

# INFORUM

The Nova Scotia Barristers' Society semi-monthly e-newsletter

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  - [The Elements, Part 3: Oil — The Master Resource: Oil and the New Servitude](#) – May 16
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## Career Opportunities

- Visit our website for the latest [career postings](#)

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## :: NOTICES ::

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### SOCIETY NEWS

#### **The 2012 Annual Meeting and Schulich School of Law Professional Development Program**

**Saturday, June 16, 2012 | 8:30 am – 12:30 pm**

**Schulich School of Law, Dalhousie University, 6061 University Avenue, Halifax**

[2012 Annual Meeting Invitation](#) (PDF)

Lawyers are invited to attend the 2012 Nova Scotia Barristers' Society Annual Meeting on Saturday, June 16 from 8:30 – 10:30 am. Following the 2012 Annual Meeting, the Schulich School of Law will present a two-hour professional development program. Registration is free, and attendance at both events will count toward the Society's CPD Requirement.

#### **The 2012 Nova Scotia Barristers' Society Annual Meeting**

**8:30 am – 10:30 am**

*including a presentation by Darrel I. Pink, Executive Director*

*on **The Revolution in Delivery of Legal Services***

*Attendance qualifies for one hour toward the Society's CPD Requirement. Light breakfast/coffee will be available.*

#### **Schulich School of Law Professional Development Program**

**10:30 am – 12:30 pm**

Join professors from the Schulich School of Law and Society & LIANS staff for a selection of sessions on recent case law and other legal developments, current issues in legal ethics, risk and practice management, and cultural competence. A list of available sessions will be posted at [nsbs.org/events](http://nsbs.org/events).

*Attendance qualifies for two hours toward the Society's CPD Requirement.*

For more details and updates, visit the events page of the Society's website at <http://nsbs.org/events> and see the listing for the [2012 Annual Meeting](#).

**RSVP:** To confirm your attendance at the 2012 Annual Meeting and the Schulich School of Law Professional Development Program, RSVP to [AnnualMeeting2012@nsbs.org](mailto:AnnualMeeting2012@nsbs.org). When you RSVP by email, please include the full names of those attending.

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#### **Brief interruption to web services: morning of Tuesday, May 15, 2012**

Please note, the Society's website and online member services will be unavailable for a two-hour period the morning of Tuesday, May 15. The Society will be conducting technical maintenance and upgrades, starting at 7:00 am and finishing by 9:00 am.

We apologize for the inconvenience. If you require assistance or information, please phone the Society at 902 422 1491 or email [info@nsbs.org](mailto:info@nsbs.org).

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#### **Council meeting on Friday, May 18, 2012**

The next regular meeting of Council is scheduled for this Friday, May 18, 2012. The agenda and meeting documents are now available on the **Council materials** page of the Society's website: <http://nsbs.org/council-materials>.

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## **Raymond Jacquard: Settlement agreement**

The Nova Scotia Barristers' Society held a public hearing on Wednesday, May 9 regarding a complaint against Yarmouth lawyer Raymond Jacquard. The [resolution and settlement agreement](#) resulting from the hearing are available on the Society's website, under **Regulation > Professional Responsibility > Decisions & Dispositions**.

Please note, the website's [Decisions and dispositions](#) page has an RSS feed. The [Public hearings](#) page also has an RSS feed available for those who wish to subscribe for updates.

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## **UnCommon Law 4: June 8 in Sydney**

**How do we improve access to justice for women in Nova Scotia?** That's the focus of UnCommon Law 4, to be presented by the Society this year in Cape Breton for the first time. All NSBS members are welcome to attend this June 8 event, coordinated by the Gender Equity Committee.

**June 8, 2012 | 9:00 am – 4:00 pm**  
**Cambridge Suites Hotel, 380 Esplanade, Sydney, NS**  
[UNCOMMON LAW 4 - INVITATION](#) (PDF)

This event is an opportunity for community groups and all members of the legal profession – male and female – to speak, listen and learn from each other on issues relating to access to justice for women in Nova Scotia.

For more details, visit the events page of the Society's website at <http://nsbs.org/events> and see the [UnCommon Law 4 posting](#).

**Please RSVP by May 30, 2012** to Emma Halpern at [ehalpern@nsbs.org](mailto:ehalpern@nsbs.org)

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## **Changes in Category – April 30 to May 14, 2012**

This feature is now available in every edition of *InForum*, for timely updates on changes of category.

*The following members have changed to the Practising Lawyer category:*

Ruth Marie Bailey	Heather Ann Shields
Calum Joseph MacLeod	Samina Thind

*The following members have changed to Non-Practising status:*

Angèle Bilodeau	Ian Richard Sinclair
Jacqueline Marie Boucher	Donald John Stevenson QC
Michael Eugene Deturbide	Andrew Mark Waugh

*The following member has changed to Retired status:*

Marion Haunton

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## **In Memoriam**

The Society wishes to advise members of the recent deaths of the following colleagues. We extend our condolences to their friends and families.

- Donnie Doucet, Lethbridge, Alberta (formerly of Cheticamp) – May 5, 2012 [Obituary](#)
- Donald Gordon Peverill, Halifax – April 30, 2012 [Obituary](#)

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## Tilly Pillay QC elected Second Vice-President for 2012-2013

Halifax lawyer Tilly Pillay QC will be Second Vice-President of Council for 2012-2013, as the successful candidate in the election for the position. Voting took place throughout April .

Ms. Pillay has been a member of the Nova Scotia Bar since 1990. She is currently the Director of Litigation and Co-Executive Director of the Legal Services Division for the province's Department of Justice. She served as a member of Council from 2007 to 2009, and also on a number of Society committees through the years. She has been involved in a number of community organizations, where she was a past member of the Board of Directors of Bryony House, a volunteer with the Metropolitan Immigrant Settlement Association, and a member of the Board of Directors for LISNS.

Ms. Pillay will assume the post and its responsibilities after the Annual Meeting, to be held on June 16 at Schulich School of Law in Halifax. Tim Daley QC of New Glasgow will serve as President, with René Gallant of Halifax as First Vice-President.

## Organizational Review leads to lower annual fees for 2012-2013

Due in large part to its ongoing Organizational Review, the Society has reduced its net annual practising membership fee by \$414, an 18.3 per cent decrease from last year's fee.

### New fees for 2012-2013: due by June 30, 2012

- **Practising lawyers:** \$1,945.00 – fee credit of \$95.00 = **\$1,850** (18.3% lower than in 2011-12)
- **Non-practising members: \$250** (unchanged from 2011-12)
- Full details available on the [Fees](#) page of the Society's website, and in the Society's current [Regulations](#).
- See the [factsheet](#).

"Overall, the organizational review process is resulting in a more efficient and cost-effective Society," says Darrel Pink, Executive Director.

By focusing on its core regulatory responsibilities, the Society has eliminated a number of discretionary activities and the costs associated with them. This year's budget and lower fees reflect the financial impact of recent substantial changes to Library & Information Services (see *InForum*, January 23 edition), as well as Council's decision that the Society should cease to be a frontline provider of conferences, seminars and social events for the legal profession.

The new fee for practising lawyers is \$1,945.00 – a reduction of \$319.00 (14.1%) from the \$2,264.00 fee in 2011-12. Practising lawyers will also receive a fee credit of \$95.00, representing a return of unrestricted surplus funds, which further lowers the net membership fee to \$1,850 – a total reduction of \$414.00 (18.3%). The fee for non-practising members is \$250.00, unchanged from last year. Fees are due by June 30.

The new fees are in effect for the 2012-2013 fiscal year, which started Tuesday, May 1, 2012 and runs through April 30, 2013. They were a result of the budget approved by Council at its meeting on April 20.

### Introducing new online options for payment

For the first time, lawyers and non-practising members will now have the option of paying their fees electronically, via online banking. They can pay in full by cash, cheque, debit, direct deposit, wire transfer, or online banking (new), by the June 30 deadline.

Practising lawyers can also pay their fees on a quarterly basis via preauthorized payment options, on June 20, September 20, December 20 and March 20. For this option, dates have been advanced by 10 days in order to allow some flexibility between the draw and the end of the period for which the member has already paid. This should be sufficient time to address any issues with banking or bank errors, and to prevent the need to suspend the lawyer immediately upon notification.

For more information on the new budget, visit the [Council materials](#) page of the Society's website. Fee calculations were

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based on the practising lawyer count of 1,878 on January 1, 2012, an increase of 21 lawyers since last year at the same time.

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## **Council Highlights from Friday, April 20, 2012**

For details about matters discussed at Council's meeting on Friday, March 23, please visit the Council Highlights and Documents, posted on the [Council materials](http://nsbs.org/council-materials) page of the Society's website: <http://nsbs.org/council-materials>

The next regular meeting of Council is scheduled for Friday, May 18, 2012.

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## **Invitation to UnCommon Law 4: June 8 in Sydney**

How do we improve access to justice for women in Nova Scotia?

That's the focus of UnCommon Law 4, to be presented by the Society this year in Cape Breton for the first time. All NSBS members are welcome to attend this June 8 event, a great opportunity for community groups and members of the legal profession to speak, listen and learn from each other.

