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

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From the Courts

- [New: Hints & Tips from the Prothonotary](#) – August 3, 2012

From the Province

- SNSMR:
 - Access to Business (A2B) update – Notice to the legal profession
 - Find these SNSMR news releases at <http://www.gov.ns.ca/snsmr/>
 - Organizations receive funding for accessible transportation (August 1, 2012)
 - Eight community transit groups receive funding (July 26, 2012)
 - Organizations receive funding to improve accessibility (July 25, 2012)
- SIRT: [Incident involving Bridgewater Police Service under investigation](#) (August 1, 2012)
- ELECTORAL BOUNDARIES COMMISSION: [Commission seeks input on electoral boundaries](#) (August 3, 2012)
- ENERGY:
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 - [Formal agreements signed between Nalcor Energy and Emera Inc. for Muskrat Falls Development](#) (July 31, 2012)
- FINANCE:
 - [Reporting under the Public Sector Compensation Disclosure Act](#) (August 2, 2012)
 - [2011-12 Public Accounts show province's finances improving](#) (August 2, 2012)
- HEALTH/WELLNESS: [Province celebrates opening of Simpson Landing community living units on Nova Scotia Hospital site](#) (August 1, 2012)
- OFFICE OF THE OMBUDSMAN: [Final report on Cumberland Regional Development Authority](#) (August 7, 2012)
- ECONOMIC/RURAL DEVELOPMENT/TOURISM
 - [Province releases forensic examination of South West Shore Development Authority](#) (August 3, 2012)
 - [Province seeks industry, public input on tourism strategy](#) (July 31, 2012)
- PREMIER'S OFFICE:
 - [Premiers discuss changes in federal transfers to provinces and territories](#) (July 27, 2012)
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- TRANSPORTATION/INFRASTRUCTURE RENEWAL: [Surplus auction on Aug. 11 includes a barrister's bookcase, a/v equipment and more](#) (August 3, 2012)
- [Error & Omission notices](#)

Volunteer & Pro Bono Opportunities

- [Register soon: 4th Annual Play in a Day fundraiser](#)

Events of Interest

- [The 1st Southeast Asia Pro Bono Conference](#) – September 2012
- [Forum 2012: "Revitalizing Courts with Enhanced Technology and Thought-Provoking Reforms: The Modernization Challenge"](#) – October 24 - 25
- [The Seventh Annual Halifax Rock for Dimes](#) – October 25
- [Upcoming events from CBA-NS](#)
 - *Tax Law: Tips and traps for Non-Tax Practitioners, October 26, 2012*
 - *Legal Assistants' Conference on General Civil Litigation, December 7, 2012*
 - *Mid-Winter Meeting, January 31 - February 1, 2013*
 - *Serious Personal Injury, May 10, 2013*
 - *Online programs*
- [Ambiguous Crossroads: Persons with Mental Health Problems and the Criminal Justice System](#), presented by the Canadian Institute for the Administration of Justice – February 1, 2013

Classifieds

- [Cornerstone Occupational Therapy Consultants](#)

Career Opportunities

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

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:: NOTICES ::

SOCIETY NEWS

Code of Professional Conduct – Conflicts of Interest amendment notice

The Society's *Code of Professional Conduct* Committee made recommendations to Council regarding the adoption of amendments to Rule 2.04(1) through (11). These recommendations were considered by Council at its June 2012 meeting and on July 20, 2012, the amendments were adopted. The rule now begins with a general prohibition on acting where there is a conflict of interest, and the commentary that follows makes it clear that the rule applies to all situations, including those involving conflicts of interest between current clients.

Some of the changes to note include the definition of conflict of interest, which is referred to in the commentary to Rule 2.04 (1), which has been amended to make specific reference to the duty of loyalty. The revised definition recognizes that the duties flowing from the lawyer-client relationship require prohibition of both conduct that would have an adverse impact on the representation of the client, and conduct that might impair the relationship between a lawyer and the client. The commentary to Rule 2.04(1) (the general prohibition on acting in situations of conflict of interest) also highlights the importance of the duty of loyalty, and includes a list of examples of areas where conflicts may occur.

