

# INFORUM

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

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- [National Criminal Law Program registration open](#) presented by the FLSC – July 9-July 13
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  - *Legal Assistants' Conference on General Civil Litigation, December 7, 2012*
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## Classifieds

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

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## :: NOTICES: :

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### SOCIETY NEWS

#### **Society Committees for 2012-2013**

At its meeting on June 25, Council amended and approved the **Society Committees List 2012-2013**, which can be accessed on the [Committees](#) page of the website.

The Society has three regulatory committees, 13 Council committees and eight operational committees, plus appointments to eight external Liaison Committees and 15 outside organizations.

Through its external liaison committees, the Society consults regularly with the provincial government and all levels of the Courts of Nova Scotia. Council appoints committees, task forces and working groups to address its governance responsibilities; the Executive Director appoints the liaison and other operational committees to assist in the work that has been assigned to the Executive Director.

The current [Schedule of Meetings – 2012-2013](#) is also available on the website, subject to changes that will be posted as required.

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#### **Professional Responsibility notices**

#### **R. Ritchie Wheeler – Permission to resign – July 5, 2012**

See the [Decisions and dispositions](#) page of the Society's website for the Resolution and Settlement Agreement approved by the Hearing Panel on July 5.

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#### **RSVP soon: The 10th Annual Pride Reception**

**Thursday, July 26, 2012, 4:30 – 6:30 pm**

**NSBS Classroom, Cogswell Tower  
800-2000 Barrington Street, Halifax**

[PDF Invitation](#)

You are cordially invited to celebrate with us at the 10<sup>th</sup> Annual Pride Reception, co-hosted by the SOGI (Sexual Orientation & Gender Identity) Section of the Canadian Bar Association – Nova Scotia and the Nova Scotia Barristers' Society.

Special guest [Robert Leckey](#) is an Associate Professor and William Dawson Scholar in the Faculty of Law, McGill University, where he teaches and researches in family and constitutional law. He is the President of Egale Canada and the Chair of its Legal Issues Committee, as well as the Past Chair of the McGill Equity Subcommittee on Queer People.

This event is an opportunity to celebrate diversity within our profession and to show our support for lesbian, gay, bisexual and transgendered lawyers throughout Nova Scotia. RSVP by Monday, July 23, 2012 to Marie Paturel at [equity@nsbs.org](mailto:equity@nsbs.org).

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#### **EDUCATION & CREDENTIALS: A new name for the Admissions & Professional Development department**

As a result of the Organizational Review and the subsequent restructuring of work in the Society, the former Admissions & Professional Development department has undergone a name change.

Effective July 1, 2012, the department is known as Education & Credentials. Corresponding changes have been made to staff titles within the department. The Society is pleased to make this change, as it more accurately reflects the work of

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the department and those who work within it.

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## **Changes in Category – June 21 to July 6, 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 Life Member category:*

Ralph Emerson Hennigar QC  
The Hon. Stewart McInnes QC, PC  
Graham Douglas Walker QC

*The Society welcomes the following lawyers, called to the Nova Scotia Bar since June 21:*

Ashley Dawn Anne Dutcher  
Mary Jane Hyslop  
Ethan Shi-Eun Kim  
Amber Natasha Penney

*The Society welcomes the following new articulated clerk:*

Gavin Henry Howes Leitch

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

Dr. Fiona Bergin	Ramanjit Kaur Khabra	Jacqueline Anna Porter
Charlotte Hoegg Crosbie	Justin Kimball	Roxanne Victoria Prior
Cathy L. Dalziel QC	Nicholas Jean LeBlanc	Jennifer H. Ross
Donna Lynn Davis	Christy Anne Mackay	Jean-Claude Roy
Laura Rose Dowling	Anne MacLellan Malick QC	Brent Eben Sabeau
Maritza Christina Estridge	Christine A. McCulloch QC	Angus Estabrooks Schurman
Erin Rebecca Fowler	Robin A. McDonald	Jacqueline Elizabeth Scott
Rebecca Dawn Gasek	Bradford Gerard McIsaac	Cheryl Ann Simon
Lauren Alicia Grant	Jason Edward McQuaid	Albert Suissa
Erica Anne Green	David Michael Meadows QC	Samina Thind
Paula E. Kinley Howatt	Christine Ann Mosher	Linda Lorraine Zambolin
Jeffery Allan Hutchinson	Jan Christine Murray	

*The following members have changed to Retired status:*

David W.T. Brattston	Kimber Johnston
Jonathan Francis Lockyer Davies QC	Stindar K. Lal
Judith Giffin	Thomas Gerard Lukeman QC
Elizabeth Jane Greig-Hatton	Jerry S.T. Pitzul QC

*The following members have resigned:*

Erin Lee Delaney  
Karin Leigh Taylor  
Elizabeth Anne Uteck

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## **2012 Annual Report now available online**

The Society's 2012 Annual Report and Financial Statements are now available on the website. The documents were presented at the Society's Annual Meeting, held June 16 at the Schulich School of Law at Dalhousie University.