**June 8, 2012 | 9 am – 4 pm**  
**Cambridge Suites Hotel, 380 Esplanade, Sydney, NS**  
FREE (lunch included)

See the [INVITATION](#)

Please RSVP by May 30, 2012 to Emma Halpern at [ehalpern@nsbs.org](mailto:ehalpern@nsbs.org)

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## **Society has moved to new location**

The Nova Scotia Barristers' Society has moved to its new location in Cogswell Tower. The new address is now as follows:

**Nova Scotia Barristers' Society**  
**Cogswell Tower**  
**800–2000 Barrington Street**  
**Halifax NS B3J 3K1**

This new address is accessible at any time on the website's Contact us page: <http://nsbs.org/contact-us>.

The Society's telephone and fax lines remain the same:

**tel. 902 422 1491 | fax 902 429 4869**

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## **Implementation of Society's new CPD requirement**

Starting on June 1 of this year, practising lawyers will be required to complete at least 12 hours of continuing professional development annually, and to report this education on their Annual Member Reports. Implementation of the new CPD requirement is now underway; Council approved a schedule for the rollout at its January 20 meeting.

The annual cycle for the new CPD requirement will run from **June 1 to May 31 each year**, in order to coincide with the Society's regular annual cycle for members regarding fee payments, Annual Member Reports and other requirements.

However, to allow some flexibility and lead-up time while introducing the new CPD requirement in its first year, the Society will give credit for CPD completed in the three months prior to the new requirement coming into effect. In other words, the first year will actually be 15 months, so appropriate **CPD completed in March, April and May 2012 will qualify for reporting in the 2012-2013 year.**

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Further updates will be available shortly. For detailed information about the new CPD requirement, visit the [NSBS CPD Requirement](#) page of the Society's website, and the [CPD Requirement Chart](#). Also see the April edition of the *Society Record*, coming soon.

For links to CPD programming and providers, visit the [CPD resources](#) page and [Upcoming Events](#).

## 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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## FROM THE COURTS

### Family Court Forms for individual litigants – now available in interactive format

Family Court Forms used by individual litigants (not by agencies) are now available in an "interactive" format, meaning they can be filled out on a computer. For more [details and links](#), visit the News section on the homepage of the Courts of Nova Scotia website: [www.courts.ns.ca](http://www.courts.ns.ca).

### New Brunswick to reinstate Small Claims Court

See the recent articles:

- [Small claims court to return in New Brunswick](#)  
metronews.ca | May 11, 2012
- [Small claims court bill introduced](#)  
cbc.ca | May 11, 2012

### 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 new Twitter service to be automatically notified whenever something new is added to this web page. For instructions, visit <http://www.courts.ns.ca/General/bar.htm>.

Several Twitter accounts have been set up to better serve the legal profession, the general public and the media, replacing the RSS Feed service that was previously available on the website.

- **Decisions of the Courts:** Receive Tweets when the Courts post new decisions on the website. The Tweet will link you directly to the decision itself. Choose to receive Tweets about decisions released by one or all of the Courts. [http://www.courts.ns.ca/decisions\\_recent/decisions\\_weekly\\_list.htm](http://www.courts.ns.ca/decisions_recent/decisions_weekly_list.htm)
- **Notices To The Bar:** These Tweets include notices about Court schedules, the Prothonotary's "Hints And Tips", amendments to the *Civil Procedure Rules*, and changes to the online dockets of the Court of Appeal, Supreme Court in Kentville/Windsor, and the Bankruptcy Court. <http://www.courts.ns.ca/General/bar.htm>
- **News of the Courts:** Follow news about the Courts as it is posted on the website. These News Tweets will be in addition to news releases regularly emailed directly to the media. <http://www.courts.ns.ca>

Other notices to the Bar:

**Federal Court:** Ongoing updates are posted on the [Notices to Parties and the Legal Profession](#) web page.

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## FROM THE PROVINCE

### Provincial notices

Note: Find direct links to more provincial announcements on the What's New page at the start of *InForum*.

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## JUSTICE

### Province, partners to discuss gun violence in Halifax

Government, community leaders and police are working together to find new and innovative ways to reduce gun violence in Halifax Regional Municipality.

On May 15, [CeaseFire Chicago](#) will lead a two-hour overview workshop for police and justice partners. An in-depth workshop will take place May 16-18. The group has drastically decreased gun violence in Chicago and other cities, with an innovative violence interruption program that uses a public health model to stop shootings and killings.

Seventy community leaders, organizations, youth, faith leaders, and justice partners are expected to attend.

"Gun violence is very real in our community. While the crime rate has been trending downward for eight years, we're seeing an increase in the level of violence as well as criminals' propensity to use firearms," said Deputy Chief Bill Moore, Halifax Regional Police.

The knowledge exchange workshop on gun violence supports government's crime prevention efforts. The Department of Justice invests more than \$20 million annually in initiatives that support crime prevention and community safety, including the Lighthouses Program, Additional Officer Program, mental health and domestic violence courts, internationally recognized Nova Scotia Restorative Justice Program and Mi'kmaw Legal Support Network.

For more details, see the [May 14 announcement](#) on the [Justice Department website](#).

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### Justice Administration Bill introduced

The Province is updating legislation and making a number of board appointments better and easier with a justice administration bill introduced on May 4. Justice Minister Ross Landry tabled the legislation, which proposes minor changes to five bills.

"These changes will support better service for Nova Scotians by clarifying and updating legislation, and ensuring appointments to various boards are simple and transparent," said Mr. Landry.

The proposed legislation will simplify appointments to the Film Classification Board and Arts Nova Scotia. It will also allow substitutions on the House of Assembly Management Commission, and will allow those members to also serve on the Public Accounts Committee. The legislation will add two new members to the Nova Scotia Liquor Corporation board of directors, at the corporation's request.

Changes to the *Liquor Control Act* will require the appointment of a vice-chair from among the members of the Board of Directors to serve as chair in the event the chair is absent or incapacitated.

The bill will also clarify and correct references in the *Summary Proceedings Act* about speeding conviction suspensions and orders prohibiting access to information for warrants. Read more in the [May 4 announcement](#).

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### SERVICE N.S./MUNICIPAL RELATIONS: Changes to property assessment appeals procedure

The Province is proposing Nova Scotia property owners have access to sales information and an improved property assessment system with amendments to the *Municipal Government Act* and the *Assessment Act* on May 2.

A proposed change in the *Municipal Government Act* would allow property sales prices to be published. Ratepayers would have 31 days, instead of 21, to file appeals after assessment notices are mailed.



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The Regional Assessment Appeal Court would become the Nova Scotia Assessment Appeal Tribunal, and have authority to request disclosure of information from appellants and assessors. The changes are expected to be implemented in time for the assessments in 2013. Read more in the [May 2 announcement](#).

## **ENERGY: Province outlines steps to develop marine renewable energy**

Nova Scotia has taken another step towards turning its abundant ocean energy resources into an affordable supply of clean, renewable electricity. The Province released a plan today, May 14, outlining how it will use local expertise and knowledge to develop the emerging energy sector. The Marine Renewable Energy Strategy contains broad policy, economic and legal conditions for renewable energy projects and technologies for commercial development in the province.

It focuses on three main areas: research; development; and regulatory planning. The regulation framework, which is being developed, will protect Nova Scotians' interests and the environment while providing opportunities to invent, design, test and develop the right technologies to harness the province's marine renewable energy.

This report acts on recommendations by Dalhousie University oceanographer Bob Fournier, whose September 2011 report recommended developing a provincial marine renewable strategy and legislation. He outlined 27 recommendations in *Marine Renewable Energy Legislation: A Consultative Approach*, which focused on in-stream tidal development. The strategy addresses all of Mr. Fournier's recommendations.

A copy of the strategy is available at [www.gov.ns.ca/energy](http://www.gov.ns.ca/energy) .  
Find out more in the [May 14 announcement](#).

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## **Want to make a difference? Applications welcome for Agencies, Boards, Commissions**

Nova Scotians interested in serving the public are encouraged to apply for the many positions available through the province's 165 agencies, boards and commissions.

Adjudicative agencies, boards and commissions serve a variety of roles and interests and have quasi-judicial functions. They review evidence, make findings of fact and law, and make decisions affecting the liberty, security or legal rights of people. Members must apply legal, sound professional and technical principals for decisions. Examples include: Farm Practice Board; Review Board Under the *Criminal Code*; Tuition Appeal Board.

Non-adjudicative agencies, boards and commissions make financial, regulatory, business or policy decisions or recommendations to government, which have far-reaching implications for Nova Scotians in many areas, from children and youth services to loan and licensing boards. Examples include: Gaelic College Foundation Board of Governors; Provincial Dental Board of Nova Scotia; Workers Compensation Board.

Applications for non-adjudicative agencies, boards and commissions are welcome anytime, with assessment of applications to begin May 18. The application deadline for adjudicative agencies, boards and commissions is May 25. Applicants are assessed on skills and qualifications and the needs of the individual agency, board or commission.

The Province of Nova Scotia is an equal opportunity employer. Through the Employment Equity Policy, the Government of Nova Scotia seeks to better represent the diverse public it serves. Government is committed to ensuring diversity in the workplace by supporting initiatives that promote the equitable participation of Aboriginal persons, African Nova Scotians and other racially visible persons, persons with disabilities, and women in positions where they are under-represented. All applicants who are members of an employment equity group are encouraged to self-identify.

For more information on board position profiles, current opportunities and how to apply, visit [www.gov.ns.ca/exec\\_council/abc](http://www.gov.ns.ca/exec_council/abc) or contact the Executive Council Office at 902 424 4877 or toll free at 1-866-206-6844.

