chief Justice.

He elected to hold office as a supernumerary judge of the Court as of the same date. A [biography](#) of the Chief Justice is available online.

### New Registrar and Prothonotary appointed

Ms. Caroline McInnes has been appointed, on a permanent basis, as the new Registrar of the Court of Appeal and Prothonotary of the Supreme Court at the Halifax Law Courts. Caroline had been in the position since early 2011; first part-time and then full-time, temporarily. She recently worked as a Senior Law Clerk with the Court of Appeal. She is a member of the Nova Scotia Bar and is a graduate of Dalhousie Law School and Queen's University.

## [New Hints & Tips from the Prothonotary](#)

### 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](#).

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## FROM THE PROVINCE

### Memo to NSBS: Department of Justice seeks input from members on family law changes

The Department of Justice is inviting the Nova Scotia Barristers' Society and the Society's membership to provide input on proposed changes to provincial family law statutes.

Members of the Society are encouraged to read two discussion papers about the proposed changes to legislation and share their thoughts, questions and concerns **by October 24**.

The proposed changes would update and clarify the law, and bring Nova Scotia more into line with the other provinces and territories.

Specifically, proposed changes to the *Maintenance and Custody Act* would:

- add best interests of the child factors for courts to consider when making custody and access determinations, including whether there has been any family violence;
- add factors for the court to consider when assessing the impact of family violence;
- add the principle that a child should have as much contact with each parent as is consistent with the child's best interests, subject to the court's consideration of family violence; and
- make it clearer that grandparents may apply for custody of or access to a grandchild with the prior permission of the court.

The Department of Justice is also proposing to improve and modernize the law relating to the recognition and enforcement of out-of-province custody and access orders, by adopting provisions of the uniform *Custody Jurisdiction and Enforcement Act* to replace the *Reciprocal Enforcement of Custody Orders Act*.

The consultations with the Society's members, other stakeholders and the public will help government ensure these legislative changes reflect the opinions and wishes of Nova Scotians.

There are two ways the Society's members can share comments:

- Read the discussion papers at [www.gov.ns.ca/just/consultation](http://www.gov.ns.ca/just/consultation) and then send us your feedback electronically or in writing (see site for information)
- Request a copy of the discussion papers by calling **424-6094**.

**The deadline to respond is October 24, 2011.**

### JUSTICE: Public consultations on family law changes also begin

The province is asking Nova Scotians to give feedback on legal reforms that will help ensure that families going through a break-up have modern and clear laws governing child custody and access. The *Maintenance and Custody Act* and *Reciprocal Enforcement of Custody Orders Act* are the two laws being updated and clarified.

"These laws have become outdated and need to be modernized. For example, one change will add family violence as a factor to consider when making custody or access decisions," said Justice Minister Ross Landry.

The changes to these acts are part of a multi-year project to improve and modernize the province's family laws. Interested members of the public are invited to review the documents and provide feedback, electronically or in writing, by Oct. 24.

The proposed changes to the *Maintenance and Custody Act* will provide clear guidelines when courts are making custody and access decisions – such as taking into consideration whether a parent has committed family violence. The *Maintenance and Custody Act* deals with issues of custody, maintenance and access between separating couples where divorce proceedings have not commenced or are not relevant. For families experiencing divorce, the federal *Divorce Act* applies.

The *Reciprocal Enforcement of Custody Orders Act* will be replaced with modern legislation that it is consistent with other provinces and territories. This legislation allows for the recognition and enforcement of custody and access orders from other jurisdictions.

For more information and to find out how Nova Scotians can participate, visit [www.gov.ns.ca/just/consultation](http://www.gov.ns.ca/just/consultation).

Questions and feedback may be sent by email to [familylawfeedback@gov.ns.ca](mailto:familylawfeedback@gov.ns.ca), by phoning 902 424 6094 or by mail to Family Law Reform Project, Nova Scotia Department of Justice, 5151 Terminal Rd., P.O. Box 7, Halifax, B3J 2L6.

## **JUSTICE: Construction begins on new Medical Examiner's facility**

A new provincial medical examiner's facility will meet the growing need for autopsies, help to train doctors and improve services for families who have lost loved ones. Premier Darrell Dexter and Justice Minister Ross Landry marked the start of construction on the new \$12.9-million facility in Dartmouth on September 7 (*see more photos & details on the [DOJ website](#)*).

"Most Nova Scotians know the pain of losing a loved one, an experience that can be made worse when the grieving process is held up by a backlog in autopsies," Premier Dexter said. "This world-class facility will help medical examiners deliver faster, more effective service to families, as well as assisting law enforcement agencies in their investigations of suspicious deaths and homicides."

The number of autopsies performed by the medical examiner in Nova Scotia has doubled in recent years. The medical examiner currently leases autopsy space from the QEII Health Sciences Centre in Halifax.

"The medical examiner has long outgrown its current space and this facility will allow it to meet the increasing demands for its services," said Mr. Landry.

The new facility, on Garland Avenue in the Burnside Business Park in Dartmouth, will have four autopsy tables to provide more capacity in the event of a disaster. It will also include a private briefing room for families and allow greater teaching opportunities. The new building will be certified silver under the Leadership in Energy and Environmental Design program. Construction is expected to last about 14 months.

## **JUSTICE: Correctional Officers, Sheriffs pitch in to help charities**

Correctional officers and deputy sheriffs joined forces to help make a Nova Scotia child's wish come true. The [2011 Pitches for Wishes](#) baseball game on September 4 raised more than \$10,000 for the Make-a-Wish Foundation. This will help grant Annabelle's wish to visit a Disney theme park with her family. The five-year-old is from Prospect and has T-cell lymphoblastic lymphoma.

To date, correctional officers and sheriffs have raised almost \$30,000, with the help of corporate sponsors and community donations, through baseball and hockey fundraising events.

## **STATUS OF WOMEN: Campaign school helps women enter politics**

The Nova Scotia Advisory Council on the Status of Women is holding its sixth Campaign School for Women from Oct. 14 to 16. It will offer a series of workshops to help women interested in running for political office get a realistic look at what it takes to participate in a campaign.

More than half of Nova Scotia's population is female, yet women make up only 24 per cent of town and city councillors, 23 per cent of MLAs, and nine per cent of MPs.

"We really encourage women to take on the challenge of political leadership," Stephanie MacInnis-Langley, executive director of the advisory council, said in this [September 9 announcement](#). "The campaign school is one way we can motivate more women to participate in politics by providing them with good information from women who have gone through the campaign process themselves."

The non-partisan Campaign School for Women will be held at Mount Saint Vincent University and is open to any Nova Scotia women interested in running for political office. Registration runs until Oct. 4. For more details and to register go to [www.women.gov.ns.ca](http://www.women.gov.ns.ca).