Visit <http://nsbs.org/annual-reports>.

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## **New Society leadership: See President Tim Daley QC's inaugural address on YouTube**

The Nova Scotia Barristers' Society is pleased to introduce its new leadership for the coming year.

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[Timothy G.J. Daley QC](#) of New Glasgow assumed the position of President for 2012-2013 during the Society's 2012 Annual Meeting. Joining him as Officers are First Vice-President [René Gallant](#) and Second Vice-President [Tilly Pillay QC](#), both of Halifax. In his inaugural address, Mr. Daley outlined his priorities as President for the year ahead. Watch his address on the Society's new YouTube channel, either in full or in segments:  
<http://www.youtube.com/user/nsbarristersociety/videos>.

Darrel Pink, Executive Director, gave a detailed presentation on these changes during the Annual Meeting, titled "[The Revolution in Legal Services Delivery](#)". The text and slides are available for viewing on the Society's website, and the video will soon be available. See the **Recent presentations** page at <http://nsbs.org/recent-presentations>.

## **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 **came into effect on June 1, 2012**.

Effective 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](mailto: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.

## **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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## **AWARDS & APPOINTMENTS**

### **McInnes Cooper Counsel George Cooper selected as University of King's College interim president**

The University of King's College is delighted to announce it has selected Dr. George Cooper, C.M., C.D., QC, as its interim president. His appointment will be for two years to give the university time to find a replacement for Dr. Anne Leavitt, who resigned June 21. Dr. Cooper, who holds an honorary doctorate from King's, is also the immediate past chair of the King's board of governors. He is a Rhodes Scholar, the managing trustee of the Killam Educational Trust, and a former chair of the Canada/US Fulbright Scholarship Foundation.

"I am delighted to take on this task," says Dr. Cooper, "and I look forward to getting to know the King's community better, particularly the students ... I believe that the opportunity to get to know these bright young adults will be one of the highlights of my time as interim president."

Dr. Cooper is Counsel with McInnes Cooper, working primarily from the firm's Halifax office. He practises corporate and commercial law, and has acted as lead counsel in the negotiation of major industrial, commercial and services contracts in and out of Nova Scotia. He represents companies in the forest, mining, rail, energy and related fields, and has been recognized by *Expert Magazine's* Leading Practitioners lists for Corporate and Commercial Law, and by Best Lawyers in Canada for Energy Regulatory Law and Corporate Law.

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"We are delighted for George," says McInnes Cooper Managing Partner Bernie Miller. "Our lawyers have been involved in advancing the region's education sector for many years, so this is a natural fit – especially for George."

Dr. Cooper will continue to be associated with the firm and will be returning to the full-time practice of law upon completion of this interim appointment. Arrangements have been made to ensure clients' needs will be fully met during this time.

For more details, see the July 9 announcements [from the university](#) and [from McInnes Cooper](#).

## Michael Donovan appointed to new National Advisory Council for film and TV

The Academy of Canadian Cinema & Television (ACCT) is pleased to announce its newly appointed National Advisory Council, comprised of professionals from all screen-based industries across Canada, which will provide input, support and advice to the Academy Board. Among the appointees is Michael Donovan, Chairman and CEO, DHX Media Ltd., and Co-founder of Halifax Film, a DHX Media company. Called to the Bar in 1979, Mr. Donovan is also currently Chairman of the Board of NSCAD University and a member of the CFTPA Board.

With more than 28 years of experience creating, producing and marketing Canadian film and television programming, Mr. Donovan has been recognized with numerous awards and nominations, including an Academy Award for the feature documentary *Bowling for Columbine*. He is Executive Producer of the hit comedy series *This Hour Has 22 Minutes*, now in its 19<sup>th</sup> season, and his production slate also includes children's and family programming such as *Bo on the Go!*, *Animal Mechanicals*, *The Mighty Jungle*, *Canada's Super Speller*, *SOUL* and *That's So Weird!* Recent productions also include the primetime drama series *The Guard*.

"We are very honoured and grateful these consummate professionals have joined the Academy's new National Advisory Council at this historic moment in the evolution of the Academy," says Martin Katz, Chair of ACCT and the new Council. "We need their experience, passion and support to form the best Academy possible to reflect the enormous successes of Canada's screen-based industries at home and around the world."

For details and a list of all appointees, visit the Academy's website: [http://academy.ca/about/about\\_NAC.cfm](http://academy.ca/about/about_NAC.cfm).

## Schulich law student among three new Commissioners appointed to NS Human Rights Commission

Three new appointments to the Human Rights Commission were [announced June 27](#) by Ross Landy, the Minister responsible for the *Human Rights Act*. The new commissioners are **André Cain** of Dartmouth, **Murray Brown** of Lower Sackville and **Dr. Joan Boutilier** of Wolfville.

