

INFORUM

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

:: WHAT'S NEW ::

Society News

- [Council Meeting on Friday, June 15, 2012](#)
- [Session details now online for the 2012 Annual Meeting & Schulich School of Law Professional Development Program – June 16](#)
- [Annual fees due June 30; update on new option for online payment](#)
- [Reminder: Annual Lawyer Reports due June 30](#)
- [Professional Responsibility notices](#)
 - Anne Calder – Resolution and Settlement Agreement
 - Notice of Referral to Hearing – R. Ritchie Wheeler
- [NSBS in the news: UnCommon Law 4 coverage in Cape Breton Post](#)
- [Bar Admission Ceremony 2012](#) – Friday, June 8
- [Changes in Category](#) – May 28 to June 11, 2012

NSBS Continuing Professional Development

- [Next Online LRA course: June 20 to 27, 2012](#)

COLUMNS

- [Current Issues in Gender Equity: Confidence = Cojones?](#), by Heidi Schedler, Co-Chair, Gender Equity Committee (*Eighth in a GEC series highlighting issues raised in the postcard campaign, "It will be our little secret ..."*)

Library & Information Services

- [Nova Scotia Civil Procedure Rules amendments](#)
- [Setting up your own current awareness service: getting started](#)
- [Change to L&IS service: books by courier](#)
- [New decisions](#)
- [New bills](#)
- [Proclamations update](#)

From LIANS

- [Documenting on the go – Smart Phone dictation](#) – a new Risk and Practice Management Tip from the Risk and Practice Management Program, LIANS
- [LinkedIn passwords posted online after apparent hack](#) – a new Fraud Alert from the RPM Program, LIANS
- [How to keep loving feelings strong in everyday life](#) – a new Wellness Tip from NSLAP

From the Courts

- [Court of Appeal amends Civil Procedure Rule 90.13 regarding deadline for starting an appeal](#)
- [New: Hints & Tips from the Prothonotary](#) – June 11, 2012

From the Province

- [NSBS members sought for Motor Vehicle Appeal Board](#)
- [Invitation to Express an Interest in Registration for High Conflict Training Curriculum: Train-the-Trainer](#) (response required by June 18, 2012)
- JUSTICE: See www.gov.ns.ca/just for all Department of Justice announcements
 - New case in Rewards for Major Unsolved Crimes Program: Allen Kenley Matheson, June 1, 2012
 - Drug house in North Sydney closed under Province, Police, May 31, 2012
 - *Safer Communities Act* closes notorious Dartmouth properties, May 30, 2012
- COMMUNITY SERVICES: [Cape Breton to soon have new recovery house, June 5, 2012](#)
- [Error & Omission notices](#)

INFORUM

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

Volunteer & Pro Bono Opportunities

- [Halifax Refugee Clinic seeks NSBS members to join Board of Directors and to serve as legal counsel to the Board](#)

Events of Interest

- Upcoming events from CBA-NS:
 - [Environmental Law](#) – June 15
 - [CBA National Aboriginal Law Conference: Aboriginal Peoples and Natural Resources](#) – June 14 & 15
- [Criminal Law/Brydges After Hours Conferences](#) – June 11, 13, 15
- [Divorce Support Roundtable](#) – June 16
- [Cultural Teachings: An Aboriginal Cultural Training Session](#) – June 18
- [Five Day Workshop: Creating Cultural and Organizational Change](#) – June 18-22
- CTRI Public Workshops coming to Halifax:
 - [De-Escalating Potentially Violent Situations](#) – June 26
 - [Mediation - An Informal Process for Conflict Resolution](#) – June 27-28
- [National Criminal Law Program registration open presented by the FLSC](#) – July 9-July 13
- [Federation of Law Societies National Family Law Program](#) – July 16-19
- [Summer Civil Trial Advocacy College](#) – July 26 & 27
- [The Seventh Annual Halifax Rock for Dimes](#) – October 25

Career Opportunities

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

INFORUM

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

:: NOTICES ::

SOCIETY NEWS

Council Meeting on Friday, June 15, 2012

The next regular meeting of Council is scheduled for this Friday, June 15, 2012. The agenda and meeting documents will be posted shortly on the Council materials page of the Society's website: <http://nsbs.org/council-materials> .

The 2012 Annual Meeting & Schulich School of Law Professional Development Program

Join us Saturday, June 16, 2012 from 8:30 am to 12:30 pm at the Schulich School of Law, Dalhousie University for the Nova Scotia Barristers' Society 2012 Annual Meeting & Schulich School of Law Professional Development Program. There is no registration fee for these events. Attendance at both qualifies for three hours toward the Society's CPD Requirement.

View the [event listing](#) on the Society's Upcoming events webpage for details. Please note, the complete program is now posted, including descriptions of all available sessions: Cultural Competence; Hot topics in Nova Scotia corporate law; Evidence necromancy: Are "Implied Assertions" coming to a court near you?; An ounce of prevention is worth a pound of cure; and The new Code of Professional Conduct – the first six months.

Annual fees due June 30; update on new option for online payment

Memo from Glen Greencorn, Director, Finance & Administration (emailed May 31)

Despite earlier assurances from our bank that the online payment facility would be available to members in early May, that has not been the case. We apologize for any inconvenience this delay may have caused.

I have now received [confirmation from our bank](#) of the dates each bank will be able to offer this service.

In summary:

- **BMO** clients will be able to pay their fees via online banking as of June 5;
- **TD Bank, Scotiabank** and **RBC** clients will be able to pay on June 7;
- **CIBC** clients will be able to pay on June 11; and
- **Credit Union** clients will be able to pay on June 20.

The Nova Scotia Barristers' Society will be available as a "biller" for those banks on the above dates.

Annual fees are due on June 30, 2012. For complete details about fee payments for 2012-2013, please see the [Fees](#) page of the Society's website and this [news item](#).

Reminder: Annual Lawyer Reports due June 30

Please be advised that your Annual Lawyer Report is due to be filed by June 30, 2012. As in the past, the ALR is an online report, to be entered and submitted via the Members Only area of the NSBS website.

Point your browser to <http://members.nsbs.org>. This will take you to a login page. Type in your NSBS username and password, and click the "Sign On" button on the right.

INFORUM

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

The purpose of the ALR is to allow the Society to have current information about the membership in several important areas. We require up-to-date contact particulars, information about your practice, and about your continuing professional development activities. This allows us to maintain essential data in order to fulfil our mandate.