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

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## OTHER NEWS & NOTICES

### **Supreme Court Law Review launching the SCLR Constitutional Cases collection online**

Toronto, Ontario | May 4, 2012

Osgoode's Annual Constitutional Cases conference was first held in 1997, and marks its 15<sup>th</sup> anniversary in 2012. The conference takes place each year in April on a date close to April 17th, to mark the anniversary of the Constitution's patriation in 1982 and the *Charter of Rights and Freedoms*. The conference and its publication in the *Supreme Court Law Review* ("SCLR") provide commentary and analysis of the Supreme Court of Canada's constitutional jurisprudence for the preceding calendar year. Papers by Canada's foremost judges, constitutional scholars, and litigation experts address the Supreme Court's decisions on federalism and constitutional rights, including aboriginal rights, as well as offer broader perspectives on constitutional theory and interpretation. Over the years, this conference has been recognized as the leading source of constitutional scholarship in Canada.

The conference papers have been published in a dedicated volume of the *Supreme Court Law Review* for the last decade. Over the years, 212 articles have been published, and all 10 volumes of Constitutional Cases in the SCLR are now available online; this archive also includes the SCLR volume for the 25th *Charter* anniversary conference on the *Charter* and criminal justice, which was also an Osgoode Hall initiative. The website will be updated every year by the chair(s) of Osgoode's Annual Constitutional Cases conference, once the annual SCLR volume of Constitutional Cases is published.

The [SCLR webpage](#) is hosted by York Digital Journals, at York University. The SCLR volumes have been reproduced for this webpage with the permission and support of LexisNexis Canada Inc., as publisher of the SCLR. The webpage was also developed with the support of the York Centre for Public Policy and Law. It has a search function, and searches can be conducted according to issue, author or title. Results present an abstract and a link to the article in PDF.

For more details, see the announcement on the [Supreme Court Law Review webpage](#).

Also see:

[Osgoode publishes Supreme Court Law Review online](#)

Slaw.ca | by Simon Fodden | May 7, 2012

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### **Changing Directions, Changing Lives: Canada's first Mental Health Strategy unveiled**

(Tuesday, May 8, 2012, Ottawa, ON) – Canada's first strategy to improve the mental health of all Canadians was publicly released on May 8 by the Mental Health Commission of Canada (Commission) during Mental Health Week.

Download the strategy and details here: <http://strategy.mentalhealthcommission.ca/>

It was developed through extensive consultations with thousands of Canadians through regional dialogues, online surveys, roundtables and discussion groups with stakeholders. The Strategy focuses on improving mental health and well-being for all people living in Canada and on creating a mental health system that can meet the needs of people of all ages living with mental health problems and illnesses and their families.

Changing Directions, Changing Lives sets out recommendations for change that promise to improve quality of life for Canadians in every province and territory, grouping them into six key strategic directions:

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- Promote mental health across the lifespan in homes, schools and workplaces, and prevent mental illness and suicide wherever possible;
- Foster recovery and well-being for people of all ages living with mental health problems and illnesses, and uphold their rights;
- Provide access to the right combination of services, treatments and supports, when and where people need them;
- Reduce disparities in risk factors and access to mental health services, and strengthen the response to the needs of diverse communities and Northerners;
- Work with First Nations, Inuit and Métis to address their mental health needs, acknowledging their distinct circumstances, rights and cultures; and,
- Mobilize leadership, improve knowledge and foster collaboration at all levels.

"Mental health problems and illnesses cost Canada more than \$50 billion every year. We have made some progress, but more needs to be done to improve how we deal with mental illness in this country – we are still very far from where we need to be," says Commission Chair David Goldbloom, MD. "Everyone has a role to play and that is why today's call to action is intended for every government, corporation, organization, community, service provider and Canadian to rally around the goals and priorities in the Strategy."

### **Also: Mental Health strategy in development for Nova Scotia**

Also see the new report from Nova Scotia's Mental Health and Addictions Strategy Advisory Committee, released on April 23. Its recommendations aim to provide better care sooner for Nova Scotians, through development of the province's first mental health and addictions strategy.

Come Together: Report & Recommendations of the Mental Health and Addictions Strategy Advisory Committee

- [Full Report](#)
- [Summary](#)
- More details: <http://www.gov.ns.ca/health/mhs/mental-health-addiction-strategy.asp>

As part of its work, the Committee conducted extensive consultations with Nova Scotians, and reviewed research, best practices and lessons learned from other jurisdictions. More than 1,200 Nova Scotians provided input, including individuals and families impacted by these illnesses, health care professionals, district health authorities, IWK Health Centre, non-governmental organizations, First Nations communities, African Nova Scotians, Francophone/Acadian Nova Scotians, military families and chiefs of police.

### **Policy Options: Constitutional Affairs Essay Competition**

With the support of Norton Rose and the Canadian Constitutional Affairs Conference (CCAC), *Policy Options* magazine, published by the Institute for Research on Public Policy (IRPP), is asking for submissions to the annual [Constitutional Affairs Essay Competition](#).

The competition's organizers aim to promote debate on constitutional affairs in Canada by publishing the best student essays on the topic and compensating their authors. The competition was created in recognition of the CCAC's national conference for law students and constitutional experts, which took place in Quebec City in 2008. This conference focused on Canadian federalism and identity and sought to increase the opportunity for, and quality of, debate among students from across Canada.

The winning entry will be published in the IRPP's *Policy Options* magazine, and its author awarded a \$1,500 prize. The second place entry will be posted online on the IRPP's website ([www.irpp.org](http://www.irpp.org)), and its author awarded a \$500 prize. For more details and to see winning essays from the past, see: [http://www.irpp.org/po/essay\\_comp.php](http://www.irpp.org/po/essay_comp.php)

Deadline for receipt of submissions: **May 31, 2012**

For more information and to submit entries: [constitution@irpp.org](mailto:constitution@irpp.org)

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## AWARDS & APPOINTMENTS

### **Barbara Campbell receives Denis Marshall Memorial Award for Excellence in Law Librarianship**

Barbara Campbell recently received a prestigious national award from the Canadian Association of Law Libraries/Association canadienne des bibliothèques de droit,

Ms. Campbell, longtime Director of Library & Information Services for the Nova Scotia Barristers' Society, retired at the end of April after nearly 30 years with the Society. She received the award shortly afterwards, during the Association's annual conference held in Toronto May 6 to 9.

The award was established by LexisNexis Quicklaw to honour the memory of Denis Marshall, a former President and Executive Board member of the Association who was also highly regarded for his scholarship in the academic community. It is bestowed upon a current member of CALL/ACBD who has provided outstanding service to the Association and / or enhanced the profession of law librarianship.

Throughout her career with the Society, Ms. Campbell initiated many visionary changes in terms of how legal information is developed and delivered. She supported lawyers in every area of the province through the high quality of service provided by the main Barristers' Library and by ensuring that county libraries met the needs of local Bars. In 2010, Ms. Campbell accepted another major award from CALL on the Society's behalf – the Hugh Lawford Award for Excellence in Legal Publishing, for development of the *Nova Scotia Annotated Civil Procedure Rules*.

For more information, visit the [Denis Marshall Memorial Award](#) page on the CALL/ABCD website.

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### **CCIL congratulates the 2012 John Peters Humphrey Award recipients: Katie Sykes, Ryan Liss**

(Wednesday, May 2, 2012) The Canadian Council on International Law extends its congratulations to Katie Sykes and Ryan Liss, the 2012 John Peters Humphrey Fellowship award recipients.

Ms. Sykes is pursuing her doctoral studies at Dalhousie University's Schulich School of Law. Her thesis, "Eat, Trade, Judge," will analyze the international regulation of the food system.

International law addresses food from three main perspectives: trade, environmental sustainability, and human rights. These themes are generally dealt with in isolation from one another – an example of the phenomenon of "fragmentation" in international law. Through her research, Ms. Sykes will propose the creation of an international body, the World Organization for Fair and Sustainable Agricultural Trade, which would have the institutional capacity and mandate to deal with food issues in a way that integrates trade, environmental and human rights legal principles.

Mr. Liss is pursuing his studies at Yale Law School. For more details on the awards and recipients, see the [announcement](#) on the CCIL website at [www.ccil-ccdi.ca](http://www.ccil-ccdi.ca).

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### **Call for nominations: Ramon John Hnatyshyn Award for Law**

The Canadian Bar Association is seeking nominations for the 2012 Ramon John Hnatyshyn Award for Law. The deadline for applications is **May 31, 2012**.

Established by the Governor General in 1993 and entrusted to the Canadian Bar Association, the medal recognizes outstanding contribution to the law or legal scholarship in Canada.

Nomination forms, other details and a list of past recipients are available [here](#).

The medal will be presented at the Canadian Legal Conference in August.

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The selection committee is seeking nominations from law schools, law societies and Chief Justices. It would be most appreciated if you could recommend a nominee and ensure this award is brought to the attention of your colleagues. Details, including the formal nomination form, are also available at [www.cba.org/CBA/Awards/hnatyshyn](http://www.cba.org/CBA/Awards/hnatyshyn).

## **Le Prix pour le Droit Ramon John Hnatyshyn**

Soyez rappelé que le Comité des prix et récompenses est à la recherche de candidats et de candidates pour le Prix d'excellence pour le droit Ramon John Hnatyshyn 2012. La date limite pour soumettre les candidatures est le **31 mai 2012**.

Établie par le gouverneur général en 1993 et confiée à l'Association du Barreau canadien, cette médaille récompense la contribution exceptionnelle apportée par une ou un juriste au droit ou au savoir juridique au Canada.

La médaille sera remise dans le cadre de la Conférence juridique annuelle de l'ABC en août.