The general rule prohibiting a lawyer from acting where there is a conflict of interest is followed by an exception permitting a lawyer to act where there is express or implied consent from clients and the lawyer reasonably believes that he or she is able to represent each client without there being any material adverse effect upon either the representation of or the loyalty to the clients. The rule on consent and the commentary that follows it contain important clarifications on the use of implied consent and consent obtained in advance in order to provide reasonable, principled relief from the strict prohibition. The ability to obtain consent in advance and, in certain circumstances, to infer consent would permit a lawyer to act in situations otherwise proscribed by the general prohibition on acting when there is a conflict of interest.

The amendments to Rule 2.04 are now available on the Society's website in the [Code of Professional Conduct](#). If you have any questions about these amendments, please contact Elaine Cumming, Professional Responsibility Counsel, at 422 1491 or ecumming@nsbs.org.

Changes in Category – July 6 to 23, 2012

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

The following members have changed to the Practising Lawyer category:

Sarah Lynn Cruickshanks
Carolyn Anne MacAulay

The following members have changed to Non-Practising status:

Bruce Parkinson Archibald QC
William Frank Hayes
Leora Jean Lawson
Andrew Mark Waugh

A significant new tool for improving access to justice: nsfamilylaw.ca

The Society is pleased to announce the launch of the Family Law Nova Scotia website: nsfamilylaw.ca.

"This website and the range and depth of information it provides Nova Scotians is a game changer," said the Society's President Tim Daley QC. "It affords everyone an excellent source of information on the law and processes around family matters, and will benefit many Nova Scotia families as they deal with the difficult issues arising out of separation and divorce."

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The new website represents a significant achievement of the Access to Justice Working Group and an unprecedented collaborative effort by many organizations within the province's justice sector.

Family Law Nova Scotia will be an excellent resource for those who are self-represented, as well as family law practitioners. It is designed to assist Nova Scotians who are experiencing a family breakup, domestic violence or other legal issues to be better informed about the law, processes and services that make up family law in the province.

"We should be very proud of this site and the commitment it represents to improving access to justice in this province," said Mr. Daley.

Justice Minister Ross Landry officially launched the new website on July 17, during the Federation of Law Societies National Family Law Program in Halifax.

"A family breakup is a challenging and emotional time," he said. "Our hope is that this website will help families be better informed and make this difficult time a little easier."

Refer clients to new site

If you are a service provider or law practitioner who works with Nova Scotians experiencing family troubles, or who need basic information about family law, refer them to nsfamilylaw.ca.

Whether they are facing a family breakup or want to know more about child custody and visitation, child support, child protection, divorce, common-law relationships, or get information for grandparents, nsfamilylaw.ca will be a valuable resource for them – and for you.

While it doesn't replace legal advice, it's a good starting point for practical information and instructions. The website also offers helpful videos and links to many family law forms, plus contact information for organizations in Nova Scotia that offer family-related services.

Request for feedback – and assistance in spreading the word

As part of this significant new initiative, an evaluation strategy has been developed to ensure the website meets the needs of families and professional stakeholders involved with family justice services throughout the province. Once you complete your session on the website, please take a moment to fill out a short [stakeholder survey](#). Your feedback and comments will assist in making any necessary changes and to better understand how the website can be customized to best reflect the needs of families and stakeholders.

Please continue to share the important information contained on the website by passing on the link to other organizations and members of the public. A poster and rack card are available for downloading on the homepage, in the section titled "Get the Word Out". Posters can be printed out for placement in waiting rooms, offices and on bulletin boards, and the rack cards may be useful to hand out to clients, customers, friends and colleagues. We also encourage you to add the link to your own websites: nsfamilylaw.ca.