The Annual Lawyer Report should take no longer than 30-45 minutes to complete, and must be completed in one session. Once the report is completed, your obligation to provide this information for the year will be satisfied.

Should you have any questions/comments/concerns re: the Annual Lawyer Report, please contact Pierre Benoit at pierreb@nsbs.org, or alternatively via phone at 1 902 422 1491.

Professional Responsibility notices

Anne Calder – Resolution and Settlement Agreement

See the [Decisions and Dispositions](#) page of the Society's website, for the documents posted June 7, 2012.

Notice of Referral to Hearing – R. Ritchie Wheeler

See the [Public Hearings](#) page of the Society's website for this notice.

NSBS in the news

UnCommon Law 4

See the *Cape Breton Post's* coverage of the Society's UnCommon Law 4 event to examine access to justice for women, hosted Friday in Sydney by the Gender Equity Committee:

[Sydney conference tackles gender inequality](#)

capebretonpost.com | June 10, 2012

Bar Admission Ceremony 2012 – Friday, June 8

The Nova Scotia Barristers' Society welcomed the following 49 new members to the province's legal profession in a Bar Admission Ceremony held Friday, June 8 at Pier 21:

Waverly Ann Bird
Michelle Anne Black
Marie Hélene Brunelle
Catherine Jennifer Campbell
Jessica Danielle Chapman
Edward Jonathan Comeau
John Lewis Dobson Cook
Charlotte Hoegg Crosbie
Donna Lynn Davis
Danielle Amaris Hillary Dorn
Kouwenberg
Laura Rose Dowling
Sean Christopher Farmer
Cristina Edivige Firmini
Nicholaus S. Fitch
Erin Rebecca Fowler
Margaret Jean George

Martin Philip Glogier
Matthew Clark Gorman
Lauren Alicia Grant
Daniel Arthur Hawkwood
Elinor Caitlin Holton Ireland
Virginia Haley Lynne Jones
Lauren Amanda Kautz
Danielle Elicia Jacinta Kershaw
Leah Jane Kutcher
Leora Jean Lawson
Shawn David LeBlanc
Peter Armand LeCain
Sara Nicole MacIsaac
Eric Patrick MacRae
Susannah Margison
Eliza Amaryllis Maynes
Sean Phillip McCarroll

Ian Augustine McIsaac
Kelsey Alberta McLaren
Stephanie Anne Myles
Hasan Shahan Naqvi
Richard Watson Norman
Jonathan Michael Pendrith
Scott Arthur Pickup
Daniel Pink
José Miguel Antonio Rodriguez
Betony Mimi Lassey Rowland
Donald Gregory Rushton
Nathaniel Brice Saruk
Starla Anita Tanshel Sheppard
Mallory Christine Treddenick
Aaron Matthew Lucis Ward
Noémi Sloop Westergard

For biographies and other information about the ceremony, please visit the [Bar Admissions ceremonies](#) page of the Society's website and see the [2012 Program](#).

INFORUM

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

The Honourable Justice John D. Murphy of the Nova Scotia Supreme Court was the presiding judge, with the Society's President Daniel M. Campbell QC and First Vice-President Timothy G.J. Daley QC serving as Presenting Officers for the proceedings.

Society's new CPD Requirement Handbook online

The [NSBS CPD Requirement Handbook](#) is now available on the website, in the section [For lawyers](#), under the [Professional Development](#) heading. It should answer most questions about the Society's new mandatory continuing professional development requirement, which **comes into effect this Friday, June 1, 2012**.

The new handbook provides detailed information on the following topics:

- general questions
- what CPD is eligible toward the mandatory requirement
- does the CPD requirement apply to me?
- tracking and reporting CPD
- resources.

Starting on June 1, all practising lawyers in Nova Scotia will be required to complete at least 12 hours of continuing professional development annually, and to report this education on their Annual Member Reports.

For further details about the new CPD requirement, please visit the [NSBS CPD Requirement](#) page of the Society's website, and the [CPD Requirement Chart](#). Also see the special feature section of the April edition of the [Society Record](#).

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

For any further questions not addressed on the website or in the new handbook, please email the Society at cpd@nsbs.org, or phone the **NSBS CPD line: 902 422 1491 ext. 371**. A staff member will respond to your query within five business days.

Changes in Category – May 28 to June 11, 2012

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

The following members have changed to Practising Lawyer category:

Sara Beth Allen	Sara Jennifer Knight	Heather Rebecca Oke
Angèle Bilodeau	Georgina Clare Murphy	Andrew Mark Waugh

The following members have changed to Non-practising status:

Bruce G. Hilchey	Jessica Anne MacDougall
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The Society welcomes the following new Articling Clerks:

Susanna Elizabeth Ashley	Geoffrey James Franklin	Alayna Rose Kolodziechuk
Chase William Barlet	Jodi Debby Marie Fraser	Noah Michael Landry
Adam Bata	Lisa Marie Gillich	Christopher Andrew Lirette
Maurice Richard Boudreau	Alexander C. Grant	Kathleen Ann MacClure
Alisha Leeann Brown-Fagan	Ian Malcolm Patterson Gray	Margaret Elizabeth MacDougall
Benjamin Paul Carver	Sarah Lauretta Greenwood	Angus Hugh MacLennan
Michelle Li Yin Chai	David C. Hamel-Smith	Kaitlin Lenora MacMillan
Natalie Dawn Clifford	Denika Pamela Heaton	Dana Marie MacSween
David Reginald Dalrymple	Andrea Lynn Isabelle	Sara Michelle Mahaney
Jocelin Paul D'Entremont	Ludmilla Jarda	Aaron David Martens
Conor Patrick Doyle	Dary Laughlin Robert Jessome	John Todd Martin
Thomas Alexander Mullins Dulong	David Dae-won Jung	Laura Anne McCarthy

INFORUM

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

Shannon Leigh McEvenue
Sarah Ann McInnes
Daniel D. McMillan
Paul Gregory McNeil
Mark Alexander Mills
Allison Ann Swanson Morgan
Michael Terrance Murphy

Laura Celeste McKenna Neals
Joshua Nelson Nodelman
Jonathan Christopher Patterson
Charys Noelle Payne
Daniel Franklin Roper
Sarah Anne Shiels
Taaya T. Simmonds

Hayley Victoria Smith
Julie-Ann T. Sobowale
Leon S. Tovey
Daleen Van Dyk
Jeffrey David Clewin Waugh
Shane F. Westin

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>.