Le Comité de sélection est à la recherche de candidatures en provenance des facultés de droit, des barreaux et des juges en chef. Nous vous serions reconnaissant(e)s de nous recommander un candidat ou une candidate et de faire connaître ce prix parmi vos collègues. De plus amples détails, y compris le formulaire officiel de proposition de candidature, sont aussi disponibles sur notre site Web [www.cba.org/ABC/Prix/prix\\_hnatyshyn](http://www.cba.org/ABC/Prix/prix_hnatyshyn).

Je vous remercie de l'attention que vous accorderez à cette requête et vous prie d'agréer, Madame, Monsieur, l'expression de mes sentiments les meilleurs.

Stephen Hanson  
Directeur principal des Communications  
[stephenh@cba.org](mailto:stephenh@cba.org)

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## **VOLUNTEER & PRO BONO OPPORTUNITIES**

### **Do you want to give back? Learn more about your community?**

Join the Sackville Bedford Early Intervention Board of Directors and contribute to your community. Based on the philosophy the "Each belongs", the Sackville Bedford Early Intervention program has been providing support and education since 1983 to children from birth to age six who have or are at risk for developmental delays.

Early Intervention is part of a team of professionals, lead by parents, who work together and respond to the family's needs and priorities as they relate to the development of their child. Early intervention also provides learning opportunities for families and helps to provide information so that families can make informed decisions about their child's learning and development. Early intervention also supports family advocacy, networking and community inclusion.

Sackville Bedford Early Intervention currently employs an Executive Director, part-time office administrator, three full-time Early Interventionists and one part time interventionist. Our program is funded by the Nova Scotia Department of Community Services, donations and our own fundraising events.

Our Board of Directors currently consists of parents, professionals and other community members interested in supporting Sackville Bedford Early Intervention Program by helping to develop and monitor short-term and long range planning for the early intervention program. Our board also helps to evaluate the services being provided by the program in relation to the specified goals and standards and to recommend modifications where appropriate. Our board meets on the third Tuesday of the month, five times per year (usually September, November, February, April, and our Annual General Meeting is in June). Our board also has committees that meet as required.

Please consider offering your expertise to the Board and join the men and women who give back to the community through Early Intervention.

<http://www.sbeip.com/>

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For more information, please call Pamela at 449-9987 or email [creativepam@gmail.com](mailto:creativepam@gmail.com).

## **Artists' Legal Information Services (ALIS)**

Artists' Legal Information Society (ALIS) is a non-profit legal support volunteer organization based in Halifax. Our mission is to make a stronger, more vibrant arts community in Nova Scotia by helping to resolve legal issues for artists living here. 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 [info@nsalis.com](mailto:info@nsalis.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/>

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

To post career opportunities relating to the legal profession, use the Society's new [online form](#).

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## :: CONFERENCES & SEMINARS ::

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### NSBS ADMISSIONS & PROFESSIONAL DEVELOPMENT

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

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#### 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:

- June 20 to 27, 2012

[Register online](#)

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### OUTSIDE CONFERENCES & SEMINARS

Please visit the [events](#) page on our website for the most up-to-date listings.

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### UPCOMING EVENTS FROM CBA-NS

#### Environmental Law: Sun, Sand & Surf

June 15, 2012 – Save the date!

[http://www.cba.org/NS/News\\_And\\_Events/Environmental\\_Law.aspx](http://www.cba.org/NS/News_And_Events/Environmental_Law.aspx)

[http://www.cba.org/dev/NS/News\\_And\\_Events/Conference.aspx](http://www.cba.org/dev/NS/News_And_Events/Conference.aspx)

#### Upcoming CBA-NS Online CLE:

- **Criminal Law – Trial Sexual Offence Cases**  
**Friday, May 18, 2012 from 12:00 - 1:30 pm** (Atlantic time)  
**Speaker:** Frank P. Hoskins, Provincial Court of Nova Scotia  
Deadline to register is Wednesday, May 16, 2012. Register today!  
Fees: \$90.00 plus HST for CBA Members and \$140.00 plus HST for Non-members.  
Group rate available at \$400.00 plus HST for one firm with 5-10 CBA registrants in a boardroom setting.

Bring the experts to your office. All you need for this live interactive educational opportunity is a phone, computer and 90 minutes. Please contact Riea Elder with any questions at (902) 425-8170 or by email at [riea.elder@cbans.ca](mailto:riea.elder@cbans.ca)

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### UPCOMING EVENTS FROM CANADIAN CENTRE FOR ETHICS IN PUBLIC AFFAIRS (CCEPA)

#### The Elements – A three-part series examining the ethical uses of our resources: Food, Oil and Water Part 3: Oil — The Master Resource: Oil and the New Servitude

May 16, 2012 – 7 pm

Scotiabank Theatre Auditorium, Sobey School of Business, Saint Mary's University

**Keynote:** Andrew Nikiforuk, author of *Tar Sands: Dirty Oil and the Future of a Continent*

The affordability, portability and versatility of petroleum rapidly changed the role of the human species on the planet over the last 150 years. It expanded the role of the state, mechanized cities, industrialized agriculture, propelled demographic growth and changed economic thinking. What changes does the end of cheap oil herald, how much energy are North Americans ethically entitled to, and is it time for a paradigm shift?

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Free Admission – Reception to follow. This event will be live streamed and can be viewed here: [www.ccepa.ca](http://www.ccepa.ca)

## **Touching the Wounds: A Theological Reflection on Remorse, Reconciliation and the Catholic Church in the Pedophilia Crisis**

**May 22, 7pm – 9pm**

**Scotiabank Theatre Auditorium, Sobeys School of Business, Saint Mary**

**Keynote:** Dr. David Deane, Professor of Theology, Atlantic School of Theology

While analyses of the pedophilia crisis in the Catholic Church from sociological, psychological and legal perspectives abound, theological analyses are curiously lacking. This presentation seeks to offer a analysis of the theological failures of the Catholic hierarchy in response to the abuse crisis and suggest coherently theological models for how a process of reconciliation might emerge. While aware that a theological perspective on the crisis can never be exhaustive, this presentation aims to offer a theological voice to the conversation, for Christians and non-Christians disturbed by this crisis, to hear.

Free Admission – Reception to follow. This event will be live streamed and can be viewed here: [www.ccepa.ca](http://www.ccepa.ca)

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## **A Concert and Conversation with Peter Buffett**

Presented by **RBC Wealth Management | Dominion Securities'**

Find out what Warren Buffett's son has to say about life growing up in the Buffett household and more.

**Thursday, May 31, 2012 at 7:00 pm | The Lord Nelson Hotel, Halifax**

The Concert & Conversation event combines a cello-accompanied live piano/vocal performance with video clips from Peter's film, TV, and philanthropic work. Punctuated by Peter's candid stories, his presentation ultimately conveys that it's one's values—and what we are able to give back to society—that shape and define us as individuals.

To find out more about this event, please visit the Community Foundation of Nova Scotia's website at [www.cfns.ca](http://www.cfns.ca) or contact Bev Clark at [bev.clark@cfns.ca](mailto:bev.clark@cfns.ca)

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## **Intensive Trial Advocacy Programme**

**June 3–9, 2012 | Faculté de droit of the Université de Moncton**

The Intensive Trial Advocacy Programme is organized and presented by The Faculté de droit of the Université de Moncton, and is designed to train lawyers in basic trial techniques equally applicable to civil and criminal cases. It is ideally suited to lawyers, practising in both the criminal and civil courts with two to twelve years of experience, who have had some familiarity with litigation but limited trial experience.

To view the schedule, for more information and to register: <http://www.umoncton.ca/umcm-droit/node/78>

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## **UnCommon Law 4 – How do we improve access to justice for women in Nova Scotia?**

*An opportunity for community groups & members of the legal profession to speak, listen and learn from each other.*

### **YOU'RE INVITED!**

Organized by the Gender Equity Committee of the Nova Scotia Barristers' Society

**June 8, 2012 from 9 am – 4 pm**

**Cambridge Suites Hotel, 380 Esplanade, Sydney, NS**

**Free (lunch included)**

RSVP by May 30, 2012 to Emma Halpern at [ehalpern@nsbs.org](mailto:ehalpern@nsbs.org)



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## **Cultural Teachings: An Aboriginal Cultural Training Session**

**June 18, 2012 | Lord Nelson Hotel, Halifax, NS**

**Hosted by Mi'kma-way Cultural Consultation**

Guest Facilitator Workshops:

- The Hidden History of the Americas – Mi'kmaw Elder, (Dr.) Daniel N. Paul, C.M., O.N.S
- The First Canadian World View – Janet Pothier & Michael Stephens, Confederacy of Mainland Mi'kmaq
- Landmarks, Laws and their legacy on Aboriginal People – Naiomi Metallic, Associate Lawyer Burchells Law Firm

Cultural Performance workshop: Eastern Eagle Singers and Dancers

Special Secret Guest Lunchtime Cultural Performance

For further information please visit <http://mikma-way.com/upcoming-events/> or contact Nathan W. Sack at 902 292 0111

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## **Five Day Workshop: Creating Cultural and Organizational Change**

**June 18 - June 22, 2012, Halifax**

The Nova Scotia Human Rights Commission's Race Relations, Equity and Inclusion Division has an upcoming workshop. If you are interested in attending this workshop, please contact Melissa Brayley at 902-424-4683 or [brayleym@gov.ns.ca](mailto:brayleym@gov.ns.ca) by May 31, 2012. This workshop is by registration only.