The Nova Scotia Advisory Council on the Status of Women is committed to increasing the participation of women in decisions that affect their lives, families and communities. One way women can realize equality, inclusion and empowerment is through direct political involvement.

## **SERVICE N.S./MUNICIPAL RELATIONS: Improved protection for condo buyers, owners**

New rules will offer better protection for Nova Scotians who own, or are thinking of buying, a condominium.

Effective September 1, there are now limits on how much rent a builder can charge condo buyers who choose to move into their units before the condominium corporation is registered. Buyers can not own the condominium before it is registered.

For the first six months, builders will only be able to charge 0.75 per cent of the net purchase price per month; that amount will go down to 0.5 per cent after six months, and to 0.25 per cent after a year. This protects condominium buyers from having to rent a unit they planned to buy for long periods of time.

There will also be Condominium Dispute Officers available through Service Nova Scotia and Municipal Relations to help owners and condominium corporations solve their disputes quickly and effectively.

Other amendments to the *Condominium Act*:

- more ways for condominium corporations to deal with problem tenants in their buildings,
- better information for those buying new condominiums about the amenities, such as gyms or pools, to be available, and the date they will be complete,
- a requirement that buyers get a copy of a new condominium corporation's proposed budget, so they know what kind of fees they'll be paying for the first year, and
- a requirement for anyone converting a building into condominiums to do a reserve fund study to ensure buyers know what kinds of maintenance the building may require and how it will be paid for.

There are about 12,000 condominium units in Nova Scotia. For more information, visit [www.gov.ns.ca/snsmr/access/individuals/consumer-awareness/condominiums.asp](http://www.gov.ns.ca/snsmr/access/individuals/consumer-awareness/condominiums.asp).

## **SNSMR: Province continues Capped Assessment Program to protect homeowners**

Families, seniors and other property owners will be protected from sudden increases in property assessments, thanks to the province's decision to continue the Capped Assessment Program.

The decision comes after a review of the Capped Assessment Program that included input from many interested groups, including the Union of Nova Scotia Municipalities, municipal councils and staff, ratepayers' associations, the Canadian Federation of Taxpayers, and the Property Valuation Services Corporation, which conducts property assessments in Nova Scotia.

Most importantly, Nova Scotians were asked to provide their opinions. Of the 1,200 responses received from the public, 89 per cent supported keeping the program. Eighty-seven per cent of rate payer associations that completed the online survey supported the program.

The Capped Assessment Program was originally implemented in 2005 to protect seniors and families from rapidly increasing property assessments. Since then, it has grown to include 377,000 properties. New Brunswick and Prince Edward Island have also started similar programs in the last year.

The Capped Assessment Program ensures that qualifying residential/resource properties' taxable assessments are limited to the same percentage increase as the province's consumer price index from the previous year. For example, in 2011 the consumer price index increased 2.9 percentage points from the previous year, which means the CAP was 2.9 per cent.

To view a copy of the CAP review, visit [www.gov.ns.ca/snsmr](http://www.gov.ns.ca/snsmr). See the [August 31 announcement](#).

## **HEALTH/WELLNESS: Province releases recommendations from Prescription Drug Working Group**

The province is taking steps to combat prescription drug abuse by increasing access to patients' health information and improving tools for those suffering from chronic pain. The Provincial Working Group on Prescription Drugs and Overdose released its recommendations on Aug. 31. Some of the recommendations are already being implemented while others are still being considered.

"I want to thank the working group for their excellent advice and work," said Health and Wellness Minister Maureen MacDonald said in an [August 31 announcement](#). "These recommendations get at the root of the prescription drug problem, and will act as a guide as we continue to provide additional help and support for Nova Scotians and families living with addiction."

The recommendations focus on changes to improve the system and increase the collaboration of those working in the prescription drug field. The recommendations focus on the proper disposal of drugs, surveillance, legislation, education and treatment.

"I am very pleased that government considers addictions a priority, and that so many experts in the prescription drug field have come to the table to determine solutions," said John Campbell, member of the working group and director of mental health and addiction services for the Annapolis Valley District Health Authority. "Our recommendations focus on ways that we can better work together and share information so that informed decisions can be made about future services and support."

The department has already started work on several recommendations. Health and Wellness is working with the Nova Scotia Prescription Monitoring Program to provide prescribers and pharmacists with access to patient profiles 24 hours a day, seven days a week, instead of only during business hours. This increased access will help answer any questions prescribers may have when determining treatment and will help them make decisions, knowing the full prescription drug history of their patient whether it is during office hours or in the middle of the night.

Connections have also been made with Doctors Nova Scotia and other interested groups to promote a national chronic pain management tool. This tool helps doctors better identify, treat and manage non-cancer chronic pain.

Work continues on developing a public education campaign directed at youth and young adults around the dangers of mixing alcohol and prescription drugs. The campaign is set for September, and will provide additional information to families on how they can help their loved ones living with addiction. Progress is also being made to increase access to methadone maintenance treatment, with several doctors working toward receiving their certification to prescribe methadone.

The working group was convened to provide an effective response to the impacts of prescription drug abuse, including overdose and death. The group consisted of representatives from law enforcement, district health authorities, government, prescription monitoring, the College of Physicians and Surgeons, and the College of Pharmacists.

View the working group's [report and recommendations](#).

\* Also: Sydney NSBS member Blair Kasouf recommends this [July 25 feature story](#), prepared by reporter Joan Weeks for CBC Information Morning Cape Breton. In it, Weeks discusses some implications of 283 deaths in Nova Scotia from drug overdoses recorded by the Medical Examiner from 2007 to 2010, not related to substance abuse-related accidents, illnesses, impaired driving or drug trade violence.

## 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 **Yarmouth, Colchester, Halifax and Kings County Land Registration Offices**.

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

## NOVA SCOTIA SECURITIES COMMISSION: CSA publish for comment proposed National Instrument 51-103 Ongoing Governance and Disclosure Requirements for Venture Issuers

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](http://www.gov.ns.ca/nssc/CSANotices/noticerequestJuly_29_2011.pdf)

The comment period is open until October 27, 2011.

## ENVIRONMENT: Details on potential Protected Areas online

Nova Scotians can help choose which lands should be protected as part of the province's 12 per cent plan, now that details on nearly 220,000 hectares of land are available online. Comments will be incorporated into a draft plan, which will be released for provincewide consultation next year before final decisions are made. The province has a legislated goal to legally protect 12 per cent of its land by 2015.

Written comments will be accepted until Dec. 1 at Department of Environment, Protected Areas Branch, Box 442, Halifax, N.S., B3J 2P8 and by email at [protectedareas@gov.ns.ca](mailto:protectedareas@gov.ns.ca).

A discussion paper titled **Our Wild Spaces**, photos and descriptions of review lands can be viewed at [www.gov.ns.ca/nse/12percent/](http://www.gov.ns.ca/nse/12percent/).