The website is the result of a collaborative effort involving the Nova Scotia Department of Justice, the Executive Office of the Nova Scotia Judiciary, the Nova Scotia Barrister's Society, the Legal Information Society of Nova Scotia, Nova Scotia Legal Aid, the Department of Community Services, the Canadian Bar Association – Nova Scotia Branch, and the Capital District Health Authority (Mental Health Program). It was developed with financial support from Justice Canada.

See Slaw.ca for Simon Fodden's [July 19 review](#) of the new Family Law Nova Scotia website.

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**.

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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, 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>.

FROM THE COURTS

New: Hints & Tips from the Prothonotary – August 3, 2012

This edition includes:

- court dockets for August, September and October;
- reminders about holiday closures for Labour Day and Thanksgiving;
- reminders about procedures for notifying the courts when changing law firms or addresses; and
- several important notices and requests from the Court of Appeal and the Supreme Court.

See the August 3 [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.

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
- **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*.

SNSMR: Access to Business (A2B) update

As you may be aware, Service Nova Scotia and Municipal Relations (SNSMR) is leading a multi-year initiative called Access to Business (A2B). A2B will transform the way in which government services are provided to businesses by taking an innovative and integrated approach to online service delivery in Nova Scotia. For those familiar with the Nova Scotia Business Registry and the online services it offers today, A2B represents a modernization and expansion of those services. We would like to provide you with a brief update on our progress over the last few months.

What we heard

Over the past year, the A2B project team conducted several workshops with business clients, law firms, industry association representatives, and representatives of special interest groups around the province. The response to A2B was overwhelmingly positive:

- The benefits of A2B were clear across all industries;
- Participants felt that the system would be intuitive, comprehensive and easy to navigate;
- Participants liked the idea of having the ability to view their business profile information as well as their licences and permits in one easily accessible location; and
- Participants liked the idea of, in the future, being able to receive automatic notifications and email reminders.

A number of suggestions provided by workshop participants have been incorporated into the project.

About the initial launch of Access to Business

The initial launch of A2B later this year will establish the platform for the A2B online service in order to deliver an initial group of government programs to businesses. This first launch will include:

- Online access for businesses to A2B;
- Secure login for directors and officers of registered companies;
- Secure login for partners of registered partnerships and business names;
- Secure login for recognized agents;
- The ability for a business to view its profile information on file with the Registry of Joint Stock Companies and the Nova Scotia Business Registry in a single location;
- Integration with BizPaL, a partnership among federal, provincial, and municipal governments to assist users in navigating the various permits and licences required of businesses, based on their industry sector and location;
- Online applications for 60 licences and permits; and
- Online payment for licence and permit applications and renewals.

In short, businesses will be able to complete transactions any time of the day or week for key government permits and licences and will be able to check on their business profile details on file with the provincial government. *If you are a recognized agent*, you will be able to use the A2B online service to submit annual filings/renewals on behalf of your clients.

Progress update

The A2B solution has been developed and the implementation phase of the project is underway with particular focus on system testing, user acceptance testing, communications, training and deployment planning. We have been making great progress in these areas. As we get closer to the launch of A2B, you can expect to hear from us more often regarding general updates, enrolment in A2B and potential enrolment and training sessions.

Subsequent releases of A2B will include access to additional licences and permits as well as enhancements to overall A2B functionality and further integration with the Nova Scotia Business Registry and the Registry of Joint Stock Companies. As time goes on, more online services will be delivered to businesses via A2B.

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We sincerely appreciate your continued support and engagement as we work toward the implementation of this exciting service. Should you have any questions, please do not hesitate to contact me directly at (902)424-4597 or macleld@gov.ns.ca.

*Nancy MacLellan, Executive Director, Service Delivery
Service Nova Scotia and Municipal Relations*

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. Close date: August 31, 10`1

To download full tender document, please visit www.gov.ns.ca/tenders tender #wcb2012-015.