FROM THE COURTS

Court of Appeal amends Civil Procedure Rule 90.13 regarding deadline for starting an appeal

Please see the Notice to the Bar on the Courts of Nova Scotia for details: <http://www.courts.ns.ca/General/bar.htm>

New: Hints & Tips from the Prothonotary – June 11, 2012

This edition includes:

- Court dockets from June to August;
- Reminders about summer holiday closures for Canada Day and Natal Day;
- Notices about the new amendments to the Civil Procedure Rules;
- Several new Practice Memorandums from the Supreme Court; and
- A number of important procedural reminders from the Prothonotary's Office.

See the June 11 [Hints & Tips](#) from the Prothonotary.

To view a complete archive of the Prothonotary's Hints & Tips, visit the "Notices to the Bar" page on the Courts of Nova Scotia website: <http://courts.ns.ca/General/bar.htm>.

You can also choose to follow "Notices to the Bar" via the Courts of Nova Scotia's new Twitter service.

Supreme Court amends Civil Procedure Rule 68.03 and establishes a Registry of Class Actions

The Supreme Court of Nova Scotia has made several amendments to the *Civil Procedure Rules*. Of particular note are the [amendments](#) to Rule 68.03 regarding class action proceedings.

Rule 68.03 will require that copies of documents in class action proceedings be sent to the Executive Office of the Judiciary. Copies submitted to the National CBA Database will suffice. Please send the documents to ClassActionNS@gov.ns.ca.

Documents for each case will then be posted on the Courts website at [Registry of Nova Scotia Class Actions](#)

For details about these changes, please read the full Notice to the Bar at this link: <http://www.courts.ns.ca/general/bar.htm>

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>.

INFORUM

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

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
- **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.

FROM THE PROVINCE

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

NSBS members sought for Motor Vehicle Appeal Board

Service Nova Scotia and Municipal Relations is seeking members and a Chair for the Motor Vehicle Appeal Board. Applicants must be members of the Nova Scotia Barristers' Society, with experience and knowledge in administrative law and adjudicative proceedings.

Deadline for applications is June 18, 2012. Please visit this link for complete details:

http://novascotia.ca/exec_council/abc/adjudicative-position-profiles.asp

Invitation to Express an Interest in Registration for High Conflict Training Curriculum: Train-the-Trainer (response required by June 18, 2012)

On behalf of the Department of Justice, Court Services, I invite you to consider attending or sending a representative of your organization to attend one of two High Conflict Training Curriculum, Train-the-Trainer sessions being held on July 10, 2012 and July 11, 2012 in Halifax, Nova Scotia.

The training curriculum has been specifically designed to improve clinical and legal services for families experiencing high conflict after separation or divorce. In conjunction with the Department of Justice Canada, these training sessions will be delivered by Dr. Rachel Birnbaum, a leading expert in the field of high-conflict families, who has over 25 years of clinical practice, research and teaching experience with separated and/or divorce families. Detailed information about the training curriculum appears below this message.

It is our hope that family justice service professionals who attend one of these training sessions will be provided with the most current evidence and strategies for service provision within high conflict families which they can, in turn, provide to other members within their respective organizations. There is no cost to register for a training session. A light lunch and refreshments will be provided. Attendees are responsible for covering their own travel and accommodations costs.

There is limited enrolment capacity and an interest in ensuring that a wide diversity of service providers from across Nova Scotia are represented within these training sessions. If interested in registration, please respond to Anne Broughm at brougham@gov.ns.ca on or before June 18, 2012 with the following information:

- Name of organization or government department
- Name of proposed attendee
- Brief description of attendee's work role within the family justice system
- Primary work location of attendee
- Preference of training date (either July 10 or July 11, 2012)

INFORUM

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

Confirmation of enrolment acceptance will be provided on or before June 25, 2012. Please do not hesitate to contact me if you have any questions or concerns.

Many thanks,
Pamela Kachafanas, Family Lead, Court Services

High Conflict Training Curriculum: Train-The-Trainer

INTRODUCTION AND BACKGROUND

Considerable attention has been devoted to improving clinical and legal services for families after separation and divorce. High conflict families are characterized as litigious, exhibiting poor communication and having poor problem-solving skills and in some cases by family violence. Birnbaum & Saini (2011) and Birnbaum & Bala (2010) argue that many of these families take up an enormous amount of court and clinical resources as a result of gaps in knowledge about the unique needs of high conflict families.

Service providers need the most current evidence and strategies for efficient dispute resolution by the family justice system and for effective service provision by family justice professionals. More importantly they need to understand these issues in language that is accessible and useful to their work.

Currently there are few training materials for family justice professionals who may come into contact with high conflict families experiencing separation and/or divorce. The goal of this curriculum is to provide all the current evidence based information about these families into one manual for each province and territory in both official languages.

However, there is much conflicting information out in the public domain about who high conflict families are, the causes, and the best ways to deal with these families. Further, although some social science research has been undertaken, with the increased access to web-based "research", undertaking an online search of "high conflict divorce" will result in a voluminous source list. Some of these will be sound, but many more will provide anecdotal evidence at best or biased first party accounts at worst. In addition, much of the social science research based information that is available on high conflict families can only be accessed in academic journals thereby minimizing its usefulness for family justice professionals.

Even if well-developed materials were available, training for family justice professionals can be expensive and hard to access. Few organizations have the funds to develop in house materials, and/or to send their employees to training that will be provided for a fee. Interest was expressed by members of the Research Subcommittee of the Coordinating Committee of Senior Officials Family in providing information to family justice professionals who work with separated and divorced families. It was recognized that there is a strong need across Canada for this type of training for family justice professionals given the struggles that each province/territory is facing in how to understand and work with these families and triage them to appropriate resources based on the severity and nature of the conflict. It was believed that sharing information, at no cost to individuals or to the government body would be a positive step toward increasing consistency in understanding and working with high conflict families – across the country as well as across different professions.

Acknowledgement of this lack of consistency in the quality of and access to information, as well as the real need for consolidated, evidence based knowledge transfer lead to the current project; the development of evidence based training for family justice professionals on the topic of high-conflict families.

High Conflict Training Curriculum: Phase 1

Responding to an identified need, Drs. Rachel Birnbaum¹ and Michael Saini, with the support of the PLEI and Training Fund of the Federal Department of Justice commenced the development of a set of High Conflict Training materials that would be presented to family justice professionals in a train-the-trainer format.

Dr. Birnbaum has over 25 years of clinical practice, research, and teaching experience with separated and/or divorced families. She has presented nationally and internationally and published on many issues related to high conflict families post separation and/or divorce for judges, lawyers and mental health professionals.