Mr. Cain attends Schulich School of Law at Dalhousie University. He has worked with the Dalhousie Legal Aid Service and volunteered with a number of professional and community organizations such as the Legal Information Society of Nova Scotia, the Dalhousie Christian Legal Fellowship and the Dalhousie Black Law Students Association.

Dr. Boutilier, a clinical psychologist, is considered to be legally blind and has considerable experience in challenging discrimination, providing public education and advocacy. Mr. Brown is a retired RCMP officer who provided services during his career to African Nova Scotian communities in Preston, Lucasville and Upper Pockwock, and has also spent time in all 13 First Nations Communities across the province.

"These new commissioners, like present ones, have shown a commitment to human rights and making life better for Nova Scotians, especially in their communities," said Mr. Landry. "They keep a finger on the pulse of their communities and how Nova Scotians feel about human rights issues."

For more information on the Human Rights Commission, go to <http://humanrights.gov.ns.ca/>.

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## FROM THE COURTS

### Notices to the Bar

Important updates for the legal profession are routinely posted on the Courts Nova Scotia website, on the "Notices to the Bar" page under the RESOURCES links on the left side of the website. Subscribe to the 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

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

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### Serving persons in custody after hours – Central Nova Scotia Correctional Facility (CNSCF)

Persons from professional agencies (lawyers, process servers) are required to call reception staff to schedule an appointment for a contact visit with an offender.

Between the hours of 1700 and 0800, please call reception staff before attending the facility to allow the Officer in Charge to facilitate service.

Contact information can be found at: <http://novascotia.ca/just/Corrections/CNSCF.asp>

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### Workers' Compensation Board: RFP for External Legal Services

The Workers' Compensation Board of Nova Scotia is seeking responses to its Request for Proposal for External Legal Services, including provision of advice on all matters referred by internal legal counsel of the WCB or other specific WCB personnel in a timely and cost effective manner.

To download full tender document, please visit [www.gov.ns.ca/tenders](http://www.gov.ns.ca/tenders) tender #wcb2012-015.

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### LABOUR AND ADVANCED EDUCATION: Applications invited – Minister's List of Arbitrators

The Minister of Labour and Advanced Education is seeking applications for the Minister's List of Arbitrators under Parts I and II of the *Trade Union Act*.

Applicants will be assessed on the following:

- *Ability to act in an impartial and neutral manner as an arbitrator in labour relations matters;*
- *Experience in labour relations dispute resolution (chairing boards of arbitration or acting as a sole arbitrator, acting as a nominee for a party in an arbitration case, presenting cases to Labour Tribunals, etc.)*

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- *Knowledge of labour law, employment law and/or human rights law; and*
- *Demonstration of judgment, impartiality and objectivity, integrity, and a commitment to hold hearings and render decisions in a timely manner.*

Applications will be reviewed by the Arbitration Advisory Committee. Details on assessment of qualifications and further information are available at: <http://gov.ns.ca/lae/conciliation/arbitrat.asp>.

Interested applicants are asked to submit a cover letter and resume detailing their qualifications, including samples of adjudicative decisions, **by August 17, 2012**, to:

Minister Marilyn More  
Labour and Advanced Education  
c/o Conciliation and Labour Tribunals Division  
P.O. Box 697, Halifax NS B3J 2T8

## **Error & Omission notices**

A number of new *Land Registration Act* and *Registry Act* Error & Omission notices have recently been posted online. Please note the new notices from the Yarmouth County Land Registration Office. To view these notices in full, refer to the Errors & Omissions page on the [Property Online](#) (PO) website.

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## **VOLUNTEER & PRO BONO OPPORTUNITIES**

### **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](mailto:lisns@legalinfo.org). To learn more about LISNS and its services, visit [www.legalinfo.org](http://www.legalinfo.org).

### **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).

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## **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 members of the legal community by completing our online lawyer volunteer form at:  
<http://reachability.org/legal/vla>

For further information, contact us: (902) 429-5878 or [legal@reachability.org](mailto:legal@reachability.org)  
OR visit us online at <http://reachability.org/legal>.

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

## **Transaction Lawyer – Emera Energy**

**Accountabilities:** Emera Energy is a wholly owned subsidiary of Emera Inc., the first and only energy marketing company in Atlantic Canada. Based in Halifax, Emera Energy owns natural gas and renewable generation assets, manages energy commodities and provides related energy management services on behalf of customers throughout Eastern Canada and the Northeastern United States. As a Transaction Lawyer at Emera Energy, you'll join a dynamic organization focused on strategic growth.

As the successful candidate, your primary duties will include providing advice and guidance on merger and acquisition transactions. Other duties include ensuring the protection of the organization's interests and full compliance with applicable laws and regulations.