## **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.

## **Queen's Counsel Appointments 2011: application deadline September 30**

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

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## OTHER NOTICES

### **Privacy Commissioner launches handbook to help lawyers apply privacy law to their practices**

*PIPEDA and Your Practice — A Privacy Handbook for Lawyers* was launched by the Office of the Privacy Commissioner of Canada in Halifax recently, at the Canadian Bar Association Canadian Legal Conference and Expo 2011. The new handbook explains how the *Personal Information Protection and Electronic Documents Act* (PIPEDA) relates to the everyday practice of Canadian lawyers in the private sector.

PIPEDA covers the collection, use and disclosure of personal information in the course of commercial activities. Like other organizations in Canada, lawyers and law firms must comply with the requirements of applicable privacy legislation in their jurisdictions.

"While lawyers may be familiar with privacy laws in general, they may benefit from some concrete guidance on how to apply the laws to their own practice," Patricia Kosseim, General Counsel for the Office of the Privacy Commissioner of Canada, says in this [August 16 announcement](#). "Canadian lawyers have a leadership opportunity to serve as exemplars of ethical and respectful conduct on behalf of their profession and the clients they serve."

Written by lawyers for lawyers, the new handbook describes best practices in managing the collection, use and disclosure of personal information, responding to requests for access to personal information, and the potential application of PIPEDA. The Handbook covers practical privacy issues that arise in the course of managing a law firm and conducting litigation.

The handbook is available on the Privacy Commissioner's website: [www.PIPEDAhandbookforlawyers.priv.gc.ca](http://www.PIPEDAhandbookforlawyers.priv.gc.ca).

The Privacy Commissioner of Canada is mandated by Parliament to act as an ombudsman and guardian of privacy in Canada. The Commissioner enforces two federal laws for the protection of personal information: the Privacy Act, which applies to the federal public sector; and the Personal Information Protection and Electronic Documents Act (PIPEDA), which applies to commercial activities in the Atlantic provinces, Ontario, Manitoba, Saskatchewan and the Territories. Quebec, Alberta and British Columbia each has its own law covering the private sector. Even in these provinces, PIPEDA

continues to apply to the federally regulated private sector and to personal information in interprovincial and international transactions.

For more information and advice, see the following:

- LIANS Risk and Practice Management Tip, August 29 edition of [InForum](#) (page 26)
- [Slaw Tips](#) item, August 30

## **Authorized immigration service providers can be verified on new ICCRC online database**

As the regulatory body for immigration consultants, the Immigration Consultants of Canada Regulatory Council (ICCRC/the Council) has introduced a new initiative to help improve consumer protection: a searchable online database now available on the Council's website.

<http://secure.iccrc-crcic.ca/search/en>

This tool will allow anyone, anywhere to verify quickly whether or not a person is authorized to provide immigration services. It is searchable by business name, city, partial street address and first or last name. Every name included in the database is either a Regulated Canadian Immigration Consultant (RCIC) or an Agent affiliated with an RCIC. Citizenship and Immigration Canada considers all RCICs as Authorized Representatives.

Additionally, a message feature allows users to send a message directly to an RCIC through the website.

A QR (Quick Response) code is available to members. This code may be featured on business cards and other documentation and links directly to the membership list. This makes the database even easier to access for anyone with a smart phone.

As an important stakeholder of the Council, this database will allow your staff to help more people get proper immigration advice from an Authorized Representative and be better protected from unauthorized providers of immigration services.

Thank you,  
The Council

## **la base de données du Conseil**

En tant qu'organisme de réglementation des consultants en immigration, le Conseil de réglementation des consultants en immigration du Canada (CRCIC/le Conseil) a mis en œuvre une initiative qui aidera à mieux protéger le consommateur : une liste de tous les CRIC, dorénavant accessible sur le site web du Conseil.

<http://secure.iccrc-crcic.ca/search/fr>

Cette base de données permettra au public, à tout moment, de vérifier rapidement qu'une personne est autorisée à offrir des services d'immigration. On peut la consulter par raison sociale, ville, adresse civique partielle, prénom ou nom de famille. Chaque nom qui se trouve dans la base de données est celui d'un Consultant réglementé en immigration canadienne (CRIC) ou d'un agent affilié à un CRIC. Immigration Canada considère tout CRIC comme représentant autorisé.

De plus, un outil de communication permet à l'utilisateur d'envoyer un message à un consultant en immigration directement à partir du site web.

Un code QR (Réponse rapide) est à la disposition des membres. Ce code peut être apposé aux cartes d'affaires et autres documents et renvoie directement à la liste des membres, ce qui rend la base de données encore plus facile à consulter à quiconque détient un téléphone intelligent.

Étant donné que vous êtes un partenaire important du Conseil, cette base de données permettra à votre personnel d'aider plus de gens à obtenir des conseils appropriés en immigration d'un représentant autorisé, et d'être ainsi mieux protégés des fournisseurs de services de services d'immigration non autorisés.

Merci,  
Le Conseil

## **Casting call: Star Truck – A Space Oddity: Revenge of the Clones**

Thespians, theatre people and Trekkies still have time to try out for Nova Scotia's most out-of-this-world stage production: Star Truck – A Space Oddity: Revenge of the Clones.

The play, which will have its opening and closing night on **Saturday, October 15**, is coordinated by the Legal Information Society of Nova Scotia, which is only seven degrees of separation from George Lucas.

"Our goal is to raise money and have fun," says LISNS enterprise leader Maria Franks. "We want to boldly go where no charity has gone before."

The voyage is part of the charity's annual **Play in a Day**, which brings together teams of volunteers from across Nova Scotia to rehearse, build, and perform a play in 24 hours. In one day, crews will build sets, costumes will be coordinated, make-up will be applied, and lines will be learned.

"Although the timeframe is tight, this production will keep you on the edge of your seat. The enthusiasm and energy of the teams makes up for their lack of experience," says "Captain" Jeremy Webb, the professional producer and self-professed Star Trek geek at the helm of the production.

To become involved in Play in a Day, please visit [www.legalinfo.org](http://www.legalinfo.org) or call **902 454 2198** and make it so.

### **About LISNS**

*A charitable not-for-profit organization, the Legal Information Society of Nova Scotia (or LISNS), has been providing Nova Scotians with information and resources about the law for more than 25 years. LISNS's staff and volunteers believe easy access to information about the law is fundamental to a fair justice system.*

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## **VOLUNTEER & PRO BONO OPPORTUNITIES**

### **Nova Scotia Health Organizations Protective Association (NS HOPA)**

The Nova Scotia Health Organizations Protective Association (NS HOPA) is seeking volunteers for the Board of Directors. NS HOPA is a non-profit provincial insurance reciprocal providing liability insurance to member organizations. Board meetings are quarterly and approximately six (6) hours in length. Board members also sit on a minimum of one (1) committee. Board terms are three (3) years, renewable for one term.