INFORUM

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

The overall goals of this High Conflict curriculum include: 1) providing a consolidated knowledge based for professionals with respect to the most current research on high conflict families including who these families are—highly litigious, exhibiting poor communication and having poor problem-solving skills and in some cases by family violence; 2) assisting to create the same level of understanding about these families and developing a shared starting point for professionals to increase consistency and make it easier to talk to each other about the topic, and; 3) targeting the training toward government funded or supported (through roster) family justice professionals across Canada who would not otherwise be able to obtain the necessary information due to lack of resources for training. The train-the-trainer format was chosen so the information could be presented to a wider audience, with the developers training the trainers who would then go out and provide the High Conflict training to professionals in their respective cities.

The result of this project will be a coordinated curriculum and training materials specifically focused on high conflict families for family justice professionals to assist them in working with families of separation and/or divorce. This project responds to the need for information about these families who span geographic and socio-economic sectors. Moreover, the courts are clogged with increasing numbers of unrepresented litigants. This places more pressure on the court staff who must deal with highly emotionally charged litigants as expeditiously as possible in the interests of children. In addition to information about high conflict families – their characteristics and outcomes, the curriculum also provides best practices for family justice professional to deal with the emotional issues raised by the litigants that will help not only to diffuse the emotions but assist in their own self-care as well.

The training curriculum and teaching materials (including both written and videos) is based on six modules. These include: Definitions of High Conflict; Etiology of Stuckness; Parent/Child Relationships; Mental Health Interventions with High Conflict Families; Legal Interventions with High Conflict Families; and Cautions & Considerations. These six modules can be used as a complete training package or taught individually.

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

VOLUNTEER & PRO BONO OPPORTUNITIES

Halifax Refugee Clinic seeks NSBS members to join Board of Directors and to serve as legal counsel to the Board

The Halifax Refugee Clinic is a non profit, non government charitable society that provides no-cost legal and settlement services for people claiming refugee status in Nova Scotia financially unable to retain the services of private legal counsel.

The Clinic operates on the strength of generous grants from the Law Foundation of Nova Scotia, private and public sector grants, and private donations. The Clinic relies on a staff of 3 full time employees, several interns, numerous volunteers from the Nova Scotia Barristers' Society and the general community, a volunteer Board of Directors, and has been the recipient of several human rights awards.

The Halifax Refugee Clinic is inviting applications from interested members of the Nova Scotia Barristers' Society to sit as a member of the Clinic Board of Directors and to serve as legal counsel to the Board.

Interested candidates should send expressions of interest by June 30, 2012 to:

Lee Cohen QC
Chair - Board of Directors
Halifax Refugee Clinic
P.O. Box 233, Halifax CRO,
Nova Scotia B3J 2M4
Or mlcohen@eastlink.ca

INFORUM

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

Help promote access to justice for Nova Scotians

The Legal Information Society of Nova Scotia is celebrating 30 years of helping Nova Scotians access information about the law so they are better prepared to deal with their legal issues and questions.

Thousands of Nova Scotians access its services every year through a variety of channels. LISNS is now busier than ever, with a number of important projects underway and special events planned over the coming months.

LISNS is a small charity with limited resources and it needs your help. We are actively recruiting volunteers to work on various projects and special events, to join our committees, and to serve on our Board of Directors. Committees include Finance, Legal Content, Philanthropy, PR and Communications, and Community Connections. We seek people with a wide range of skills and interests from all backgrounds.

For more information about the various volunteer opportunities available, please contact lisns@legalinfo.org. To learn more about LISNS and its services, visit www.legalinfo.org.

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. For more information, please call Pamela at 449-9987 or email creativepam@gmail.com.
<http://www.sbeip.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.

INFORUM

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

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

reachAbility Volunteer Opportunities

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

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

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

For further information, contact us: (902) 429-5878 or legal@reachability.org OR visit us [online](#).

LIANS and NSBS Mentorship Program

For information, visit the [Mentorship Program](#) section on the LIANS website, under the Risk and Practice Management heading at http://lians.ca/rpm/mentorship_program/. Documents available on the website include the **Mentorship Program Application Form**, a **Model Mentoring Activity Plan** for participants and a **Mentoring Guidelines** booklet.

CAREER OPPORTUNITIES: nsbs.org/careers

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

INFORUM

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

:: 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:

- June 20 to 27, 2012

[Register online](#)

OUTSIDE CONFERENCES & SEMINARS

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

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/dev/NS/News_And_Events/Conference.aspx

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CBA National Aboriginal Law Conference: Aboriginal Peoples and Natural Resources

June 14 - 15, 2012

Saskatoon, Saskatchewan

The intersection between Aboriginal Peoples and the development of natural resources is at the heart of aboriginal law and policy in Canada. Issues arising around natural resource extraction and allocation, together with constitutional obligations rooted in treaty and aboriginal rights, the honour of the Crown and duties of consultation and accommodation often lead to complex economic and social arrangements.

What does this mean for Aboriginal Peoples, for industry, for Court, for Canadians? What are the legal implications of natural resource use and management? Resource development often frames our modern conversations around reconciliation. Does reconciliation require compromise and balancing with the broader public interest? Is reconciliation a process or a goal? [More...](#)

Criminal Law/Brydges after Hours Conferences

Nova Scotia Legal Aid is hosting three upcoming Criminal Law/Brydges After Hours Conferences.

The conferences will be held:

- June 11, 2012 in Kentville, NS;
- June 13, 2012 in Halifax, NS and;
- June 15, 2012 in Sydney, NS.

There is no fee for attending. For more information and to RSVP, please contact Bev Bishop via email at Beverly.Bishop@nslegalaid.ca or via phone at (902) 420-6578 as soon as possible.

INFORUM

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

Divorce Support Roundtable

June 16, 2012 (9:00-12:00)

Prospect Community Centre, Prospect, Nova Scotia

Please join Leisa MacIntosh, Family Lawyer and Mediator with the Family Centre at MacIntosh, MacDonnell, and MacDonald at a Divorce Support Roundtable to discuss support services for individuals going through separation and divorce. Legal planning is one portion of this process, with financial, psychological, parenting, spiritual, and general well-being being part of the discussions on June 16th, 2012. The forum is open to all individuals who are looking for help as they navigate through this new part of their life. For more information, visit www.solutionsbeyondcourt.com or contact Leisa directly (lmacintosh@macmacmac.ns.ca).