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## [CTRI Public Workshops.](#)

### **De-Escalating Potentially Violent Situations™**

**Halifax: June 26** (early rate deadline June 5)

*This workshop is designed to teach people to de-escalate potentially violent situations through assertiveness and interpersonal communication. The training will explore how anger and violence interplay, including opportunities for self-assessment of personal styles. Participants will develop a clear understanding of how to assess the potential for violence and respond with a diverse set of interpersonal tools and strategies designed to defuse potentially violent situations.*

**WORKSHOP FEE:** Early rate: \$160 + HST; Regular rate: \$190 + HST

**On-Site Training** - Call or email to receive a fee structure.

**Webinars** - Our webinars are live on-line training sessions that offer abbreviated versions of our in-person public workshops.

### **Mediation – An Informal Process for Conflict Resolution**

**Halifax: June 27-28** (early rate deadline June 6)

*This skills based workshop is designed to give participants the understanding to work with disputing parties to identify interests, clarify issues and work towards options for resolving the conflict. Participants will have the opportunity to experience scenarios that will help prepare them for intervening in various conflict situations.*

Workshop Fee: Early Rate \$385 + HST; Regular Rate \$460 + HST

**ON-SITE TRAINING** - Call or email to receive a fee structure.

**For contact information:** [www.ctrinstitute.com/contactus.html](http://www.ctrinstitute.com/contactus.html)

Web: [www.ctrinstitute.com](http://www.ctrinstitute.com) | Email: [info@ctrinstitute.com](mailto:info@ctrinstitute.com)

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### **National Criminal Law Program registration open**

*Presented by the Federation of Law Societies of Canada, the NCLP is Canada's premier CLE and networking conference for the criminal bar.*

**Monday, July 9 to Friday, July 13, 2012**

**Victoria, British Columbia**

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Join over 650 Crowns, defence counsel and judges for Evidence, Ethics, and the Administration of Justice, taking place from July 9 – 13, 2012 in spectacular Victoria, British Columbia.

This year's highlights include:

- The Most Important Evidence Case of the McLachlin Court: The Faculty Speaks
- The Registrants Vote
- Point/Counterpoint: The Use of Prior Criminal Records: Are People With Criminal Records Less Likely to be Truthful Witnesses
- Ask Me anything About Ethics: A Roundtable Discussion of Difficult Ethical Problems, small group workshops, and choice of break-out groups
- Monday and Tuesday receptions and organized activities on Thursday provide opportunities to socialize, forge new friendships and reconnect with colleagues from across the country.

[Brochures and further information](#)

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## **Federation of Law Societies National Family Law Program July 16-19, 2012 | Marriott Harbourfront, Halifax, Nova Scotia**

The National Family Law Program was first offered in 1978 and takes place in a different location in Canada every second summer. Opening reception is July 15, 2012

To receive information as it becomes available about the 2012 Program to be held in Halifax, Nova Scotia, please click [here](#). Information will also be posted on this website. To learn more about the National Family Law Program held in Victoria, British Columbia in July 2010, please click [here](#).

Inquiries about the National Family Law Program:

Federation of Law Societies of Canada

National Family Law Program

Attention: Heather Walker, Program Coordinator

P.O. Box 244, R.R. #1 Woodville, Ontario

Canada K0M 2T0

Tel: (705) 374-4083 | Tel: (705) 879-3082 (messages) | Fax: (705) 374-4131 | [nationalfamilylawprogram@sympatico.ca](mailto:nationalfamilylawprogram@sympatico.ca)

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## **The Seventh Annual Halifax Rock for Dimes: Halloween Dance Party, October 25, 2012**

On Thursday, October 25, 2012, local amateur musicians will once again strap on their rock instruments to battle for the title of Halifax's Best Band and raise funds for Nova Scotians with physical disabilities.

More than \$120,000 has been raised to date by March of Dimes Canada at this annual event in Halifax. The two previous events in Halifax – “Retro 80s” and “Canada Rocks vs Britain Rocks” – were among the biggest and best Rock for Dimes events across Canada in March of Dimes Canada history. We're hoping the seventh year will make it even bigger and better!

This year's costume-musical theme for the “two stages” event will be **HALLOWEEN DANCE PARTY**. Another excellent opportunity to dust off creative and spectacular costumes for this one! As always, the Battle will include not only lawyers but also other local professionals, such as medical professionals and software experts, which proves to be a very entertaining cross-disciplinary experience for the audience. Ask anyone who went to this event last year or the previous years!

The big change this year is a different venue. The Battle of the Bands will take place at the **CUNARD CENTRE**, on Marginal Road, with lots of parking for everyone.

Mark your calendars now. The date is **Thursday, October 25, 2012**. Doors open at 7:00 pm. For tables (of 10), tickets and more detailed event and sponsorship information, visit [www.rockfordimes.ca](http://www.rockfordimes.ca) or call 1-800-263-3463.

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*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. In 2010, November 2 became March of Dimes Conductive Education Awareness Day at Province House in Halifax and prominent Nova Scotia 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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## 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).

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## :: LIBRARY & INFORMATION SERVICES ::

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### **CanLII and Lancaster House partner to provide open access legal commentary**

CanLII and legal publisher Lancaster House have announced the launch of the first open access electronic text on CanLII, [eText on Wrongful Dismissal and Employment Law \(1st edition\)](#).

The text will be fully integrated into the website and updated two to four times per year. See the [press release](#) for more details.

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### **CanLII adds a further refinement to its legislation note-up tool**

CanLII has introduced a further refinement to its new legislation note-up and citation formation tool.

When viewing statutes and regulations with a table of contents on the service, a link at each section and subsection leads to a pop-up linking to cases citing that provision and a fully-formed citation for that provision. Now the URL (website address) to the section or subsection on CanLII is also provided.

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### **Purchase sheets of law stamps from NSBS office in Cogswell Tower**

As of May 1, 2012, law firms and organizations wishing to purchase a quantity of law stamps must do so through the Society offices at 800-2000 Barrington St., Halifax, NS, B3J 3K1.

Individual law stamps will continue to be available for purchase at County Prothonotaries and the Halifax Law Courts Administration office for those filing documents.

Please note that cheques for law stamps must be made out to the Nova Scotia Barristers' Society.

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## :: NEW DECISIONS ::

**ADMINISTRATIVE LAW** *Downey v. Halifax Port International Longshoremen's Association*, C.A. No. 344079, Oland, J.A., May 8, 2012. [2012 NSCA 49](#);

**CIVIL RIGHTS** *R v. Timmons*, Pt.H. No. 310652, Hood, J., April 30, 2012; February 29, 2012 (orally). 2012 NSSC 154;

**COMPANY LAW** *Stewart v. Bardsley*, Hfx. No. 328760, Moir, J., May 10, 2012. 2012 NSSC 191;

**COMPANY LAW** *Stewart v. Bardsley*, Hfx. No. 328760, Moir, J., May 10, 2012. 2012 NSSC 192;

**CRIMINAL LAW** *R. v. Perrin*, No. 2252354; 2252355; 2252356; 2399586, MacKinnon, J.P.C., February 22, 2012; December 20, 2012 (orally). [2011 NSPC 110](#);

**CRIMINAL LAW** *R. v. B. (A.)*, No. 2394957; 2394958; 2394959; 2394961; 2394962; 2394963, Campbell, J.P.C., May 2, 2012. [2012 NSPC 31](#);

**CRIMINAL LAW** *R. v. Pettipas*, No. 2177085, Atwood, J.P.C., July 29, 2011. [2012 NSPC 34](#);

**CRIMINAL LAW** *R. v. Prest*, C.A.C. No. 352263, Farrar, J.A., May 3, 2012. [2012 NSCA 45](#);

**CRIMINAL LAW** *R. v. J. (B.R.)*, No. 2364452; 2364455, Derrick, J.P.C., May 1, 2012. [2012 NSPC 32](#);

**CRIMINAL LAW** *R. v. Cater*, No. 1997530; 1997536; 1997539; 1997542; 1997545; 1997548; 2035773 - 2035780, Derrick, J.P.C., May 3, 2012. [2012 NSPC 37](#);

**CRIMINAL LAW** *R. v. Cater*, No. 1997530; 1997536; 1997539; 1997542; 1997545; 1997548; 2035773 - 2035780, Derrick, J.P.C., May 4, 2012. [2012 NSPC 38](#);

**CRIMINAL LAW** *R. v. MacDonald*, Hfx. No. 3500359, McDougall, J., May 1, 2012. [2012 NSSC 157](#);

**CRIMINAL LAW** *R. v. Crowe*, C.R.H. No. 340325, Robertson, J., April 27, 2012; March 26, 2012 (orally). [2012 NSSC 175](#);

**CRIMINAL LAW** *R. v. McKenna*, C.R.H. No. 368240, Robertson, J., April 27, 2012; April 23, 2012 (orally). [2012 NSSC 177](#);

**CRIMINAL LAW** *R. v. MacDonald*, C.A.C. No. 347642, MacDonald, M. C.J., May 11, 2012. 2012 NSCA 50;

**CRIMINAL LAW** *R. v. Pyke*, C.R.H. No. 354302, Cacchione, J., May 10, 2012; April 30, 2012 (orally). 2012 NSSC 187;

**FAMILY LAW** *Nova Scotia (Community Services) v. G. (T.)*, C.A. No. 355869; 375447, Fichaud, J.A., May 2, 2012. [2012 NSCA 43](#);