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.)*
- *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 **Antigonish, Cape Breton, Inverness and Pictou** Land Registration Office. To view these notices in full, refer to the Errors & Omissions page on the [Property Online](#) (PO) website.

AWARDS & APPOINTMENTS

New President of the Law Reform Commission of Nova Scotia

The members of the Law Reform Commission of Nova Scotia have appointed Darlene Jamieson QC as the Commission's new President. She succeeds Anthony L. Chapman QC, who served with energy and distinction as a Commissioner from 2004, and President from 2007.

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A member of the Nova Scotia Bar since 1989, Ms. Jamieson was appointed to the Commission by the Council of the Nova Scotia Barristers' Society in June 2002. She has been a partner in the law firm Merrick Jamieson Sterns Washington & Mahody since 1998, with preferred areas of practice being civil litigation, including insurance, banking, construction and employment law. She has held numerous and varied posts with the Nova Scotia Barristers' Society.

The Commission is an independent agency constituted under the Law Reform Commission Act, SNS 1990 c17. Its mandate is to make recommendations for the improvement, modernization and reform of Nova Scotia laws and their administration. Commission publications are available at www.lawreform.ns.ca.

Angus Gibbon, Executive Director

Call for nominations in Nova Scotia: Human Rights Awards 2012

(August 2, 2012) Nova Scotians are encouraged to nominate people and organizations that promote human rights in the province for the 2012 Human Rights Awards. The awards are presented by the Human Rights Commission and Partners for Human Rights.

"We should never take for granted how important human rights are and how a passion by some to promote freedom makes life better for all of us," said Ross Landry, Minister responsible for the *Human Rights Act*. "The awards are our way of recognizing people who strive for a better world and to let others know about their special work."

The awards will be presented to recipients at the International Human Rights Day celebration, Monday, December 10 at Millwood High School in Lower Sackville. The theme this year is Voice It! Change It! Award winners in 2011 were Tringa Rexhepi, Dartmouth and Doreen Crick, Halifax, and the Halifax Refugee Clinic.

"The importance of people in the province who have made promoting human rights a priority can't be overstated," said David Shannon, Director and CEO of the Human Rights Commission. "While they may not grab headlines, they make our communities stronger and more welcoming. We want to put the spotlight on them with the awards."

The deadline for nominations is Friday, September 28. For more information and nomination forms go to www.gov.ns.ca/humanrights.

VOLUNTEER & PRO BONO OPPORTUNITIES

Register soon: 4th Annual Play in a Day fundraiser

STAGE CALL! Spaces are limited to participate in the popular Fourth Annual Play in a Day fundraiser in support of the Legal Information Society of Nova Scotia (www.legalinfo.org). This year's production is the original "**The Godmother Part 7: Gangstas Gone Wild**", to be performed at the Bella Rose Arts Centre on Saturday, October 20.

This unique event involves a group of fearless participants producing a play in just 24 hours. Teams from all over HRM fundraise in support of LISNS then come together on October 19 at the Bella Rose Arts Centre to see the top secret original script for the first time, before being divided equally into cast and crew and getting to work. Participants have less than 24 hours to learn the script, create the set, make costumes, create props and rehearse! The accomplished actor/director/producer, [Jeremy Webb](http://www.legalinfo.org) and his team of theatre professionals will guide participants in the production of this year's play.

Jane's on the Common provides catering throughout rehearsals and at the pre and post curtain parties on October 20th. This is a fun event and a fantastic way to meet others in the legal community and beyond. If you would like to register a team (minimum of 2) or find out more, email: philanthropy@legalinfo.org or visit our website: <http://www.legalinfo.org/events/5-play-in-a-day-2012.html>.

IF YOU WANT TO JOIN A TEAM: "The Legal Gangsters" are looking for one more gangster to join their Play in a Day team! Email philanthropy@legalinfo.org for more information.