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

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 by May 31, 2012. This workshop is by registration only.

[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.

INFORUM

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

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

Web: www.ctrinstitute.com | Email: info@ctrinstitute.com

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

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](#)

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

Summer Civil Trial Advocacy College

Presented by The Advocates Society

July 26 & 27, 2012 from 9 am to 4:30 pm

Sobey Building, Saint Mary's University, Halifax

This extraordinary, two day trial skills program provides intensive, comprehensive and participatory education to lawyers new to or out of practice in the courtroom. Our faculty of leading Nova Scotia advocates utilizes proven methods of instruction for a full learning experience. [Details...](#)

INFORUM

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

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 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. 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.

Upcoming Events from the Atlantic Provinces Trial Lawyers Association

APTLA ONLINE LEGAL EDUCATION

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

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

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

INFORUM

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

:: LIBRARY & INFORMATION SERVICES ::

Nova Scotia Civil Procedure Rules amendments

Amendments have been made to the *Civil Procedure Rules*.

Amendments to

- Part 2, Rule 4.18(1)
- Part 2, Rule 4.22(1)
- Part 15, Rule 68.03
- Part 20, Rule 94.02(5) were made May 10, 2012.

Amendments to

- Part 18, Rule 90.13(1), 90.13(2), and 90.13(3) were made May 25, 2012.

The text of the online [Nova Scotia Annotated Civil Procedure Rules](#), including the Forms, and PDF versions of the Rules, in whole and part, **has been updated** as these amendments are now in force.

Follow the link to view the text of the amendments as published in the [Royal Gazette Part I Volume 221, No. 20 \(May 16, 2012\)](#) and [Volume 221, No. 22 \(May 30, 2012\)](#) (unofficial copies).

Setting up your own current awareness service: getting started

Rather than visiting numerous websites for daily news and legal current awareness, have new web content pushed to you in the manner you prefer.

Sign up for email newsletters. Many sites continue to offer a subscription to an email newsletter. Sources to consider include [Legal Feeds](#), the blog of *Canadian Lawyer* and *Law Times*; the daily or weekly [email newsletter](#) of the *ABA Journal*; and the comprehensive or topic-based [email subscriptions](#) to the Canadian law blog [slaw.ca](#).

View news feeds through an RSS reader. Many email programs now provide the capacity to subscribe to and view RSS feeds within the program (a subscribed news feed appears like an email folder). Or use a web-based RSS service such as [Google Reader](#).

Look for the RSS icon [] on the webpages you view, indicating that a news feed is available. Click on the icon, copy the URL from the address bar, and paste it into your RSS reader, or follow the prompts.

Many sites provide a list of all RSS feeds available. A benefit of RSS is the ability to select specialized information channels. For example, select Legal Ethics or Legal Technology from the RSS feed lists of the [ABA Journal](#); CNW Legal from [CNW Group](#) (formerly Canadian Newswire); or the [Financial Post's Legal Post](#).

Some paid subscription materials, such as the [The Lawyer's Weekly](#), provide free via RSS the latest headlines but only selective access to full-text articles.

View news feeds on a mobile device. RSS readers are available for portable devices such as the BlackBerry or iPhone. News providers like *The Globe and Mail*, the *Chronicle Herald* and the CBC have developed mobile device applications to syndicate their news.

Contact Library & Information Services at 425 2665 or 1 866 219 1202 (toll-free) for further assistance with setting up RSS feeds.

INFORUM

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

Change to L&IS service: books by courier

All Society members may contact the Barristers' Library for assistance with borrowing circulating books. If the items sought are in the Library and available for loan, L&IS staff will set them aside for pickup in person or by courier.

As of June 1, 2012, the Society will no longer incur the cost of sending books by courier to members. L&IS staff will continue to source, set aside, and prepare books for delivery on behalf of members. Members will bear the cost of sending books out and returning books to the Library.

INFORUM

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

:: NEW DECISIONS ::

ADMINISTRATIVE LAW *Royal Environmental Inc. v. Halifax (Regional Municipality)*, C.A. No. 357310, Fichaud, J.A., June 8, 2012. [2012 NSCA 62](#)

ADMINISTRATIVE LAW *Li v. Jean*, C.A. No. 370944, Beveridge, J.A., June 7, 2012. [2012 NSCA 63](#)

CONTRACTS *Sable Mary Seismic Inc. v. Geophysical Services Inc.*, C.A. No. 325703, Beveridge, J.A., May 31, 2012. [2012 NSCA 57](#)

CRIMINAL LAW *R. v. Ross*, C.A.C. No. 356611, Bryson, J.A., May 31, 2012. [2012 NSCA 56](#)

CRIMINAL LAW *R. v. McCormick*, C.A.C. No. 393239, Beveridge, J.A., May 31, 2012. [2012 NSCA 58](#)

CRIMINAL LAW *R. v. Ashby*, No. 2204849; 2204850, Tax, J.P.C., October 5, 2011. 2011 NSPC 114

CRIMINAL LAW *R. v. Hicks*, No. 2385061, Scovil, J.P.C., May 31, 2012. [2012 NSPC 44](#)

CRIMINAL LAW *R. v. S. (M.)*, No. 2257974; 2257960 – 2257973, Derrick, J.P.C., May 18, 2012. [2012 NSPC 42](#)

CRIMINAL LAW *R. v. Rose*, C.R.H. No. 358560, Robertson, J., June 4, 2012 ; March 7, 2012 (orally). 2012 NSSC 178

CRIMINAL LAW *R. v. Hardy*, CR. No. 336831, Wright, J., May 31, 2012 ; May 25, 2012 (orally). [2012 NSSC 209](#)

EMPLOYMENT LAW *Ruparell v. Armbrae Academy*, Hfx. No. 346559, Bourgeois, J., May 30, 2012. [2012 NSSC 211](#)

FAMILY LAW *Dunnington v. Emmett*, C.A. No. 357749, Saunders, J.A., May 29, 2012. [2012 NSCA 55](#)

FAMILY LAW *F. (F.D.) v. F. (R.)*, No. 1201-065277; SFH-D-075130, Jollimore, J., May 30, 2012. [2012 NSSC 208](#)

FAMILY LAW *Baggs v. Baggs*, S.F.S.N.D. No. 1206-006354, Wilson, J., June 4, 2012 ; May 30, 2012 (orally). [2012 NSSC 213](#)

FAMILY LAW *Nova Scotia (Community Services) v. M. (S.A.)*, S.F.H.C.F.S.A. No. 081152, Jollimore, J., June 5, 2012. 2012 NSSC 215