**FAMILY LAW** *T. (T.L.) v. B. (G.)*, F.Y.M.C.A. No. 061982, Comeau, J.F.C., April 23, 2012. [2012 NSFC 8](#);

**FAMILY LAW** *Sayer v. Sayer*, No. 1201-065741, Legere-Sers, J., March 21, 2012. [2012 NSSC 116](#);

**FAMILY LAW** *Perrier v. Daigle*, No. 1201-064849; S.F.H.D. No. 072207, MacDonald, B. J., April 20, 2012. [2012 NSSC 153](#);

**FAMILY LAW** *Nova Scotia (Community Services) v. L. (F.)*, S.F.P.H.C.F.S.A. No. 076511, O'Neil, A.C.J., April 4, 2012; September 2, 2011 (orally). [2011 NSSC 512](#);

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- FAMILY LAW** *Mo v. Ma*, No. 007736, Forgeron, J., April 26, 2012; April 18, 2012 (orally). [2012 NSSC 159](#);
- FAMILY LAW** *Balogun v. Wint-Rose*, S.F.H.M.C.A. No. 074795, Legere-Sers, J., May 1, 2012. [2012 NSSC 166](#);
- FAMILY LAW** *Ordinelli v. Ordinelli*, S.F.H.M.C.A. No. 079725, Legere-Sers, J., May 1, 2012. [2012 NSSC 167](#);
- FAMILY LAW** *Malbeuf v. Malbeuf*, No. 1201-65469; S.F.H.D. No. 76383, Dellapinna, J., April 27, 2012. [2012 NSSC 168](#);
- FAMILY LAW** *MacDonald v. MacNeil*, S.F.S.N.M.C.A. No. 078700, Forgeron, J., April 27, 2012; April 11, 2012 (orally). [2012 NSSC 171](#);
- FAMILY LAW** *Crowe v. Crowe*, S.A.M.D. No. 075274, Jollimore, J., May 8, 2012. [2012 NSSC 180](#);
- FAMILY LAW** *Nova Scotia (Community Services) v. B. (F.)*, S.F.H.C.F.S.A.No. 077020, Jollimore, J., May 9, 2012. [2012 NSSC 181](#);
- FAMILY LAW** *R. (S.) v. Nova Scotia (Community Services)*, C.A. No. 357076, Bryson, J.A., May 11, 2012. 2012 NSCA 46;
- LANDLORD AND TENANT** *Fotherby v. Cowan*, Hfx. No. 353567, Moir, J., May 7, 2012. [2012 NSSC 182](#);
- MAINTENANCE** *Delnegro v. Tramble*, S.F.H.F. No. 001430, MacDonald, B. J., April 19, 2012. [2012 NSSC 152](#);
- MORTGAGES** *Credit Union Atlantic Ltd. v. Isenor*, Hfx. No. 356884, Moir, J., May 7, 2012; May 1, 2012 (orally). [2012 NSSC 183](#);
- NEGLIGENCE** *Holland's Carriers Ltd. v. MacDonald*, C.A. No. 360839, MacDonald, M. C.J., May 8, 2012. [2012 NSCA 47](#);
- PRACTICE** *Saturley v. CIBC World Markets Inc.*, Hfx. No. 305635, Wood, J., April 27, 2012; April 19, 2012 (orally). [2012 NSSC 155](#);
- PRACTICE** *Robertson v. McCormick*, Hfx. No. 313736, McDougall, J., May 2, 2012. [2012 NSSC 156](#);
- PRACTICE** *Bridges v. Dominion of Canada General Insurance Co.*, Amh. No. 346788, Rosinski, J., April 26, 2012. [2012 NSSC 169](#);
- PRACTICE** *Doncaster v. Field*, Tru. No. 1207-003679; 079303, LeBlanc, J., May 3, 2012. [2012 NSSC 172](#);
- PRACTICE** *Bradley v. Correctional Service Canada*, Amh. No. 374644, Bourgeois, J., May 1, 2012; April 26, 2012 (orally). [2012 NSSC 173](#);
- PRACTICE** *Leighton v. Stewiacke Home Hardware Building Center*, Hfx. No. 364719A, Rosinski, J., May 9, 2012. [2012 NSSC 184](#);
- PRACTICE** *Schöningh v. Homburg Canada Inc.*, Hfx. No. 375485, Rosinski, J., May 9, 2012. [2012 NSSC 185](#);
- PRACTICE** *CNH Capital Canada Ltd. v. Canadian Imperial Bank of Commerce*, Hfx. No. 276006, Haliburton, J., May 7, 2012. 2012 NSSC 149;
- REAL PROPERTY** *Podgorski v. Cook*, BWT. No. 334600, Coady, J., May 2, 2012. [2012 NSSC 174](#);

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## **SUPREME COURT of CANADA — recent decisions**

*Library & Information Services - Keeping you informed*

# INFORUM

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

May 11, 2012

[R. v. R.P.](#)

Neutral Citation: [2012 SCC 22](#) (CanLII)

File No.: 34038.

2011: December 16; 2012: May 11.

Present: LeBel, Deschamps, Fish, Abella, Cromwell, Moldaver and Karakatsanis JJ.

On Appeal from the Court of Appeal for Quebec

*Criminal law — Appeals — Power of court of appeal — Unreasonable verdict — Credibility of witnesses — Trial judge holding that testimonial evidence as whole did not raise reasonable doubt that accused guilty on charge of indecent assault with regard to incidents that had occurred more than 30 years earlier — Whether verdict unreasonable — Criminal Code, R.S.C. 1985, c. C-46, s. 686(1)(a)(i).*

R.P. was convicted of indecently assaulting M.L., his sister-in-law. The trial was held more than 30 years after the impugned acts. According to M.L., the abuse had occurred when she went to babysit the children of her sister G.L. and R.P., and it had taken place in their residence on some occasions and in their car at other times when R.P. drove her home. The trial judge did not believe R.P. and set out numerous reasons to explain why he considered M.L.'s testimony credible. He accepted the police officers' testimony and held that the prosecution had proved beyond a reasonable doubt that the offence had been committed. The majority of the Court of Appeal held that the verdict was unreasonable in light of the evidence and entered an acquittal. The dissenting judge found that the trial judge had made no palpable and overriding error in assessing the evidence and that the verdict was not unreasonable.

*Held* (LeBel and Fish JJ. dissenting): The appeal should be allowed and the conviction restored.

# INFORUM

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## :: NOVA SCOTIA BILLS ::

### **Nova Scotia Bills**

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

The House resumed sitting on Thursday, March 29, 2012.

**The following bills were INTRODUCED since the last *InForum*:**

#### **Private Member Bills**

Bill No. 70

Multiple Sclerosis Liberation Therapy Act

An Act to Require Clinical Trials Respecting Multiple Sclerosis Liberation Therapy

Introduced by: Alfie MacLeod

Cape Breton West

First Reading: May 1, 2012

Bill No. 72

Capital Projects Review Act

An Act to Provide for the Independent Review of Certain Capital Projects

Introduced by: Hon. Jamie Baillie

Cumberland South

First Reading: May 2, 2012

Bill No. 75

An Act to Provide Greater Flexibility for Nova Scotians' Retirement Savings in Locked-in Accounts

An Act to Provide Greater Flexibility for Nova Scotians' Retirement Savings in Locked-in Accounts

Introduced by: Allan MacMaster

Inverness

First Reading: May 3, 2012

Bill No. 80

Child and Youth Advocate Act

An Act to Establish the Office of the Child and Youth Advocate

Introduced by: Zach Churchill

Yarmouth

First Reading: May 4, 2012

Bill No. 85

Workers' Compensation Act (amended)

An Act to Amend Chapter 10 of the Acts of 1994-95, the Workers' Compensation Act

Introduced by: Hon. Michel P Samson

Richmond

First Reading: May 9, 2012

Bill No. 89

Trade Union Act (amended)

An Act to Protect Patients and Provide for the Fair Resolution of Contract Negotiations in Health Care and Community Services



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Introduced by: Hon. Jamie Baillie  
Cumberland South  
First Reading: May 10, 2012

Bill No. 91  
Condominium Act (amended)  
An Act to Amend Chapter 85 of the Revised Statutes, 1989, the Condominium Act  
Introduced by: Diana Whalen  
Halifax Clayton Park  
First Reading: May 10, 2012

Bill No. 92  
Safe Collection of Scrap Metal Act (amended)  
An Act to Amend Chapter 45 of the Acts of 2011, the Safe Collection of Scrap Metal Act  
Introduced by: Allan MacMaster  
Inverness  
First Reading: May 10, 2012

**The following bills received SECOND READING since the last *InForum*:**

## **Government Bills**

Bill No. 17  
Financial Measures (2012) Act  
An Act Respecting Certain Financial Measures  
Hon. Graham Steele  
Minister of Finance  
First Reading: April 12, 2012  
Second Reading Debates: April 30, 2012  
Second Reading Passed: April 30, 2012

Bill No. 30  
Promotion of Respectful and Responsible Relationships Act\*  
An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act, to Address Bullying by Promoting Respectful and Responsible Relationships  
Introduced by: Hon. Ramona Jennex  
Minister of Education  
First Reading: April 18, 2012  
Second Reading Debates: April 30, 2012  
Second Reading Passed: April 30, 2012

Bill No. 52  
Conservation Easements Act (amended)\*  
An Act to Amend Chapter 28 of the Acts of 2001, the Conservation Easements Act  
Introduced by: Hon. Charlie Parker  
Minister of Natural Resources  
First Reading: April 26, 2012  
Second Reading Debates: May 1, 2012  
Second Reading Passed: May 1, 2012