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Alex's Safe Harbour Society – seeking members for Board of Directors

Alex's Safe Harbour Society is a registered charity in Halifax Regional Municipality that provides grief support to children, teens and families at a time when they need it the most, when someone they love has died.

We are presently seeking individuals to enhance our Board of Directors who may have expertise in the following fields: Legal, Business Management, Accounting, Banking, Insurance, Public Relations, Advertising, Technology, Fundraising, Medical, Social Work and Community Services.

Would you, or someone you know, be willing to donate some time and expertise to help us help others?

Our organization has received funding from private and corporate donors, the IWK Health Foundation, local Community Health Boards and the Mental Health Foundation of Nova Scotia.

If you would like more information, please call our Bereavement Coordinator, Trish Dominie at 902-448-8396 and visit our website www.alexssafeharbour.com.

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.

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. 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

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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

OR visit us online at <http://reachability.org/legal>.

LIANS and NSBS Mentorship Program

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

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:: CONFERENCES & SEMINARS ::

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

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

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. 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.

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

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Forum 2012: "Revitalizing Courts with Enhanced Technology and Thought-Provoking Reforms: The Modernization Challenge"

October 24 - 25, 2012 | Montréal, Québec

Extension of Early Bird Registration deadline to August 15, 2012, and Webcasting Opportunity!

The Canadian Centre for Court Technology and the Association of Canadian Court Administrators are pleased to announce an extension of the Early Bird Registration deadline for the Canadian Forum on Court Technology ("Forum 2012"), which is being held October 24 - 25, 2012 in Montréal, Québec. The theme for Forum 2012, "Revitalizing Courts with Enhanced Technology and Thought-Provoking Reforms: The Modernization Challenge", is designed to challenge attendees with leading edge sessions, including *Enhancing Access to Justice Using Technology and Going Beyond Technology: Revisiting Fundamental Assumptions About Traditional Litigation*.

Another highlight of Forum 2012 will be the *Canada Showcase - How Technology is Enhancing Access to Justice in Four Canadian Jurisdictions*.

Forum delegates will have the chance to visit the Montréal Cyberjustice Lab during the event – this unique experience is available on a "first registered, first served" basis for up to ninety (90) forum delegates. Other Forum 2012 delegates will have the opportunity to be part of this visit by way of a remote presentation provided by the transportable courtroom - the McGill Mobile unit - which is connected to the Cyberjustice Lab at Montreal University.

Conference registration is now open, so register early for the opportunity of experiencing the Montreal Cyberjustice Lab and to take advantage of the special Early Bird Registration conference rate – the special registration rate ends August 15, 2012!

For those who are unable to attend Forum 2012 in person, we are providing a unique alternative - the opportunity to attend as a remote participant via webcast at two sessions of the Canada Showcase on the afternoon of October 25, 2012, and for Forum 2012 closing address.

We encourage you to take advantage of this unique opportunity – you can watch live from within your own office, along with your colleagues! Registration for webcasting will be available in the near future:
Cost - Single: \$150; Group of two or more: \$250.

To find out more about the forum, the exciting discussion and presentations planned and about the opportunity to experience the Montréal Cyberjustice Lab, go to the Forum 2012 website at <http://www.modern-courts.ca>.

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 or call 1-800-263-3463.

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Halifax Rock for Dimes benefits March of Dimes Canada's Conductive Education (CE) Nova Scotia Program, which helps children and adults in our province. CE is an innovative program that blends elements of education and rehabilitation to improve the independence, mobility and confidence of children with disabilities, and has proven especially beneficial to children with cerebral palsy, multiple sclerosis and developmental apraxia. March of Dimes Canada is a nationally registered charitable organization providing support services to people with disabilities, their families and caregivers across Canada. In 2010, November 2 became March of Dimes Conductive Education Awareness Day at Province House in Halifax and prominent Nova Scotia MLAs delivered resolutions in the House of Assembly recognizing the "immense benefit" of March of Dimes and Conductive Education in Nova Scotia.