For more information please contact:

NS HOPA Nominating Committee

Attention: Deborah Rozee

Bedford Professional Centre

2 Dartmouth Road, Bedford NS B4A 2K7

Phone: 902. 832. 8520 | Email: [deborah.rozee@nshopa.ca](mailto:deborah.rozee@nshopa.ca)

### **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](mailto:daniel.pink@gmail.com). For more information please visit [www.nsalis.com](http://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](mailto: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](mailto: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**

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

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## **MISSING WILLS**

### **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. Lough 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](mailto: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.rn@hotmail.com](mailto:sand.rn@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](mailto: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](mailto: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](mailto: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](mailto:garyjboyd@hotmail.com) or [garyboyd.smvc@gmail.com](mailto:garyboyd.smvc@gmail.com)  
Skype: garyjboyd

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**CAREER OPPORTUNITIES** [www.nsbs.org/careers.php](http://www.nsbs.org/careers.php)

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## :: CONFERENCES & SEMINARS ::

### NSBS ADMISSIONS & PROFESSIONAL DEVELOPMENT

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

#### Land Registration Act Training

Registration is open for the Online *Land Registration Act* training program.  
Cost for this program is \$600 plus HST and registrants have one week to complete the course.

Dates for next LRA course:

- Sept 14 to 21, 2011
- January 18 to 25, 2012
- April 18 to 25, 2012

#### 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 has been extended to **September 26**

#### ***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](#).

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## OUTSIDE CONFERENCES & SEMINARS

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

### Civil Procedure Rules Seminar

(\*see new Agenda details)

Friday, September 16, 1:30 – 4:30 pm

Networking reception to follow

Cabot Rooms A and B, Sydney Delta Hotel, Sydney

Cost: \$25 for members of the Cape Breton Barristers' Society, \$50 for non-members (*payable at the door*)

Paralegals are welcome to attend.

The Cape Breton Barristers' Society has scheduled an afternoon seminar on the new Civil Procedure Rules. Following the seminar, there will be a meet and greet with the participating Justices.

*InForum* is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at [info@nsbs.org](mailto:info@nsbs.org).

## Agenda:

- **Introduction and Opening Remarks** (The Hon. Justice Simon MacDonald, Chairman)
- **A Discussion on Rule 4:** Commencing an action and requirements to be aware of in Rule 4 (The Hon. Justice John Murphy)
- **Experts' Reports, Rule 55:** Is he/she really an expert? What about the family doctor and physiotherapist reports and other useful things to consider under this Rule? (The Hon. Justice Cindy Bourgeois)
- **A Discussion on Rule 5:** Applications? What are they and when and how do you proceed with them. (The Hon. Justice John Murphy)
- **Summary Judgments, Rule 13:** Everything you wanted to know about summary judgments but were afraid to ask (The Hon. Justice Patrick Murray)
- **Production of Documents, Rules 14, 15 and 16:** What does your client have to disclose and what are your obligations in advising a client on disclosure? (Guy LaFosse QC)
- **New Developments in the Rules** (The Hon. Justice John Murphy)
- **Closing Remarks** (The Hon. Chief Justice Joseph Kennedy, Chief Justice of the Nova Scotia Supreme Court)

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## Third Annual Douglas M. Johnston Ocean Governance Lecture

### *Polar Oceans Governance in the Twenty-first Century*

September 20, 2011, 6:30 pm

Room 105, Weldon Law Building, Dalhousie University

Reception to follow in Atrium

Speaker: Professor Don Rothwell

Donald R. Rothwell is a leading international lawyer from Australia. He is Professor of International Law, Assistant Head of School, Director – LLM Programs, and Deputy Director of the Australian Centre for Military Law and Justice at the ANU College of Law, Australian National University.

Prof. Rothwell's research addresses many intersecting areas of international law with a specific focus on law of the sea, law of the polar regions, and implementation of international law within Australia. He is presently working on projects assessing Antarctic security, international legal practice in Australia, and Arctic navigation, and is the current Co-Editor of the Australian Year Book of International Law.

Please RSVP to [lauri.macdougall@dal.ca](mailto:lauri.macdougall@dal.ca) by Friday, September 16.  
For more details, visit the [Marine & Environmental Law Institute](#) website.

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## Health Law and Policy Seminar Series

Weldon Law Bldg, Room 104, 6061 University Ave, Hfx, NS

12:10 - 1:30 pm

Light lunch served at noon in the Faculty Lounge (Rm 312)

No registration required! No fee. Call 902.494.6881 for more information

**Friday September 23**

### **End of Life Decision-Making Across Europe**

Penney Lewis, School of Law and Centre of Medical Law and Ethics,  
King's College London

*(co-sponsored by the Dalhousie European Union Centre of Excellence and the Canadian Centre for Ethics in Public Affairs)*

**Friday October 28**

### **Implications of the Rx Revolution: The Changing Scope of Practice of Pharmacists**

Neil MacKinnon, Mel and Enid Zuckerman College of Public Health,

University of Arizona

**Friday November 4**

**Mental Health Courts: The Good, the Bad, and the Ugly**

The Honourable Justice Richard Schneider, Ontario Court of Justice

**Friday November 25**

**Regulating Health Professionals' Hours of Work: Legal and Ethical Challenges**

Fiona MacDonald, School of Law, Queensland University of Technology

**Friday January 27**

**Rethinking Health Care Federalism: Could the European Model Work in Canada?**

Katherine Fierlbeck, Department of Political Science, Dalhousie University

**Friday February 10**

**Ending Life-Sustaining Treatment for Children: Decision-Making When Health Providers and Parents/Patients Disagree**

Joan Gilmour, Osgoode Hall Law School, York University

**Friday March 2**

**Medical Science in the Courtroom: Lessons from the Inquiry into Pediatric Forensic Pathology**

The Honourable Justice Stephen Goudge, Court of Appeal for Ontario

**Friday March 23**

**Being Relational: Relational Theory and Health Law & Policy**

Jennifer Llewellyn and Jocelyn Downie, Schulich School of Law, Dalhousie University

*Series sponsorship generously provided by the Schulich School of Law and the CIHR Training Program in Health Law, Ethics, and Policy ([www.healthlawtraining.ca](http://www.healthlawtraining.ca))*

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## **Public Morality, Liberalism & Virtue Ethics**

Presented by Saint Mary's University Department of Philosophy and Canadian Centre for Ethics in Public Affairs (CCEPA)

### **The Annual Lecture in Public Philosophy**

**Thursday, September 22, 2011, 7:00 pm**

**McNally Theatre Auditorium, Saint Mary's University**

#### ***Public Morality, Liberalism & Virtue Ethics***

**Dr. Clarence Sholé Johnson, Professor of Philosophy, Middle Tennessee State University**

Dr. Johnson will examine the breakdown of public morality in contemporary society as it relates to a lack of moral commitment by public officials in the execution of public functions and as custodians of the public trust. By construing it as an unintended consequence of liberal individualism, Dr. Johnson will distinguish between public morality which falls within the purview of the law and private morality, which does not. Dr. Johnson will question whether forms of conduct not proscribed by law are permissible even when at variance with our basic common sense or moral intuition and goes so far as to suggest that making character-building and the acquisition of moral virtues a cornerstone of our current liberal education system might help collapse the distinction between public and private morality.