**Application deadline: Wednesday, July 18, 2012**

View the complete [job posting](#) on the Careers page on the Society's website: [nsbs.org/careers](http://nsbs.org/careers)

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## :: CONFERENCES & SEMINARS: :

### **NSBS ADMISSIONS & PROFESSIONAL DEVELOPMENT**

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

#### **Land Registration Act Training**

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

Dates for next LRA course:

- September 19 to 26, 2012
- November 14 to 21, 2012
- January 23 to 30, 2013
- April 17 to 24, 2013
- June 19 to 26, 2013

[Register online](#)

### **OUTSIDE CONFERENCES & SEMINARS**

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

#### **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](#).

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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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## Invitation to the 10<sup>th</sup> Annual Pride Reception

**Thursday, July 26, 2012, 4:30 – 6:30 pm**

**NSBS Classroom, Cogswell Tower, 800-2000 Barrington Street, Halifax**

[PDF Invitation](#)

You are cordially invited to celebrate with us at the 10<sup>th</sup> Annual Pride Reception, co-hosted by the SOGI (Sexual Orientation & Gender Identity) Section of the Canadian Bar Association – Nova Scotia and the Nova Scotia Barristers' Society.

Special guest [Robert Leckey](#) is an Associate Professor and William Dawson Scholar in the Faculty of Law, McGill University, where he teaches and researches in family and constitutional law. He is the President of Egale Canada and the Chair of its Legal Issues Committee, as well as the Past Chair of the McGill Equity Subcommittee on Queer People.

This event is an opportunity to celebrate diversity within our profession and to show our support for lesbian, gay, bisexual and transgendered lawyers throughout Nova Scotia. **RSVP by Monday, July 23, 2012** to Marie Paturel at [equity@nsbs.org](mailto:equity@nsbs.org).

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## 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...](#)

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## The 1st Southeast Asia Pro Bono Conference to be held in September 2012

The 1st Southeast Asia Pro Bono Conference will bring together lawyers, academics, students, policy makers and representatives from non-profit organisations to develop pro bono initiatives to strengthen access to free legal advice in Southeast Asia. Organised by BABSEA CLE in cooperation with the National University of Laos Faculty of Law and Political Science, the Conference will take place on 28 and 29 September 2012 in Vientiane, Laos.

*"Greater access to justice is crucial to improving the situation of millions of people across Southeast Asia," said Bruce Lasky, Co-founder and Director of BABSEA CLE. "Lawyers, academics and students are uniquely placed to offer pro bono legal assistance. This Conference will provide legal professionals with the skills, knowledge and expertise they need to do just that. But more than that, the Conference will include decision-makers from regional non-profit organisations, including non-government organisations and law faculties, looking to form partnerships to work on meaningful pro bono projects."*

The two-day Conference will consider a range of topics, including the role of pro bono as a form of legal assistance to socially excluded persons, professional excellence and how to manage working pro bono partnerships, and the current situation of pro bono in Southeast Asia. Interactive workshops will look at how lawyers can develop a pro bono culture at their firms and how to incorporate pro bono into the curriculum of law students through clinical legal education.

Bridges Across Borders Southeast Asia Community Legal Education Initiative (BABSEA CLE) is an international access to justice, legal education organisation that focuses on legal-capacity development and community empowerment.

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BABSEA CLE has been working with universities, law faculty, law students, lawyers, members of the legal community and justice-related organisations to develop clinical and community legal education programmes across the region. These clinics provide pro bono services while educating the next generation of social justice, pro bono champions. For further information on BABSEA CLE see [www.babseacle.org](http://www.babseacle.org).

For further information contact Laura Milne at [probono@babseacle.org](mailto:probono@babseacle.org) or on (+84) 0919982812 (Vietnam).

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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.

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. 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.

*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 CBA-NS**

### **Conferences:**

#### **Tax Law: Tips and traps for Non-Tax Practitioners**

October 26, 2012 – Casino Nova Scotia

#### **Legal Assistants' Conference on General Civil Litigation**

December 7, 2012 - Marriott Harbourfront Hotel

#### **Mid-Winter Meeting**

January 31 – February 1, 2013 – Marriott Harbourfront Hotel

#### **Serious Personal Injury**

May 10, 2013 – Casino Nova Scotia

### **Online CLE:**

- September 28, 2012 – Procedural Notice Quirks Suing the Provincial/Federal Crown
- October 12, 2012 – Rule 62
- November 30, 2012 – Snowbirds: Cross Border Planning
- December 14, 2012 – Fracking/Windmills/Mining Projects

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- January 18, 2013 – Being an Executor: How to Stay Out of Court
- February 22, 2013 – Technology - 45 Tips in 90 Minutes
- March 22, 2013 – Property Condition/Disclosure Statements/Home Inspecting
- April 12, 2013 – Immigration law: Impact of Criminal Charges
- April 26, 2013 – The Status of Pension and Disability in Wrongful Dismissal Claims
- June 7, 2013 – Small Claims Court

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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.apvla.ca](http://www.apvla.ca).