LANDLORD AND TENANT *Fotherby et al. v. Cowan et al.*, C.A. No. 392849, Beveridge, J.A., June 5, 2012. [2012 NSCA 59](#)

MAINTENANCE *Webster v. Goncalves*, No. 1201-060606, Beaton, J., May 17, 2012. [2012 NSSC 197](#)

MAINTENANCE *Molloy v. Molloy*, C.A. No. 371180, Oland, J.A., June 8, 2012. [2012 NSCA 60](#)

PRACTICE *Abbott and Haliburton Co. Ltd. v. WBLI Chartered Accountants*, Hfx. No. 270401, Pickup, J., June 1, 2012. [2012 NSSC 210](#)

PRACTICE *Grey v. Dore*, S.C.C.H. No. 387081, Richardson, Adjudicator, May 29, 2012. [2012 NSSM 12](#)

PROFESSIONAL OCCUPATIONS *Fadelle v. Nova Scotia College of Pharmacists*, C.A. No. 392882, Beveridge, J.A., June 7, 2012. 2012 NSCA 61

WILLS AND ESTATES *Prevost Estate v. Prevost Estate*, Hfx. Probate Court No. 55089, Murray, J., May 16, 2012. [2012 NSSC 199](#)

INFORUM

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

SUPREME COURT of CANADA — recent decisions

Library & Information Services - Keeping you informed

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

June 8, 2012

[R. v. Gibbons](#)

Neutral Citation: [2012 SCC 28](#) (CanLII)

File No.: 33813.

2011: December 14; 2012: June 8.

Present: McLachlin C.J. and LeBel, Deschamps, Fish, Abella, Rothstein, Cromwell, Moldaver and Karakatsanis JJ.

On Appeal from the Court of Appeal for Ontario

Criminal law — Offences — Disobeying order of court — Criminal charge laid for disobeying superior court order in civil matter — Criminal Code provision making it criminal offence to disobey court order unless "a punishment or other mode of proceeding is expressly provided by law" — Rules of Civil Procedure providing for contempt procedures — Whether exception to Criminal Code provision applies — Criminal Code, R.S.C. 1985, c. C-46, s. 127 — Ontario Rules of Civil Procedure, R.R.O. 1990, Reg. 194, Rules 60.11, 60.12

The appellant was charged under s. 127(1) of the *Criminal Code* with disobeying a court order, granted in 1994, that enjoined her and others from displaying protest signs in the vicinity of specific abortion clinics. She brought a pre-trial motion to quash the information on the ground that the exception in s. 127(1) applied because Ontario Rules 60.11 and 60.12 precluded the application of s. 127(1). The courts below held that they did not.

Held: (Fish J. dissenting) The appeal should be dismissed.

June 7, 2012

[Annapolis County District School Board v. Marshall](#)

Neutral Citation: [2012 SCC 27](#) (CanLII)

File No.: 34189.

2012: May 8; 2012: June 7.

Present: McLachlin C.J. and Deschamps, Abella, Rothstein, Cromwell, Moldaver and Karakatsanis JJ.

On Appeal from the Court of Appeal for Nova Scotia

Torts — Negligence — Standard of care — Contributory negligence — Child running into path of oncoming bus suffering severe injuries — Whether trial judge erred in improperly inviting jury to find child responsible for accident — Motor Vehicle Act, R.S.N.S. 1989, c. 293, s. 248.

J, a four-year-old boy, suffered catastrophic injuries when he ran onto a highway and into the path of an oncoming empty school bus driven by F. A jury decided that there was no negligence by F that caused or contributed to J's damages. The Court of Appeal ordered a new trial finding that, in referring to statutory right-of-way provisions, the trial judge improperly invited the jury to treat J like an adult and therefore find him responsible for the accident.

Held (Cromwell J. dissenting): The appeal should be allowed and the cross-appeal dismissed.

INFORUM

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

June 1, 2012

R. v. Roy

Neutral Citation: [2012 SCC 26](#)

File No.: 33699.

2011: November 9; 2012: June 1.

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

On Appeal from the Court of Appeal for British Columbia

Criminal law — Dangerous operation of motor vehicle — Elements of offence — Mens rea — Whether proof of actus reus without more can support inference that required fault element is present — Whether accused's conduct displayed a marked departure from standard of care — Criminal Code, R.S.C. 1985, c. C-46, s. 249.

Criminal law — Appeals — Whether trial judge applied incorrect legal principles in addressing fault component of offence — If so, whether error was harmless — If appeal allowed, whether Court should order new trial or direct an acquittal — Criminal Code, R.S.C. 1985, c. C-46, ss. 686(1)(a)(ii), 686(1)(b)(iii).

On an afternoon in late November 2004, R was driving home from work with a passenger. Visibility was limited due to fog and the unpaved back road they were on was relatively steep, snow covered and slippery. The driver of an oncoming tractor-trailer testified that R stopped before proceeding onto the highway, then drove onto the highway and into the tractor-trailer's path. In the resulting collision, R's passenger was killed. R survived, but the collision left him with no memory of either its circumstances or of the surrounding events. R was convicted of dangerous driving causing death and his appeal to the Court of Appeal was dismissed.

In a decision released shortly before *R. v. Beatty*, 2008 SCC 5, [2008] 1 S.C.R. 49, the trial judge concluded that R's conduct was objectively dangerous. He then immediately concluded that R's driving had constituted a marked departure from the standard of care a reasonable person would observe in the circumstances. Since no explanation was provided for R's conduct — due in great part to his loss of memory — there was no evidence that could raise a reasonable doubt that a reasonable person would not have been aware of the risks in the circumstances. The appellant's appeal to the Court of Appeal was dismissed. Although the Court concluded that the trial judge had made a legal error, it was of the view that the error was harmless as it occasioned no substantial wrong or miscarriage of justice.

Held: The appeal should be allowed, the conviction set aside and an acquittal entered.

INFORUM

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

:: NOVA SCOTIA BILLS ::

Nova Scotia Bills

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

The House resumed sitting on Thursday, March 29, 2012 and adjourned on Thursday, May 17, 2012.