Free admission - Reception to follow

For more info: [admin@ccepa.ca](mailto:admin@ccepa.ca) | [www.ccepa.ca](http://www.ccepa.ca)

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## **International African Diaspora Heritage Trail Conference**

**Sept. 22-24, 2011**

**The World Trade and Convention Centre in Halifax**

*InForum* is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at [info@nsbs.org](mailto:info@nsbs.org).

Award-winning author Lawrence Hill and celebrated African American scholar Molefi Asante are among the presenters at the seventh International African Diaspora Heritage Trail Conference being held Sept. 22-24 at the World Trade and Convention Centre in Halifax.

The conference lineup includes filmmakers, tourism experts, historians, educators and government officials. Delegates are expected from more than 15 countries including Bermuda, Cameroon, Jamaica, Mauritius, Sierra Leone, Tanzania and the United States.

The annual conference has been held in Bermuda four times, the Bahamas and Tanzania. Nova Scotia is the first North American host. The full conference program is available at [www.adht2011.com](http://www.adht2011.com).

## Third Party Neutral Professional Development Program

### Conflict Resolution Strategies Professional Certificate

September 26, 2011 (8:30am- 4:30pm) in Fredericton

**Seats are still available!**

UNBCEL in partnership with the Canadian Institute for Conflict Resolution is offering the Third Party Neutral Program. Conflict Resolution training is unique in its inclusive approach to finding win-win solutions for everyone involved, and laying the groundwork for lasting, long-term solutions, whether for individuals, community groups, government, or industry. [more...](#)

College of Extended Learning

University of New Brunswick, 6 Duffie Drive, P.O. Box 4400, Fredericton, New Brunswick, Canada E3B 5A3

Tel.: 506 447-3340 | Toll free: 1 866 599-4646 | Fax: 506 453-3572 | [www.unb.ca/ce](http://www.unb.ca/ce) | E-mail: [celprograms@unb.ca](mailto:celprograms@unb.ca)

## Upcoming events from CBA-NS

- **Online CLE:**
  - **Interest Based Negotiation** with James Musgrave QC, on Friday, September 30, 2011. [Register online](#)
  - **Intellectual Property in Commercial Transactions** with Rob Cowan on Friday, October 21, 2011. [Register online](#)
- **Wills & Estates Conference** – *All You Ever Wanted to Know About Death & Taxes But Were Too Afraid to Ask* on Friday, Oct. 28, 2011 at the Casino Nova Scotia. [Register online](#)
- **Constance Glube Spirit Award Dinner** – Oct. 28, 2011 at the Casino Nova Scotia. [Register online](#)
- **Limited time online CLE promotion:** 5 Online CLE for \$276 only until Oct. 1, 2011. [More information](#)

## The Community Foundation of Nova Scotia Vital Signs launch

Join us on October 4th as we launch the first of 22 reports which will be rolled out by community foundations nationally from Halifax to Victoria. Learn about Nova Scotia's successes as well as th...

**October 4th, 2011, 8am - 9am**

**Pier 21, Canadian Museum of Immigration at Pier 21**

**1055 Marginal Road, Halifax**

The Community Foundation of Nova Scotia is a public foundation created by and for the people of Nova Scotia. We work with private donors, communities, and charitable organizations to stimulate charitable giving, establish permanent endowment funds, and support initiatives which make an ongoing difference in communities across Nova Scotia.

Vital Signs is a national program, pioneered by the Toronto Community Foundation in 2001, that highlights community needs and opportunities and inspires civic engagement and public debate on the issues most important to our communities.

Nova Scotia's Vital Signs is the first Vital Signs in Canada to be completed on a provincial level. Report sponsors include The Nicholson Foundation, The JSF Fund @ The Community Foundation of Nova Scotia, Bell Aliant and KPMG.

For more information, please contact:  
Allison Kouzovnikov | Executive Director  
Community Foundation of Nova Scotia  
1888 Brunswick Street, Suite 806  
Halifax, NS B3J 3J8  
Tel. 1-877-999-5907 or 902-490-5907  
Fax 902 490-5917  
[www.cfns.ca](http://www.cfns.ca)

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## 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](http://architectureandplanning.dal.ca/alumni/5050_themes.shtml)
- Frequently Asked Questions: [http://architectureandplanning.dal.ca/alumni/5050\\_faq.shtml](http://architectureandplanning.dal.ca/alumni/5050_faq.shtml)

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

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## Halifax Leaf Persons Day Breakfast

The Annual Halifax LEAF Persons Day Breakfast celebrates the landmark 1929 "Persons Case" that guaranteed women the right to participate in all aspects of public life in Canada. This Persons Day, we invite you to join us. All tickets must be purchased in advance. Thank you for your support of LEAF's work towards advancing substantive equality.

**Wednesday, October 26 from 9-10:30am**  
**Saint Mary's Boat Club**

**Speaker:** Melina Buckley will talk about gender, legal aid and women's rights. Across Canada and around the world we are faced by a growing "no women's land" created by the gulf between legal rights and the assistance required to meaningfully access them. What steps can we take to reverse the long-term erosion of legal aid and its devastating consequences for women?

*Melina Buckley is an associate with Camp Fiorante Matthews in Vancouver and is currently serving as Policy Counsel to the Missing Women Inquiry in British Columbia. Melina has had an eclectic legal career working as a lawyer and legal policy consultant working primarily in the areas of human rights, constitutional law, access to justice and dispute resolution. She is called to the Bar in Ontario and British Columbia and holds a Ph.D. in law from the University of British Columbia. She has served as co-counsel in numerous public interest litigation cases and has directed several national research projects as well as a comprehensive justice reform project in Jamaica.*

**Contact:** [halifax@leaf.ca](mailto:halifax@leaf.ca)

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## Canada Rocks vs. Britain Rocks - Sixth Annual Halifax Rock for Dimes – November 18, 2011

On **Friday November 18, 2011**, local amateur musicians will once again strap on their instruments to battle for the title of "Halifax's Best Band" and raise much-needed money for Nova Scotians with physical disabilities. Over \$90,000 has been raised to date by March of Dimes Canada at this annual rocking event in Halifax. Last year's "Retro 80s" event at the

World Trade Convention Centre was one of the biggest and best Rock for Dimes events across Canada in March of Dimes Canada history.