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## :: LIBRARY & INFORMATION SERVICES: :

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### **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.

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## :: NEW DECISIONS: :

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**BANKRUPTCY** *Dunn (Re)*, Court No. B-36218; Estate No. 51-1031682, Cregan, Registrar in Bankruptcy, June 26, 2012. [2012 NSSC 240](#)

**CIVIL RIGHTS** *R. v. Singer*, C.R.T. No. 352137, Stewart, J., June 25, 2012; June 4, 2012 (orally). [2012 NSSC 238](#)

**CIVIL RIGHTS** *R. v. Richards et al.*, C.R.A.T. No. 356385; C.R.A.T. No. 356383, Scaravelli, J., July 4, 2012. 2012 NSSC 254

**CRIMINAL LAW** *R. v. H. (G.E.)*, C.A.C. No. 343902, Oland, J.A., June 29, 2012. [2012 NSCA 69](#)

**CRIMINAL LAW** *R. v. M. (J.M.)*, C.A.C. No. 354084, Saunders, J.A., July 6, 2012. 2012 NSCA 70

**CRIMINAL LAW** *R. v. Rahman*, C.R.H. No. 330049, Cacchione, J., June 27, 2012; June 22, 2012 (orally). [2012 NSSC 235](#)

**CRIMINAL LAW** *R. v. Frank*, No. 2394802-2394833, Gabriel, J.P.C., June 22, 2012; June 1, 2012 (orally). 2012 NSPC 48

**CRIMINAL LAW** *R. v. W. (D.T.)*, No. 2389076; 2389078; 2389080; 2389082; 2389084; 2389086; 2389088; 2389090; 2389092; 2389094; 2389096; 2389098; 2389099; 2389100; 2389101, Campbell, J.P.C., June 22, 2012. [2012 NSPC 58](#)

**CRIMINAL LAW** *R. v. T. (B.)*, No. 2388561 - 2388565, Derrick, J.P.C., June 28, 2012. 2012 NSPC 59

**CRIMINAL LAW** *R. v. T. (B.)*, No. 2388561 - 2388565, Derrick, J.P.C., June 29, 2012. 2012 NSPC 60

**CRIMINAL LAW** *R. v. D. (S.O.)*, No. 2145266; 2145267; 2145268, Williams, J.P.C., June 29, 2012. [2012 NSPC 61](#)

**DAMAGES** *Gillis v. Roy Stutley Plumbing and Heating Ltd.*, Hfx. No. 183960, Hood, J., June 28, 2012. [2012 NSSC 244](#)

**FAMILY LAW** *G. (T.) v. Nova Scotia (Minister of Community Services) et al.*, C.A. No. 398506, Beveridge, J.A., June 28, 2012. [2012 NSCA 71](#)

**FAMILY LAW** *Murphy v. Hancock*, S.F.H.M.C.A. No. 055370, O'Neil, J., June 15, 2012. [2012 NSSC 219](#)

**FAMILY LAW** *Nova Scotia (Minister of Community Services) v. N. (C.)*, S.F.S.N.C.F.S.A. No. 078693, MacLellan, J., April 11, 2012. [2012 NSSC 246](#)

**FAMILY LAW** *M. (E.S.) v. B. (J.B.)*, F.N.G.M.C.A., Wilson, A.C.J.F.C., August 12, 2011. 2011 NSFC 21

**FAMILY LAW** *D. (D.R.) v. E. (C.L.)*, F.Y.M.C.A. No. 10521, Comeau, J.F.C., June 13, 2012. [2012 NSFC 13](#)

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**GUARDIAN AND WARD** *W. (B.I.) v. W. (L.B.)*, Hfx. No. 332015, Coughlan, J., June 14, 2012; November 4, 2010 (orally). [2010 NSSC 485](#)

**MAINTENANCE** *Meisner v. Meisner*, S.T. No. 1207-001717; No. 071179, Scanlan, J., June 26, 2012. [2012 NSSC 241](#)

**MAINTENANCE** *Dixon v. Dixon*, No. 1201-064590, O'Neil, J., June 27, 2012. [2012 NSSC 242](#)

**MUNICIPAL LAW** *Noble v. Mulgrave (Town of)*, Ant. No. 344305, LeBlanc, J., July 3, 2012. [2012 NSSC 248](#)

**PRACTICE** *Walsh v. Unum Provident*, Hfx. No. 202244, Pickup, J., June 25, 2012. [2012 NSSC 237](#)

**PRACTICE** *Can-Euro Investments Limited v. Coles*, Hfx. No. 332620, Rosinski, J., July 5, 2012. [2012 NSSC 247](#)

**PRACTICE** *Bridges v. Dominion of Canada General Insurance Co. et al.*, Amh. No. 346788, Rosinski, J., June 29, 2012. 2012 NSSC 249

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

*Library & Information Services - Keeping you informed*

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

July 6, 2012

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

Neutral Citation: [2012 SCC 33](#) (CanLII)

File No.: 34523.