The following bills were PASSED during the spring sitting of 2012:

<http://nslegislature.ca/legc/index.htm>

- Chapter No. 1 - Appropriations Act, 2012
- Chapter No. 2 - Community Easements Act
- Chapter No. 3 - Dalhousie University-Nova Scotia Agricultural College Merger Act
- Chapter No. 4 - Financial Measures (2012) Act
- Chapter No. 5 - Fish Harvesters Registration and Certification Board Act
- Chapter No. 6 - Good Forestry Management on Crown Land Act
- Chapter No. 7 - Grandparents' Rights Affirmation Act
- Chapter No. 8 - Justice Administration (2012) Act
- Chapter No. 9 - Maritime Link Act
- Chapter No. 10 - Matrimonial Statutes Repeal Act
- Chapter No. 11 - Mortgage Regulation Act
- Chapter No. 12 - NewPage Port Hawkesbury Pension Plans Act
- Chapter No. 13 - Patient Safety Act
- Chapter No. 14 - Promotion of Respectful and Responsible Relationships Act
- Chapter No. 15 - Status of the Artist Act
- Chapter No. 16 - Assessment Act (amended)
- Chapter No. 17 - Canada-Nova Scotia Offshore Petroleum Resources Accord Implementation (Nova Scotia) Act (amended)
- Chapter No. 18 - Conservation Easements Act (amended)
- Chapter No. 19 - Consumer Protection Act (amended)
- Chapter No. 20 - Education Act (amended)
- Chapter No. 21 - Education Act (amended)
- Chapter No. 22 - Fisheries and Coastal Resources Act (amended)
- Chapter No. 23 - Gaming Control Act (amended)
- Chapter No. 24 - Interjurisdictional Support Orders Act (amended)
- Chapter No. 25 - Maintenance and Custody Act (amended)
- Chapter No. 26 - Medical Society Act (amended)
- Chapter No. 27 - Municipal Government Act (amended)
- Chapter No. 28 - Municipal Government Act (amended)
- Chapter No. 29 - Nova Scotia Association of Health Organizations, An Act to Incorporate (amended)
- Chapter No. 30 - Nova Scotia Tartan Act (amended)
- Chapter No. 31 - Personal Health Information Act (amended)
- Chapter No. 32 - Public Trustee Act (amended)
- Chapter No. 33 - Purchasing Management Association of Canada Act (amended)
- Chapter No. 34 - Securities Act (amended)
- Chapter No. 35 - Annapolis Valley Apple Blossom Festival, An Act to Incorporate The (amended)
- Chapter No. 36 - Crosbie Memorial Trust Fund Act (amended)
- Chapter No. 37 - Nova Scotia Provincial Exhibition Commission Act (amended)

INFORUM

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

:: PROCLAMATIONS UPDATE ::

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

Identification of Criminals Act, SNS 2011, c.37, s.8

NS Gaz Pt 2, [06/01/2012](#)

NS Reg 108/2012

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.

INFORUM

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

:: LIANS TIPS ::

RISK AND PRACTICE MANAGEMENT TIP: Documenting on the go – Smart Phone dictation

Imagine yourself having an impromptu discussion with opposing counsel or a client on the steps of the courthouse. How do you capture that discussion so nothing is forgotten?

Smart phones have created dictation applications that not only enable digital dictation, but allow you to attach the dictated memo or letter to an email to send to your assistant for immediate transcribing. The files can also be processed by a digital transcription application. Some of the more popular applications include Pocket Dictate, and DictaNet Mobile for the iPhone; and AudioWav Mobile for the BlackBerry.

*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 or call **423-1300 ext. 345**.*

FRAUD ALERT: LinkedIn passwords posted online after apparent hack

Security professionals are reporting that business social network LinkedIn is investigating reports that 6.5 million passwords have been stolen and leaked onto the Internet, and are advising that users change their passwords immediately.

For some tips on creating a password that is both highly secure yet easy to remember, read LIANS' article on "[Creating a 'Super Password'](#)".

Here's how to change your LinkedIn password:

- Login to <http://LinkedIn.ca>
- Hover your mouse over your name on the upper right hand corner of the page
- Click 'Settings' in the menu
- Select 'Account' in the lower left corner of this page
- Click 'Change password' in the 'Email and Password' menu
- Enter your old password and confirm your new password

Record your new password in a safe place and if you've used the same password and email combination on any other site, consider changing that password as well.

As always, trust your instincts – and when in doubt, contact Cynthia Nield, LIANS' Database and Information Officer, at cnield@lians.ca or 423 1300 x346 to help you debunk any emails or potential "clients".

NSLAP WELLNESS TIP: How to keep loving feelings strong in everyday life

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

When two people first fall in love, their feelings for each other are strong, almost overwhelming. When this emotional rush begins to fade over time, there is still plenty of room for continuing love and affection.

Sometimes, partners in a relationship are disturbed and upset by this natural evolution of their relationship. They feel the magic is gone and the relationship changed for the worse. Here is some information about the ways loving feelings evolve in a relationship and strategies other couples have found useful to keep the loving feelings in their relationship strong.

The magic of the early days

INFORUM

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

The initial emotional rush that comes with falling in love is triggered by the fact the relationship is new, as well as the excitement of being in a relationship in which each partner's strong feelings of love and affection are reciprocated. It seems as if the two people literally cannot get enough of each other.

The "magic" of these early days is reinforced by a variety of behaviours by both partners. These could include the way the two people look at or casually touch each other in public, spontaneous gestures of affection such as a surprise phone call or an unexpected gift, be it flowers, a piece of jewelry or a surprise weekend getaway.

These behaviours, as psychologists call them, are all rightly seen by both partners as expressions of love and serve to feed the emotional intensity of the early days of a courtship.

The relationship enters a new phase

Anyone who has fallen in love is familiar with these intense feelings that come at the beginning of an intimate relationship. If the relationship grows and develops the couple may well decide to commit to spending their lives with each other. When this happens their relationship enters a new stage. While their love for each other remains strong, the intense feelings they experienced during their courtship subside somewhat.

The routine of everyday life

Once a couple set up housekeeping and begin to live together, life usually settles into a routine. In the early days of the relationship, when a couple got together, it was usually a special occasion and both partners were on their best behaviour.

Everyday life has its special moments. However, everyday life is also going to work, washing the dishes, shopping for groceries and fixing the leaky faucet in the bathroom.

Many couples manage the transition to this new reality without any serious problems. Others, however, when they feel the early magic is gone, decide that it was all a big mistake. Maybe they don't love each other after all. Maybe what they thought was love was just a temporary infatuation, and the best thing to do is to call it quits and end the relationship.