This year's novel musical theme for the "two stages" event will be **CANADA ROCKS vs. BRITAIN ROCKS**. If last year's cool costumes for the Retro 80s theme were any indication, there should be many fans of Canadian and British Rock music dusting off their favourite Maple Leaf and/or Union Jack costumes for this one! Once again, the Battle includes not only lawyers but also other professionals, such as medical professionals and software experts, which proves to be a very entertaining cross-disciplinary experience. Ask anyone who went last year!

Eight bands are preparing for this Clash of the Bands. They are: **Loose Garage** (Capital Health), **Project 501** (Stewart McKelvey), **Red C** (McInnes Cooper), **Terminal Road** (N.S. Department of Justice), **Piranha Brothers** (Various in-house and private lawyers), **Gene** (Government and private lawyers), **Buck McFate** (Burchells LLP) and **Fonts & Pixels** (ISL – Internet Solutions Ltd.). As you can see, six of the 8 bands comprise your fellow bar society members, all of whom are back to compete for a really great charitable cause. Best bar event of the year!

Mark your calendars now. The date is **Friday, November 18, 2011**. Doors open at 7:00 P.M. Be there or be square. For tables (of 10), tickets and more detailed event & sponsorship information, go to: [www.rockfordimes.ca](http://www.rockfordimes.ca) or call 1-800-263-3463.

Halifax Rock for Dimes benefits March of Dimes Canada's Conductive Education (CE) Nova Scotia Program, which helps children and adults in our province. CE is an innovative program that blends elements of education and rehabilitation to improve the independence, mobility and confidence of children with disabilities, and has proven especially beneficial to children with cerebral palsy, multiple sclerosis and developmental apraxia. March of Dimes Canada is a nationally registered charitable organization providing support services to people with disabilities, their families and caregivers across Canada. Last year, November 2nd became March of Dimes Conductive Education Awareness Day at Province House in Halifax and prominent MLAs delivered resolutions in the House of Assembly recognizing the "immense benefit" of March of Dimes and Conductive Education in Nova Scotia.

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## LIANS Solo and Small Firm Conference

**November 21, 2011 – 9:00 am to 4:15 pm | Westin Nova Scotian, Halifax**

Please be advised that the LIANS Risk and Practice Management Conference for Solo and Small Firms is scheduled to take place on November 21, 2011, at the Westin Nova Scotian in Halifax. The conference will offer sessions on Fact Patterns of Risk Management, Succession Planning, Red Flags of Fraud, the Incoming *Code of Professional Conduct*, as well as a vendor expo.

Confirmed speakers for the conference include **Jocelyn Frazer**, Equity Ombudsperson and Acting Practice Advisor at the Law Society of Alberta; **Barney Christianson QC**, Practice Management Advisor for the Law Society of Manitoba; **Darlene Jamieson QC**; **Victoria Rees and Elaine Cumming** of the Professional Responsibility department for the Nova Scotia Barristers' Society; and **David Penney** of Homewood Human Solutions™, who will offer a health and wellness session.

Online registration is now available on the LIANS homepage at [www.lians.ca](http://www.lians.ca).

- **Early-bird rate: \$200 + tax; after Oct. 28: \$250 + tax**
- **Discounts for two or more registrants from the same firm!**

Sessions will appeal to lawyers, office managers, paralegals and legal assistants. Lawyers and staff from all sized firms are welcome.

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## MUNDIAVOCAT – Football World Cup for Lawyers

**June 1 – 10, 2012 | Rovinj, Croatia**

This event includes:

- The 16<sup>th</sup> edition of the MUNDIAVOCAT CLASSIC (open to all lawyers)

*InForum* is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at [info@nsbs.org](mailto:info@nsbs.org).

- The 3<sup>rd</sup> edition of the MUNDIAVOCAT MASTER (lawyers aged 35+)

For details or to register, see the website: [www.munciavocat.com](http://www.munciavocat.com)

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](mailto: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](http://www.rovinj.hr).

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## 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.aptla.ca](http://www.aptla.ca).

## :: CLASSIFIEDS ::

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### **New office space for lease in St. Margaret's Bay**

Beautiful new office space for lease in St. Margaret's Bay, 13589 Peggy's Cove Road, with options of main floor and second floor space between 800-1,000 square feet. Currently, the building includes Bay Insurance and Financial, Bluenose Accounting, and St. Margaret's Bay Massage Therapy. I know that there can be a lot of interaction with lawyers with all three types of businesses that we have and would be able to refer clients. If you have any further questions, please feel free to contact us here at the clinic at [info@baymassage.ca](mailto:info@baymassage.ca) or 826-2803.

*Thanks for your interest,  
Tatum O'Handlley  
Amy Caines*

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### **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](mailto:glennija@gov.ns.ca).

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### **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](mailto:basim.sobeih@century21.ca)

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### **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](mailto:amunro.law@gmail.com) or cell: 789-6842

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

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### **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](mailto:Hare@ns.sympatico.ca) for further details.

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## **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.

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## **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](mailto:sdenney@nsbs.org).

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## **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](mailto:connierusk@ns.sympatico.ca).

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## :: NEW FROM LIBRARY & INFORMATION SERVICES ::

### **ABA Journal: 30 Lawyers Pick 30 Books Every Lawyer Should Read**

Just about every year, the *ABA Journal* publishes some type of best-of list. In the past, the magazine has covered the [25 Greatest Legal Movies](#) and the [25 Greatest Legal TV Shows](#). This year, the August 2011 issue of the magazine offers up [30 Lawyers Pick 30 Books Every Lawyer Should Read](#).

There are the expected law-related books, such as Scott Turow's *One L* and *Simple Justice: The History of Brown v. Board of Education and Black America's Struggle for Equality* by Richard Kluger, but there are also some surprising suggestions. Katharine Graham's *Personal History* for one, along with *Flourish: A Visionary New Understanding of Happiness and Well-Being* by Martin E.P. Seligman, *The Death and Life of Great American Cities* by Jane Jacobs, *Cleopatra: A Life* by Stacy Schiff, and *Respect for Acting* by Uta Hagen and Haskel Frankel.

For the complete list of lawyer-recommended reads, and the reasons why they were chosen, have a look at the [full list](#).

### **Case Commentators needed for Nova Scotia Law News**

Are you interested in sharing your views on recent, significant decisions from the Nova Scotia courts? Would you like to see your work published in *Nova Scotia Law News* and Library & Information Services' online article database, Secondary Sources?