Bill No. 55  
Community Easements Act\*  
An Act Respecting Community Easements  
Introduced by: Hon. Charlie Parker

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Minister of Natural Resources  
First Reading: April 26, 2012  
Second Reading Debates: April 30, 2012  
Second Reading Passed: April 30, 2012

Bill No. 65  
Consumer Protection Act (amended)\*  
An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act, to Ensure Fairness in Cellular Telephone Contracts  
Introduced by: Hon. John MacDonell  
Minister of Service Nova Scotia and Municipal Relations  
First Reading: April 27, 2012  
Second Reading Debates: May 1, 2012  
Second Reading Passed: May 1, 2012

Bill No. 78  
Justice Administration (2012) Act\*  
An Act Respecting the Administration of Justice  
Introduced by: Hon. Ross Landry  
Minister of Justice  
First Reading: May 4, 2012  
Second Reading Debates: May 7, 2012  
Second Reading Passed: May 7, 2012

Bill No. 79  
Education Act (amended)  
An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act  
Introduced by: Hon. Ramona Jennex  
Minister of Education  
First Reading: May 4, 2012  
Second Reading Debates: May 7, 2012  
Second Reading Passed: May 7, 2012

Bill No. 81  
Gaming Control Act (amended)  
An Act to Amend Chapter 4 of the Acts of 1994-95, the Gaming Control Act  
Introduced by: Hon. David Wilson  
Minister responsible for Part I of the Gaming Control Act  
First Reading: May 7, 2012  
Second Reading Debates: May 8, 2012  
Second Reading Passed: May 8, 2012

Bill No. 82  
An Act to Incorporate Nova Scotia Association of Health Organizations (amended)  
An Act to Amend Chapter 111 of the Acts of 1960, An Act to Incorporate Nova Scotia Association of Health Organizations  
Introduced by: Hon. Maureen MacDonald  
Minister of Health and Wellness  
First Reading: May 7, 2012  
Second Reading Debates: May 8, 2012  
Second Reading Passed: May 8, 2012

Bill No. 84  
Dalhousie University-Nova Scotia Agricultural College Merger Act  
An Act Respecting the Merger of the Nova Scotia Agricultural College with Dalhousie University

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Introduced by: Hon. John MacDonell  
Minister of Agriculture  
First Reading: May 8, 2012  
Second Reading Debates: May 10, 2012  
Second Reading Passed: May 10, 2012

Bill No. 86  
NewPage Port Hawkesbury Pension Plans Act  
An Act to Provide Protection for the NewPage Port Hawkesbury Pension Plans  
Introduced by: Hon. Marilyn More  
Minister of Labour and Advanced Education  
First Reading: May 9, 2012  
Second Reading Debates: May 10, 2012  
Second Reading Passed: May 10, 2012

Bill No. 87  
Good Forestry Management on Crown Land Act  
An Act to Amend Chapter 114 of the Revised Statutes, 1989, the Crown Lands Act, to Enable Good Forestry Management on Crown Land  
Introduced by: Hon. Charlie Parker  
Minister of Natural Resources  
First Reading: May 9, 2012  
Second Reading Debates: May 10, 2012  
Second Reading Passed: May 10, 2012

Bill No. 88  
Maritime Link Act  
An Act to Ensure Regulatory Review of the Maritime Link  
Introduced by: Hon. Charlie Parker  
Minister of Energy  
First Reading: May 9, 2012  
Second Reading: Debates May 10, 2012  
Second Reading: Passed May 10, 2012

## **Private and Local Bills**

Bill No. 57  
Crosbie Memorial Trust Fund Act (amended)  
An Act to Amend Chapter 17 of the Acts of 2003, the Crosbie Memorial Trust Fund Act  
Introduced by: Jim Morton  
Kings North  
First Reading: April 26, 2012  
Second Reading Debates: May 3, 2012  
Second Reading Passed: May 3, 2012

Bill No. 83  
Annapolis Valley Apple Blossom Festival Act (amended)  
An Act to Amend Chapter 107 of the Acts of 1935, An Act to Incorporate The Annapolis Valley Apple Blossom Festival  
Introduced by: Jim Morton  
Kings North  
First Reading: May 7, 2012  
Second Reading Passed: May 7, 2012

Bill No. 90

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Nova Scotia Provincial Exhibition Commission Act (amended)  
An Act to Amend Chapter 69 of the Acts of 1992, the Nova Scotia Provincial Exhibition Commission Act  
Introduced by: Lenore Zann  
Truro-Bible Hill  
First Reading: May 10, 2012  
Second Reading Passed: May 10, 2012

**The following bills received THIRD READING since the last *InForum*:**

## **Government Bills**

Bill No. 1  
Status of the Artist Act  
An Act to Respect the Status of the Artist  
Hon. David Wilson  
Minister of Communities, Culture and Heritage  
First Reading: March 30, 2012  
Second Reading: April 3, 2012  
Third Reading: May 4, 2012

Bill No. 5  
Municipal Government Act (amended)  
An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act  
Hon. John MacDonell  
Minister of Service Nova Scotia and Municipal Relations  
First Reading: April 2, 2012  
Second Reading: May 1, 2012  
Third Reading: May 7, 2012

Bill No. 9  
Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act (amended)  
An Act to Amend Chapter 3 of the Acts of 1987, the Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act  
Hon. Charlie Parker  
Minister of Energy  
First Reading: April 4, 2012  
Second Reading: April 30, 2012  
Third Reading: May 4, 2012

Bill No. 11  
Nova Scotia Tartan Act (amended)  
An Act to Amend Chapter 318 of the Revised Statutes, 1989, the Nova Scotia Tartan Act  
Hon. David Wilson  
Minister of Communities, Culture and Heritage  
First Reading: April 10, 2012  
Second Reading: April 30, 2012  
Third Reading: May 4, 2012

Bill No. 13  
Education Act (amended)  
An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act  
Hon. Ramona Jennex  
Minister of Education  
First Reading: April 11, 2012

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Second Reading: April 30, 2012

Third Reading: May 7, 2012

Bill No. 20

Public Trustee Act (amended)

An Act to Amend Chapter 379 of the Revised Statutes, 1989, the Public Trustee Act

Hon. Ross Landry

Minister of Justice

First Reading: April 13, 2012

Second Reading: April 30, 2012

Third Reading: May 4, 2012

Bill No. 22

Mortgage Regulation Act

An Act Respecting the Licensing and Qualifications of, and Practice Standards for, Mortgage Lenders, Mortgage Brokerages, Mortgage Brokers, Associate Mortgage Brokers and Mortgage Administrators

Introduced by: Hon. John MacDonell

Minister of Service Nova Scotia and Municipal Relations

First Reading: April 16, 2012

Second Reading: April 30, 2012

Third Reading: May 4, 2012

Bill No. 24

Purchasing Management Association of Canada Act (amended)

An Act to Amend Chapter 381 of the Acts of 1989, the Purchasing Management Association of Canada Act

Introduced by: Hon. Ross Landry

Minister of Justice

First Reading: April 17, 2012

Second Reading: April 30, 2012

Third Reading: May 4, 2012

Bill No. 32

Securities Act (amended)

An Act to Amend Chapter 418 of the Revised Statutes, 1989, the Securities Act

Introduced by: Hon. Graham Steele

Minister responsible for the Securities Act

First Reading: April 19, 2012

Second Reading: April 30, 2012

Third Reading: May 4, 2012

Bill No. 34

Matrimonial Statutes Repeal Act

An Act to Repeal Out-dated Matrimonial Statutes

Introduced by: Hon. Ross Landry

Minister of Justice

First Reading: April 20, 2012

Second Reading: May 1, 2012

Third Reading: May 7, 2012

Bill No. 37

Interjurisdictional Support Orders Act (amended)

An Act to Amend Chapter 9 of the Acts of 2002, the Interjurisdictional Support Orders Act

Introduced by: Hon. Ross Landry

Minister of Justice

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First Reading: April 23, 2012  
Second Reading: May 1, 2012  
Third Reading: May 7, 2012

Bill No. 39  
Maintenance and Custody Act (amended)  
An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, Respecting Dependent Children and Their Best Interests  
Introduced by: Hon. Ross Landry  
Minister of Justice  
First Reading: April 23, 2012  
Second Reading: May 1, 2012  
Third Reading: May 7, 2012

Bill No. 41  
Grandparents' Rights Affirmation Act  
An Act to Amend Chapter 160 of the Revised Statutes, 1989, the Maintenance and Custody Act, to Affirm Grandparents' Rights  
Introduced by: Hon. Ross Landry  
Minister of Justice  
First Reading: April 23, 2012  
Second Reading: May 1, 2012  
Third Reading: May 7, 2012

Bill No. 59  
Fish Harvesters Registration and Certification Board Act  
An Act to Establish the Fish Harvesters Registration and Certification Board  
Introduced by: Hon. Sterling Belliveau  
Minister of Fisheries & Aquaculture  
First Reading: April 26, 2012  
Second Reading: May 1, 2012  
Third Reading: May 7, 2012

Bill No. 61  
Fisheries and Coastal Resources Act (amended)  
An Act to Amend Chapter 25 of the Acts of 1996, the Fisheries and Coastal Resources Act  
Introduced by: Hon. Sterling Belliveau  
Minister of Fisheries & Aquaculture  
First Reading: April 26, 2012  
Second Reading: May 1, 2012  
Third Reading: May 7, 2012