2012: April 16; 2012: July 6.

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

On Appeal from the Court of Appeal for Quebec

*Narcotics — Possession for purpose of trafficking — Constructive or joint possession — Trial judge finding that accused conspired with others to engage in drug trafficking — Whether accused jointly possessed cocaine seized at co-conspirators' homes — Whether possession of cocaine was foreseeable consequence of conspiring to traffic in cocaine — Whether conviction of accused amounted to unreasonable verdict within meaning of s. 686(1)(a)(i) of Criminal Code, R.S.C. 1985, c. C-46 — Controlled Drugs and Substances Act, S.C. 1996, c. 19, s. 5(2).*

*Criminal law — Criminal organization — Instructing commission of offence for criminal organization — Accused purchasing drugs from and supplying drugs to large drug-trafficking organization — Degree of organization or structure required to support finding that group constitutes "criminal organization" — Whether trial judge erred in finding that accused was member of criminal organization — Criminal Code, R.S.C. 1985, c. C-46, s. 467.1 "criminal organization", s. 467.13.*

*Criminal law — Criminal organization — Commission of offence for criminal organization — Accused purchasing drugs from and supplying drugs to large drug-trafficking organization — Whether trial judge erred in finding that accused*

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*operated in association with criminal organization when he acted as its client and its supplier — Meaning of phrase “in association with” in s. 467.12 of Criminal Code, R.S.C. 1985, c. C-46.*

A police investigation called “Operation Piranha” revealed that D was operating a large drug-trafficking network in the Montréal area. The wiretap and physical surveillance eventually led to two large seizures of cocaine in October of 2005, from the homes of two accomplices of D. Following the seizures, D turned to V for assistance when his previous source refused to supply him with additional cocaine. It was then that V, who previously had purchased drugs from D, began to supply D instead. This arrangement ended in March of 2006 when V was arrested following a search of his home, where the police seized, among other things, nine grams of cocaine, a firearm, and a large sum of cash. The trial judge convicted V of eight offences, including the commission of an offence for a criminal organization (count 3), instructing the commission of an offence for a criminal organization (count 5), and possession of cocaine for the purpose of trafficking (count 4). The majority of the Court of Appeal entered acquittals for both criminal organization offences. It found that V was not a member of a criminal organization and had not trafficked in cocaine “for the benefit of” or “in association with” a criminal organization. It also quashed V’s conviction for possession of cocaine for the purpose of trafficking.

*Held:* The appeal should be allowed for the sole purpose of setting aside V’s acquittal on count 3.

June 29, 2012

*Clements v. Clements*

Neutral Citation: [2012 SCC 32](#) (CanLII)

File No.: 34100.

2012: February 17; 2012: June 29.

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

On Appeal from the Court of Appeal for British Columbia

*Torts — Negligence — Causation — Motor vehicle accident — Motorcycle passenger injured in crash — Passenger alleging driver’s negligence in operation of motorcycle caused injury — Whether trial judge erred in insisting on scientific reconstruction evidence to prove causation, and in applying “material contribution” test rather than “but for” test to determine causation.*

C was driving his motorcycle in wet weather, with his wife riding behind on the passenger seat. The bike was about 100 pounds overloaded. Unbeknownst to C, a nail had punctured the rear tire. Though in a 100 km/h zone, C accelerated to at least 120 km/h in order to pass a car; the nail fell out, the rear tire deflated, and the bike began to wobble. C was unable to bring the bike under control and it crashed; his wife suffered a severe traumatic brain injury. She then sued C, alleging that her injury was caused by his negligence in driving an overloaded bike too fast. The trial judge found that C’s negligence in fact contributed to the injury. However, he also found that C’s wife, through no fault of her own, was unable to prove “but for” causation, due to the limitations of scientific reconstruction evidence. The trial judge applied a material contribution test instead and found C liable on this basis. The Court of Appeal set aside the judgment and dismissed the action, on the basis that “but for” causation had not been proved and the material contribution test did not apply.

*Held* (LeBel and Rothstein JJ. dissenting): The appeal should be allowed, and a new trial ordered.

June 28, 2012

*R. v. Mayuran*

Neutral Citation: [2012 SCC 31](#) (CanLII)

File No.: 34526.

2012: April 19; 2012: June 28.

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

On Appeal from the Court of Appeal for Quebec

*Criminal law — Defences — Provocation — Accused convicted of second degree murder — Whether defence of provocation should have been put to jury — Whether objective element of provocation had an air of reality — Whether trial judge committing errors in instructions to jury — If so, whether curative proviso applicable.*

The accused was convicted of second degree murder in the death of her sister-in-law who had been stabbed 45 times. Two members of the accused's family testified that the accused confessed to killing the victim because the victim had ridiculed her about her learning ability and her level of education. The accused denied having committed or having confessed to the murder, and offered an account of the day's events that conflicted with the rest of the family's testimony.