Library & Information Services is looking for experienced practitioners in the following fields to write case comments for the *Nova Scotia Law News*:

- Agency
- Bankruptcy
- Civil Rights (Criminal)
- Creditor and Debtor
- Guardian and Ward
- Landlord and Tenant (Residential)
- Landlord and Tenant (Commercial)
- Mechanics Liens
- Mortgages
- Practice and Procedure
- Real Property
- Wills and Estates

For more information, please contact Barbara Campbell, Director of Library & Information Services, by calling 425 2665 (BOOK), toll-free 1 866 219 1202, or by sending an e-mail to [bcampbel@nsbs.org](mailto:bcampbel@nsbs.org).

## :: NEW DECISIONS ::

*Library & Information Services - Keeping you informed*

**BARRISTERS AND SOLICITORS – Conflict of interest – in family matter** *Mullen v. Mullen*, S.F.H.M.P.A. No. 076391, Jollimore, J., August 26, 2011. [2011 NSSC 326](#); **S634/19**

**CONTRACTS – Formation – enforceability** *Park v. Arsenault*, Claim No. 346984, Slone, Adjudicator, June 20, 2011. [2011 NSSM 44](#); **SmCI18/30**

**CREDITOR AND DEBTOR – Promissory note – effect of mutual release** *Sloke Foods Ltd. v. Frederick*, Claim No. 347333, Slone, Adjudicator, June 20, 2011. [2011 NSSM 45](#); **SmCI18/31**

**CRIMINAL LAW – Appeals – second-degree murder, conviction and sentence** *R. v. Ward*, C.A.C. No. 325820, Saunders, J.A., September 8, 2011. [2011 NSCA 78](#); **S631/19**

*InForum* is an electronic newsletter published approximately twice a month. To receive a free subscription, please contact the Society at [info@nsbs.org](mailto:info@nsbs.org).

- CRIMINAL LAW – Evidence – admissibility of character evidence** *R. v. J. (C.)*, C.A.C. No. 331605, Fichaud, J.A., September 7, 2011. [2011 NSCA 77](#); **S631/18**
- CRIMINAL LAW – Procedure – assignment of counsel** *R. v. W. (J.)*, C.A.C. No. 339020, Fichaud, J.A., September 2, 2011. [2011 NSCA 76](#); **S631/17**
- CRIMINAL LAW – Sentence – appeal of sentence for common assault** *R. v. D'Eon*, Yar. No. 329125, LeBlanc, J., August 29, 2011. [2011 NSSC 330](#); **S634/22**
- CRIMINAL LAW – Sentencing – indecent assault, gross indecency** *R. v. MacIntosh*, C.R.P.H. No. 339509, Kennedy, C.J., January 31, 2011. [2011 NSSC 341](#); **S634/31**
- CRIMINAL LAW – Sexual assault – guilty** *R. v. L. (E.R.)*, C.R.H. No. 330641, Kennedy, C.J., August 29, 2011 ; July 29, 2011 (orally). [2011 NSSC 329](#); **S634/21**
- CRIMINAL LAW – Sexual assault – minors, indecent assault, gross indecency** *R. v. MacIntosh*, C.R.P.H. No. 339509, Kennedy, C.J., September 8, 2011 ; January 31, 2011 (orally). [2011 NSSC 340](#); **S634/30**
- EMPLOYMENT LAW – Wrongful dismissal – resignation vs. termination** *Peters v. Eastlink*, Claim No. 343392, Slone, Adjudicator, June 20, 2011. [2011 NSSM 43](#); **SmCI18/29**
- FAMILY LAW – Custody – parallel parenting ordered** *MacDonald v. MacDonald*, No. 63357, Haley, J., August 11, 2011. [2011 NSSC 317](#); **S634/18**
- FAMILY LAW – Custody – variation** *S. (G.) v. H. (C.)*, F.L.B.M.C.A. No. 051601, Dyer, J.F.C., August 15, 2011. [2011 NSFC 19](#); **FC38**
- FAMILY LAW – Divorce – spousal and child support, special expenses** *Calder v. Calder*, No. 1201-064532, Williams, J., September 1, 2011. [2011 NSSC 328](#); **S634/24**
- FAMILY LAW – Mobility – application dismissed** *Taylor v. Wanless*, S.F.H.M.C.A. No. 060086, Jollimore, J., September 9, 2011. [2011 NSSC 336](#); **S634/29**
- INSURANCE – Automobile insurance – consent of owner** *Barrington et al. v. Dixon et al.*, Syd. No. 267902 ; 284659, LeBlanc, J., August 29, 2011. [2011 NSSC 331](#); **S634/23**
- LANDLORD AND TENANT – Commercial lease – balance of rent following termination of lease** *Bump Baby & Beyond Inc. et al. v. Liu et al.*, Claim No. 348208, Slone, Adjudicator, June 29, 2011. [2011 NSSM 46](#); **SmCI19/1**
- LANDLORD AND TENANT – Residential tenancies – appeal** *Robinson v. Rygiel*, Claim No. 349051, Slone, Adjudicator, June 27, 2011. [2011 NSSM 47](#); **SmCI19/2**
- MAINTENANCE – Child support – variation, maintenance, undue hardship, section 7 expenses** *MacDonald v. Seguin*, S.F.H.F. No. 13113, Jollimore, J., September 6, 2011. [2011 NSSC 337](#); **S634/28**
- MORTGAGES – Foreclosure – common-law right to foreclosure** *Concentra Financial Services Assoc. v. Broussard*, Hfx. No. 346662, Duncan, J., August 31, 2011 ; August 9, 2011 (orally). [2011 NSSC 332](#); **S634/25**
- NEGLIGENCE – Standard of care – veterinarian** *McNeil v. Weste*, Claim No. 351247, Slone, Adjudicator, August 17, 2011. [2011 NSSM 42](#); **SmCI18/28**
- PRACTICE – Appeals – application for leave** *Dixon et al. v. Nova Scotia (Director of Public Safety)*, C.A. No. 343192,

Bryson, J.A., August 31, 2011. [2011 NSCA 75](#); **S631/16**

**PRACTICE – Appeals – timeliness, standing** *Specter v. Nova Scotia (Minister of Fisheries and Aquaculture) et al.*, Hfx. No. 350371, LeBlanc, J., September 1, 2011. [2011 NSSC 333](#); **S634/26**

**TRUSTS – Real property – resulting trust** *Mattinson v. Fanning*, Hfx. No. 348164, Coughlan, J., September 6, 2011 ; July 29, 2011 (orally). [2011 NSSC 334](#); **S634/27**

**WILLS AND ESTATES – Trusts – application to vary** *Sprott Estate (Re)*, Hfx. No. 343317, Kennedy, C.J., August 25, 2011. [2011 NSSC 327](#); **S634/20**

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## SUPREME COURT of CANADA — recent decisions

*Library & Information Services - Keeping you informed*

No new decisions have been released on the [Supreme Court of Canada Judgments](#) website since the last *InForum*.