What to do

If your relationship is at this stage, before taking any action, take the time to review your situation. Consider the following:

- It is not realistic to expect the high emotional level of the courtship period to last forever.
- While the early emotional high of the relationship may fade, there is still plenty of room for loving feelings.
- What may have happened is that one or both partners no longer practice the spontaneous loving behaviours of the courtship days. No more little surprise gifts, no more unexpected phone calls at work to say "I'm thinking of you."
- What is realistic is the desire to continue to give and to receive these spontaneous loving attentions that were so important during the courtship.

Maybe I should look elsewhere

Some people think that the only solution is to try to recapture the "magic" in another relationship. While a new relationship may provide the excitement your present relationship had in its early days, it will last only a short while, and you will be left having to find another exciting beginning.

Consider changing your behaviours

How you behave affects how you feel. Loving behaviours lead to loving feelings; they do not come out of thin air. By the same token, loving feelings lead to loving behaviours. Few of us are mind readers. Express those feelings of love and affection you have for your partner.

What worked before will work again

Think back to your courtship and the many ways you showed your love for each other – the spontaneous gestures of affection, the unexpected phone call or small gift, the weekend getaway. What worked before should work again. And there's nothing wrong with trying something new.

Nurturing your loving feelings is a lifetime commitment. Just as a houseplant flourishes if watered regularly, your relationship will grow and develop to the extent it receives the care and attention of both partners.

INFORUM

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

*For more information and support on keep loving feelings strong in everyday life, along with resources and counselling to improve your health and wellness, visit the NSLAP website at www.nslap.ca. Please note that **LAP** is your "company" name when you register. When you call the LAP number at **1-866-299-1299**, your call will be answered any time, day or night, 365 days per year.*

INFORUM

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

:: CURRENT ISSUES IN GENDER EQUITY ::

The Gender Equity Committee (GEC) launched a postcard campaign titled "It will be Our Little Secret," designed to raise awareness about gender harassment and discrimination in the legal profession. Over the past two years, we have received almost 50 postcards detailing the personal experiences of lawyers in this province. For more information on this postcard campaign, please see the [detailed article](#) in the February 2011 edition of the *Society Record*. In an effort to spark discussion and examination of these important issues, the GEC is providing *InForum* articles on a range of topics, inspired directly by the experiences highlighted in the postcards.

Confidence = Cojones?

By Heidi Schedler, Co-Chair, Gender Equity Committee

"Comments from a partner in the firm: You are smart, but without confidence you will never be any use to us. You should work on that, don't you think?"

"A senior male lawyer accused me of not communicating with enough 'confidence.' I challenged his conclusion, noting that just because all people don't communicate in his preferred way does not mean I don't communicate 'with confidence.' The real issue was that I was telling him something he did not want to hear."

Of all professions, it seems like ours is one that places a dramatic amount of emphasis on confidence. You gotta have it to get the job, keep the job, move up the ladder, get the clients, keep your clients, get the good files, keep the good files, convince the Court, convince your boss, convince your client. On and on. What with all this confidence swirling around, you would think it would be easy for any lawyer to "self-medicate": apply confidence liberally to affected area, repeat as necessary. But, it's just not that simple.

Confidence is elusive. It can be difficult to find, and it can be even more difficult to exude effectively. This is particularly so for women.

Women are different than men: we socialize and communicate with a view to building relationships, not to focus on our status; statistically, women are more likely to downplay their certainty than men (and we all know that in this profession, doubt is seen as a weakness). If you don't believe me when I say men and women are different, believe all of the research and statistics that confirm it to be true.²

It is important for all of us to recognize that not only do men and women process information differently, we communicate differently. I would bet dollars to donuts that the lawyer who told the junior female clerk that she should "work on that, don't you think" believed his comments were succinct, clear and constructive – who could ask for anything more? I would also bet that junior female lawyer walked out of that meeting believing those comments to be the most unconstructive and useless feedback she had ever received – who could disagree?

Don't get caught up in who's right and who's wrong. Rather, let's try to avoid this type of exchange altogether.

The fundamental differences between how men and women communicate often result in a lack of understanding. All too often, we categorize something we don't understand as wrong, inappropriate or ineffective. As lawyers, every one of us is pre-wired to believe that pretty much everything we do is done right. If we are doing it right, they must be doing it wrong! Right? Wrong. Just because something isn't said or done the way you would have said or done it, does not make it wrong or less effective. In fact, if you are willing to ignore the ego screaming in your ear, you just may learn something.

² D. Tannen, "The Power of Talk: Who Gets Heard and Why" (Fall 2010) Harvard Business Review OnPoint, p. 32

INFORUM

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

Confidence is not a one-size-fits-all concept. It comes in many shapes and sizes and “Jane’s” confidence may look very different from “Joe’s”. Just because she doesn’t walk in with guns ablaze and zero doubt does not mean she lacks confidence. Look behind the words and think about the message she is bringing. If you still think she lacks confidence, then communicate with her about exactly what is lacking: authority (legal, factual or emotional), intonation of her voice, body language, choice of language, etc. This is an opportunity to help a junior lawyer build her confidence and find her style, not turn her into a “mini-me”.

If, after all of your pontificating on her lack of confidence, she is willing to defend her position and engage you in a constructive debate on the topic, like the female lawyer did in the postcard excerpt above, then maybe she’s not lacking in confidence after all. As a junior lawyer, defending your approach to a senior lawyer takes confidence and guts. Or *cojones*, if that’s your bag.

In case you missed the previous articles:

- [What just happened here?](#) by Jennifer A. MacLellan, Member, Gender Equity Committee, April 30, 2012
- [Be nice ... but not too nice](#), by Katherine Salsman, Member, Gender Equity Committee, April 16, 2012
- [Heros in our own lives: Janie Justice, Gloria Steinem and Wonder Woman](#), by Dale Darling, GEC Member, February 20, 2012
- [“Killer Instinct” v. Compassion](#), by Catherine A. Cogswell, GEC Member, January 23, 2012
- [Mom, LLB](#), by Amy Sakalauskas, GEC Member, December 19, 2011
- [Closing the pay equity gender gap: a task made for lawyers](#), by Kathleen Lumsden, GEC Member, November 21, 2011
- [Come on, honey, just laugh it off](#), by Candee McCarthy, Co-Chair, Gender Equity Committee, October 24, 2011

If you are interested in receiving more information about the postcard campaign or having postcards sent to you or your workplace, please contact the Equity Officer, Emma Halpern, at equity@nsbs.org.

INFORUM

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

:: CLASSIFIEDS ::

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:

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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. All enquiries will be held in the strictest confidence.

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