The family's story was corroborated by an independent witness, by receipts and by cellular phone records. The accused's clothing was found in a bucket of bloody water in the bathroom, her blood was mixed with the blood of the victim on the blade of a knife said to be the murder weapon, her DNA was on the knife's handle, and cuts she suffered were said to be consistent with an injury caused while stabbing someone.

On appeal, a majority of the Quebec Court of Appeal set aside the conviction and ordered a new trial. In its view, the trial judge ought to have put the defence of provocation to the jury based on the accused's alleged confession to killing the victim because she had been ridiculed by her. The dissenting judge found that there was no air of reality to the defence of provocation on the facts the case.

*Held:* The appeal should be allowed. The conviction is restored.

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## :: NOVA SCOTIA BILLS: :

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**There are no new bills at this time.**

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

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## :: PROCLAMATIONS UPDATE: :

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

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

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

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

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## :: LIANS TIPS: :

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### **LIANS 2011 Annual Report now available**

The Lawyers Insurance Association of Nova Scotia's 2011 Annual Report presents an overview of activities and financial performance over the past year, and outlines our direction for future initiatives.

The 2011 Annual Report is now available on the [Annual Reports](#) page of the LIANS website.

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### **RISK AND PRACTICE MANAGEMENT TIP: Avoiding fraud during the summer holiday season**

With decreased staff during the summer months, being extra vigilant is important to avoid becoming the victim of a fraudulent scheme. Here are some red flags to be aware of:

- misspellings or inconsistencies with ID or addresses;
- sense of urgency with the transaction;
- willing to pay higher fees than normally charged;
- generally addressed emails (for example, "Dear Attorney" or "Attention Counsel");
- your client denies or delays a promised payment of a retainer, demanding that you take payment as soon as the bad cheque arrives.

Remember, the first contact may be by telephone or in person, and the client may present themselves in a very sophisticated manner. Be mindful of your obligations under the [Client ID Regulations](#) and keep digging until you are satisfied that this is a legitimate transaction.

For more information on fraud, visit the LIANS website at: <http://www.lians.ca/rpm/fraud/>.

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.

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### **FRAUD ALERT: Breach of payment scam "Francis Dusana"**

LIANS has received a fraud report from a Nova Scotia lawyer who had received the following email:

**From:** Francis Dusana [<mailto:francisdusana200@gmail.com>]

**Sent:** Monday, July 02, 2012 4:31 AM

**To:** [redacted]

**Subject:** New message

Counsel,

I am inquiring about the possibility of your firm representing me in the litigation of a breach of payment agreement. If this falls within the scope of your practice get back to me so that I can send the copies of our agreements and more information.

Regards

Francis Dusana

Tel: 1-650-212-6041

Email: [francisdusana200@gmail.com](mailto:francisdusana200@gmail.com)

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The lawyer had suspicions about the legitimacy of the email, and a quick Google search confirmed that this exact email had been reported by several Ontario lawyers.

Remember that **you must always confirm** a prospective client's identification in accordance with the [Client ID Regulations](#) of the Nova Scotia Barristers' Society. Be sure to Google any potential clients you are unable to meet in person, **do not** deposit cheques in advance of a deal being signed and **do not** release funds until you verify with your bank that the cheque has cleared.

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

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

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## REMINDER: NSLAP is for lawyers, as well as your staff and your families

The Nova Scotia Lawyers Assistance Program (LAP) is a confidential referral and short-term counselling service for members of the legal profession **as well as their staff and families** who may have health or personal concerns. Resources are available for a full range of personal, family or life events and issues.

Visit [www.nslap.ca](http://www.nslap.ca) for more information.

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## NSLAP WELLNESS TIP: How to increase your self-confidence

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

If you want to improve your self-confidence, you need to think realistically about who you are and learn to count on your strengths. Developing self-confidence has nothing to do with simply repeating to yourself that you are great and life is wonderful.

When you're in a situation where you don't feel self-confident, simply making sweeping affirmations probably will not work. You won't be convinced, and nobody else will be either.

Being self-confident is closely related to how you perceive yourself. How you perceive yourself is related to what you think about yourself, and to how you talk to yourself. People who lack self-confidence repeat all kinds of negative sentences to themselves. They focus on negative experiences and memories of weaknesses. By doing so, they feel good for nothing, and consequently miss great opportunities – chances for growth and enjoyment.

Know yourself – and be realistic. Being self-confident is about displaying behaviours that show you know yourself – that you know how important you are and what you want. And at the source of these behaviours are your thoughts about yourself.