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## :: 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/>

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## :: PROCLAMATIONS UPDATE ::

*Library & Information Services - Keeping you informed*

No proclamations were published in the *Royal Gazette, Part II* since the last issue of *InForum*.

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 ::

### **Registration open: LIANS Solo and Small Firm Conference November 21, 2011 – 9:00 am to 4:15 pm | Westin Nova Scotian, Halifax**

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### **RISK AND PRACTICE MANAGEMENT TIP: Work smarter, not harder**

Many lawyers choose to work evenings and weekends when they can accomplish more because it's time that is free from interruptions. Interruptions can break your train of thought and may cause you to forget an important point or make a mistake. They can also disrupt the order in which you are completing your tasks, focusing you on less important matters during your most productive time, which can prevent the best results being achieved. However, there are a number of things you can do to combat interruptions:

- Try to do your important work during a time and place where you know interruptions are likely not to occur. If you find yourself more productive in the morning, consider arriving at the office earlier, or stay later if you prefer working during the evening;
- Hold your calls for a reasonable time and dedicate specific times during the day when you will listen to voice mail and return phone calls. Consider doing the same for email as well;
- To help minimize interruptions from within the office, consider closing your door for a portion of your day or request that co-workers and staff email you with inquiries that do not require your immediate attention;
- If you have an important and urgent task that needs to be completed, consider working from home or in a boardroom rather than your office.

Implementing minor changes to your routine can help minimize the impact of interruptions and help you "work smarter, not harder."

*If you have any questions on these, or any other risk- or practice-related matters, do not hesitate to contact Stacey Gerrard, LIANS Counsel with the **Risk and Practice Management Program** at [sgerrard@lians.ca](mailto:sgerrard@lians.ca) or call 423-1300 ext. 345.*

### **FRAUD ALERT: Protect yourself from investment fraud**

The Nova Scotia Securities Commission advised on August 23 that investors should be extra vigilant about financial products and practices during this time of economic uncertainty and volatile markets.

"Con artists follow the news and seek ways to exploit the headlines to their advantage while leaving investors holding an empty bag," said Scott Peacock, director of enforcement at Nova Scotia Securities Commission. "Promoters often offer

investors an opportunity to get in on the 'ground floor' of new technology or ideas to help others and make a great economic return.

"Unsuspecting investors can be lured into these schemes, especially if they sound familiar or mirror what is being reported in the news. These offerings require careful research and a strong reminder that if it sounds too good to be true, it probably is not true, nor will it be profitable to anyone but the promoter."

The Nova Scotia Securities Commission is a member of the North American Securities Administrators Association, which compiles lists of the top threats to investors. In products, potential investors should be wary of energy investments, gold and precious metal investments and promissory notes. In financial practices the most popular scams involve affinity fraud, bogus or exaggerated credentials, mirror trading, private placements and securities and investment advice offered by unregistered agents.

Visit [www.beforeyouinvest.ca](http://www.beforeyouinvest.ca) or call 1-855-424-2499 to learn the warning signs of investment fraud, or to verify any investment opportunity and the background of the individuals or company offering the investment. While the securities commission cannot provide advice, it can provide background information about those who sell securities or give investment advice, as well as about the products being offered.

*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](mailto:cnield@lians.ca) or 902 423 1300, x346.*

## **NSLAP WELLNESS TIP: Marital Conflict – Dispelling the myths**

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

### **Myth 1: Unhappy couples are unhappy because they lack communication skills.**

Research has shown that unhappy couples have the same communication skills as happy couples. The difference is that happy couples tend to use what they know about effective communication to enrich their relationship. Unhappy couples either don't use their communication skills during hard times or they use them to harm each other.

This is often cited as the reason why marital therapy does not always have lasting results. Over the past few decades, marital therapists have tended to focus on teaching couples communication and problem-solving skills. This appears to work well in the short-run but, unfortunately, not in the long-run. Couples eventually return to old patterns.

### **Myth 2: Healthy marriages are impossible unless couples learn how to solve their problems.**

Research has shown that many of the issues that couples disagree about are unsolvable. They are ever-present in the relationship as long as the two partners stay together. These issues are unsolvable because they are rooted in personality differences and needs that arise in connection with each partner's life experience and identity.

Happy couples have these unsolvable issues as much as unhappy couples. The difference is that happy, stable couples focus on maintaining an open dialogue about these issues; they try to understand and accept each other's differences and work towards compromise. Unhappy couples, however, focus on trying to change each other. Their interactions over these unsolvable conflicts tend to repeatedly spiral out of control, due to stubborn mutual resistance, lack of compromise and rejection of each others' perspectives.

What this means is that you need to shift your goal from trying to find a once-and-for-all solution to these unsolvable problems to being able to engage in ongoing, open-minded dialogue with your partner about the problem each time the problem comes up. You have to learn to accept and appreciate each other, and find ways to compromise. Of course, some problems are solvable.

### **Myth 3: Conflict signals an unhealthy relationship.**

A certain amount of conflict – a state of opposition or lack of agreement over interests, ideas, perceptions, etc. – is normal in most relationships. In fact, there is a wide range of conflict styles that characterize happy, stable relationships. On one end of the spectrum, some couples avoid conflict. On the other end of the spectrum, some couples openly state their

opinions and needs, and are not afraid of a good debate. In the middle are couples who don't avoid conflict, but who choose their battles carefully.

It is not the presence or absence of conflict that poisons a marriage. It is how partners deal with their conflicts, specifically, the level of hostility and negativity they direct toward each other during conflict. Happy couples deal with their conflicts with a consistent ratio of five to one positive to negative behaviours. Among couples headed toward divorce, this ratio is less than one to one.

**Examples of positive behaviours:**

- expressing love
- saying thank you
- apologizing
- softening your voice
- physical affection
- a kind gesture
- words of affirmation and encouragement
- compromise
- listening
- validating
- speaking non-threateningly

**Examples of negative interactions:**

- criticisms
- put-downs
- withdrawal of affection
- hostility
- defensiveness

**Myth 4: Expressing anger is destructive to a relationship.**

Marital problems resulting from anger are more often a result of repressed anger than expressed anger. Expressed anger is not inherently harmful to a marriage, as long as the anger is not expressed in a hostile manner.

When you are alarmed or annoyed by an important issue occurring in the marriage, much more harm comes from continually trying to ignore your feelings and adapt to the situation than from talking about it. Emotions that are dismissed rather than dealt with do not disappear.

Expressing anger is not synonymous with attacking your spouse's dignity. You have a right to express your emotions, but not to demean your partner. There is an enormous difference between saying, "It makes me really angry when you act bossy or tell me what to do," and saying, "There you go again, always having to be in charge. Why do you always have to get your big nose in everybody's business!?"

*For more resources and counselling to avoid overreacting, visit the NSLAP website at [www.nslap.ca](http://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.*