Bill No. 71  
Assessment Act (amended)  
An Act to Amend Chapter 23 of the Revised Statutes, 1989, the Assessment Act  
Introduced by: Hon. John MacDonell  
Minister of Service Nova Scotia and Municipal Relations  
First Reading: May 2, 2012  
Second Reading Passed: May 3, 2012  
Third Reading: May 8, 2012

Bill No. 73  
Municipal Government Act (amended)  
An Act to Amend Chapter 18 of the Acts of 1998, the Municipal Government Act

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Introduced by: Hon. John MacDonell  
Minister of Service Nova Scotia and Municipal Relations  
First Reading: May 2, 2012  
Second Reading Passed: May 3, 2012  
Third Reading: May 8, 2012

Bill No. 74  
Patient Safety Act  
An Act to Improve Patient Safety and Health Systems Accountability  
Introduced by: Hon. Maureen MacDonald  
Minister of Health and Wellness  
First Reading: May 3, 2012  
Second Reading Passed: May 4, 2012  
Third Reading: May 8, 2012

Bill No. 76  
Personal Health Information Act (amended)  
An Act to Amend Chapter 41 of the Acts of 2010, the Personal Health Information Act  
Introduced by: Hon. Maureen MacDonald  
Minister of Health and Wellness  
First Reading: May 3, 2012  
Second Reading Passed: May 4, 2012  
Third Reading: May 8, 2012

Bill No. 77  
Medical Society Act (amended)  
An Act to Amend Chapter 12 of the Acts of 1995-96, the Medical Society Act  
Introduced by: Hon. Maureen MacDonald  
Minister of Health and Wellness  
First Reading: May 3, 2012  
Second Reading Passed: May 4, 2012  
Third Reading: May 8, 2012

**View the status and full text of bills at**

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

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## :: PROCLAMATIONS UPDATE ::

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

**An Act to Amend Chapter 92 of the Revised Statutes, 1989, the Consumer Protection Act**, SNS 2011, c. 55, s. 14  
NS Gaz Pt 2, [05/04/12](#)  
NS Reg 86/2012

**An Act to Amend Chapter 31 of the Acts of 2004, the Police Act**, SNS 2010, c.68, s. 8 and SNS 2011, c. 69, s. 3.  
NS Gaz Pt 2, [05/04/12](#)  
NS Reg 88/2012

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.



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## :: LIANS TIPS ::

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### **RISK AND PRACTICE MANAGEMENT TIP: Dangers leading to missed limitation periods**

Checking the filing deadline as soon as you open your file and properly diarizing the date can help avoid a claim being filed against you. But here are some of the “dangers” you should be aware of in your practice that can lead to a limitation period slipping between the cracks:

- staff departures or arrivals,
- transfer of files between lawyers at the firm,
- firm mergers,
- lawyer or staff absence,
- vacation, and
- taking on more than you can handle.

Paying particular attention to the firm’s systems during these times and learning to say “no” can help you avoid missing a limitation period and a claim for negligence filed against you.

*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.*

### **TECHNOLOGY TIPS: In the market for a computer? Easily compare CPUs, hard drives and systems**

*The following is an article excerpt from [SupremeAdvocacyLett@r from Canada](#), an electronic newsletter providing Canadian lawyers with Canadian legal news, developments and recent decisions.*

#### **Website of the Week: Buying a new computer for your office (or home)**

The website suggestion below is from Susan Lynham, a sole practitioner from Edmonton. With her permission (and a few wee edits), check out the hyperlink below:

“Eugene, for the Website of the Week, I suggest <http://www.cpubenchmark.net/> ... Under this [Benchmarks] tab there are reports from users of various programs sold by the site showing what they have found to be benchmarks respecting the performance of CPUs, video cards, hard drives and systems [each Benchmark category has a tab at the top of the screen].

I have bought many a computer and I really wish I had had something like this to show me the difference between all of the stuff they put “under the hood”. I am no techie but this site’s charts make it easy for me to see how I can get the most bang for my buck and what I could expect, performance wise, from a new computer. I had been sold on the Intel Pentium as the best but it is clear that that broad statement isn’t always true. The site also offers a number of software programs that are designed to help you monitor your own system and get the most out of it.”

Thank you: Susan Lynham, S.M. Professional Corporation – Edmonton; [mslynham@telus.net](mailto:mslynham@telus.net)

### **NSLAP WELLNESS TIP: Caring for aging parents and loved ones – financial and legal matters**

*The following is an article excerpt from [Homewood Human Solutions™](#), your health and wellness provider.*

Caring for your parents often requires assisting with financial and legal matters. This may mean arranging for bill payments, making bank deposits, overseeing insurance and benefit plans, making savings and investment decisions, arranging for tax preparation and looking after ongoing housing and care costs.

Get to know their financial situation and an understanding of where their personal and financial documents are stored while they are still well and active. Getting organized and planning ahead now can certainly save a great deal of trouble

# INFORUM

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and stress during potentially difficult times later. When preparing to manage your parent's financial and legal matters, it is best if you can:

- Secure power of attorney for property, as well as personal care. While these documents are called different things in different provinces and territories, it is essential to have two documents – one for health care/medical and the other for property/assets/finances.
- Visit your parent's bank together. Sign papers that allow you to bank on your parent's behalf. Keep copies of these documents handy because you'll be asked for them time and again if you do interbranch banking or need to handle ongoing transactions. It may be that parents have several bank accounts and RIFFs/investment accounts at different banks so be sure to find them all.
- Get a clear understanding of which bills need to be paid and for what and find out about short- or long-term liabilities. For convenience and time savings, have all regular bills paid through direct withdrawals and do telephone or internet banking in non-working hours in the comfort of your home.
- Find out about your parent's assets, pensions and other sources of income. Make sure you understand payment terms and times and know where all background paperwork is kept.
- Ensure their will is current. It is important that seniors keep their will up to date to ensure that any potential legal issues are resolved while they are still capable and healthy. It is becoming more common for seniors to also have second or third legal and common-law partners, so they should review their will with legal counsel to understand what the implications are to the estate.

## **Be wary of fraud**

Fraud is a huge issue for seniors living independently in their own homes. To safeguard against this, encourage them to talk with you prior to making any extraordinary or longer term purchases, commitments or donations. Door-to-door and telephone scam operations are rampant, as are pushy sales people in stores. It is buyer beware, especially with home renovations, investment schemes and charity requests.

Here are some tips to share with your loved ones:

- Always inspect the credentials of anyone who calls or comes to the door asking for money.
- Contact the police and your bank if anyone claiming to be a bank examiner contacts you and asks you for your assistance.
- Be cautious of "just passing by" home repair workers offering work at a savings. Check your local consumer information center or another reputable repair company before signing anything.
- Never sign a contract that you have not read, or do not fully understand.
- Don't succumb to high-pressure sales tactics. Offers with time limits or requiring money up front are usually too good to be true.
- Before investing money, get a second opinion from a spouse, friend, financial advisor or lawyer.
- Just say "no" to suspicious contests, travel club offers, retirement estates offered "sight unseen," and telephone solicitors.

*For more information and support on financial and legal matters for aging parents, along with resources and counselling to improve your health and wellness, 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.*

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## :: CLASSIFIEDS ::

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### **Bedford South: Pre-leasing available in new Nine Mile Circle development**

We are pre-leasing our latest development in Bedford South on Larry Uteck Boulevard. The building, Nine Mile Circle, will have 25,000 square feet of retail space on the ground floor and 25,000 square feet of office space on the second level.

The site will provide tremendous exposure, ample parking, and modern amenities. Further details and visuals are available at this link: <http://www.borisholdings.com/ninemilecircle.htm>.

#### **Contact information:**

Kathy Temple

Director of Leasing – Boris Holdings Inc.

300 Prince Albert Rd., Suite 120

Dartmouth NS B2Y 4J2

Cell: 902 817 1194

[ktemple@borisholdings.com](mailto:ktemple@borisholdings.com)

[www.borisholdings.com](http://www.borisholdings.com)

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### **Seeking lawyer to share office space in Bedford**

David G. Barrett Law Inc. is seeking a lawyer to share office space & facilities in its offices in the Sun Tower, Bedford, NS. Sun Tower is in the heart of Bedford, on major bus routes, with ample free parking onsite, and close to shopping, restaurants, gyms, and malls.

Our offices are bright and well-appointed, with large windows facing Sunnyside Mall and the Chickenburger Restaurant. In addition to the lawyer's office, which is approximately 16 feet by 12 feet, a large secretarial/assistant's workstation is also available. Photos of the available office space and our offices can be found at this [link](#).

Our offices are also equipped with a kitchen. The base rent for the available office space is \$1,200.00 per month, plus a share of office expenses (photocopier, cable, etc.)

If interested, kindly forward an email with your contact information to David G. Barrett at [dgbarrett@eastlink.ca](mailto:dgbarrett@eastlink.ca). All enquiries will be held in the strictest confidence.

Website: <http://www.barrett-law-inc.com/>

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### **Law books available in North Sydney**

Cusack Law Office Inc. is having to destroy or give away several sets of law books:

- a set of ALLERs ... not kept up to date;
- DLRS up to about 10 years ago;
- NSRs up to about 5 or 6 years ago
- perhaps a set of MPRs
- Halsbury's 3rd and perhaps 2nd.

This is because the office building was sold and the current office is too small. A local lawyer has room for some, but not all of the books. Takers will be responsible to transport the books.

Please contact Elizabeth Cusack QC if interested: 902 564 8396.