### To help you have good thoughts about yourself, try this simple exercise:

#### 1. Write down 10 of your strengths

You don't have to list all 10 today, but make sure you write down at least one.

#### 2. Illustrate each strength with at least two specific examples

Examples are important because they represent immovable and realistic proof that even your most negative thoughts can't beat. Actually, the more examples you write, the more power you attribute to your strengths and the more convinced you will become. People tend to focus on their weaknesses and they have plenty of examples of these.

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If you want to have a realistic perception of yourself, you need to accumulate examples of your strengths. Most people lack self-confidence in certain situations, or at particular moments in their lives. Sometimes people feel they've lost a confidence they'd like to regain; sometimes they feel they've reached a point where they simply want to develop new strategies.

For instance, Strength: Honesty

*Proof #1: Last year, I found a wallet and returned it to its owner without taking any money from it.*

*Proof #2: Last week, the cashier in a coffee shop gave me too much change and I told her there was a mistake.*

### **3. Take responsibility for finding your own strengths**

People have probably praised you at one time or another for some of your strengths. Do you believe in these strengths because someone else observed them? You want to become the one who knows your own strengths, so you need to work on finding them for yourself. Asking a significant other about your strengths is strictly forbidden for this exercise.

### **4. Read your list of strengths and examples often (at least daily)**

By doing so, you will keep those strengths in mind, ready for use when you need them. You may continue to add to the list. Some people post it on the fridge, on the bathroom mirror, or they carry it in their wallet to make sure they see it every day.

### **5. Rehearse your list before difficult situations, and when you don't feel self-confident**

By doing so, you will recall your strengths in situations that are critical. For example, if you have to talk to a co-worker with whom you usually feel less than self-confident, you might want to take a few minutes first to remember your list and its examples. Even while you are with the person, you can recall parts of your list to boost your self-confidence.

### **6. Take the responsibility for initiating your own changes**

If you wait for others to make you feel self-confident, you remain dependent on external factors. That means a comment can make you feel either really good or really bad, and you don't have much control over your emotions. Self-confidence is learned and comes from practising your strengths.

### **7. Persevere**

Personalize these strategies and persevere in applying those you find relevant to your situation.

*For more information and support on increasing your self-confidence, 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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## :: CURRENT ISSUES IN GENDER EQUITY: :

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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.

### **They're not all knee-slappers**

*By Meghan E. Russell, Member, Gender Equity Committee*

Allow me to preface this article by stating that I am a blonde, female lawyer, from Newfoundland. In other words, I've heard a few jokes in my day, and I love them; most of them.

In reading the responses to the GEC's postcard campaign, I was reminded of several situations that I have witnessed throughout my time in this profession, where some adaptation of the phrase, "I was only joking" was raised inappropriately.

For example: a male partner informs colleagues that a client only wanted the first-year female associate on the file because he wanted to sleep with her; a male senior partner yells, "Woo! Look at those legs!" from the end of the hall as a female articling clerk walks toward him, past the open doors of several male colleagues; a senior male partner introduces a female associate to a client by stating, "Believe it or not, she's actually a pretty good lawyer. They're not usually very smart when they look like that."

These situations are classified as "just jokes". The offending parties were "only joking around". In similar situations, I've often heard observers tell the offended party to lighten up and even to take the comments as compliments.

As any comic will tell you, not all jokes are perceived as funny, nor do they all receive the greatest reception. Some jokes can be highly offensive. You have to know your audience and context is key. Just as in spam-detecting software, in joke-telling, filters are a necessary tool for success. Think about that hilarious comment before you make it, and whether the object of the "joke" will perceive it as such.

Keep in mind that we are professionals, in a professional work environment, and be cognizant of what is appropriate. The phrase, "I was only joking" should not be used as a safety net when you realize that your joke was offensive and inappropriate.

And, if you're looking for some new material, allow me to suggest the ever popular: "Well, well, well, three holes in the ground." Now *that's* hilarious.

*In case you missed the previous articles:*

- [Confidence = Cojones?](#) by Heidi Schedler, Co-Chair, Gender Equity Committee, June 11, 2012
- [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

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- [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 at [equity@nsbs.org](mailto:equity@nsbs.org).*

# INFORUM

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

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### **Therapy, consultation and more**

I am available to provide individual, family and group therapy, for adults and adolescents. As well, I provide consultation, education and facilitation regarding issues of parenting, anger management and substance abuse.

I have more than 35 years' experience in social work and counselling. My professional experience includes work on the IWK Child Abuse Team, therapist with Choice Adolescent Treatment Program, family and individual counselling with clients of the Department of Community Services, nine years with the CDHA Mental Health program, and as a continuing member of the IWK Mental Health Crisis Team.

My fee schedule is available upon request. Evening hours are available, and I am covered by some EAP programs.

For more information, visit the [Jacqueline Barkley](#) link at <http://culturalclinicalconsultants.ca>.

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