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
- 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

Ambiguous Crossroads: Persons with Mental Health Problems and the Criminal Justice System

Presented by the Canadian Institute for the Administration of Justice

Friday, February 1, 2013

Schulich School of Law, Dalhousie University, Halifax, Nova Scotia

[More information...](#)

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

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- 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.

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Nova Scotia Civil Procedure Rules amendments

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

Amendments to

- Part 2, Rule 4.18(1)
- Part 17, Rule 87 were made June 29, 2012.

The text of the online [Nova Scotia Annotated Civil Procedure Rules](#), including the PDF versions of the Rules, in whole and part, has been updated.

Follow the link to view the text of the amendments as published in the [Royal Gazette Part I Volume 221, No. 28 \(July 11, 2012\)](#) (unofficial copy).

:: NEW DECISIONS ::

ARBITRATION (LABOUR) *Izaak Walton Killam Health Centre (IWK) v. Nova Scotia Government and General Employees Union (NSGEU) et al.*, Hfx. No. 374059, Robertson, J., July 23, 2012. [2012 NSSC 276](#)

BANKRUPTCY *Cordeau (Re)*, Court No. B-29436; Estate No. 51-745739, Cregan, Registrar in Bankruptcy, July 24, 2012. [2012 NSSC 280](#)

BANKRUPTCY *Beaton (Re)*, Court No. B-36430; Estate No. 51-1522379, Cregan, Registrar in Bankruptcy, July 24, 2012. [2012 NSSC 281](#)

BUILDING CONTRACTS *APM Construction Services Inc. et al. v. Caribou Island Electric Ltd. et al.*, Hfx. No. 389863, Rosinski, J., July 19, 2012. [2012 NSSC 277](#)

CIVIL RIGHTS *Islam v. Nova Scotia (Human Rights Commission) et al.*, Hfx. No. 325019, McDougall, J., July 17, 2012. [2012 NSSC 266](#)

CIVIL RIGHTS *R. v. McCormick*, CR. Am. 348864, Moir, J., July 31, 2012; March 14, 2012 (orally). [2012 NSSC 288](#)

CRIMINAL LAW *R. v. Dechamp*, CR.H. No. 388053, Kennedy, C.J., July 18, 2012. [2012 NSSC 275](#)

CRIMINAL LAW *R. v. Brown*, No. 2354894, Scovil, J.P.C., July 9, 2012. [2012 NSPC 64](#)

CRIMINAL LAW *R. v. Bennett*, No. 2333012; 2333013; 2333014, Chisholm, J.P.C., July 26, 2012. [2012 NSPC 65](#)

CRIMINAL LAW *Nova Scotia (Attorney General) v. Russell*, Bwt. No. 370844, Coughlan, J., July 25, 2012. [2012 NSSC 251](#)

CRIMINAL LAW *R. v. Fanning*, No. 2306068; 2309144; 2309145; 2328982; 2328983, Atwood, J.P.C., July 30, 2012. [2012 NSPC 67](#)

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CRIMINAL LAW *R. v. Phinney*, No. 2308959; 2308960; 2308961; 2308962; 2308963; 2308964; 2308968; 2308969; 2308970, Scovil, J.P.C., July 31, 2012. 2012 NSPC 68

CRIMINAL LAW *R. v. Hurlburt*, CR.Y. No. 355695, MacAdam, J., August 2, 2012; July 27, 2012 (orally). 2012 NSSC 291

FAMILY LAW *Russell v. Russell*, No. 1202-060014; S.F.H.D. No. 041641, MacDonald, B. J., July 10, 2012. [2012 NSSC 258](#)

FAMILY LAW *Pudsey v. Pudsey*, No. 1204-004616; S.K.D. No. 054107, Moir, J., July 24, 2012. [2012 NSSC 282](#)

FAMILY LAW *Slade-McLellan v. Brophy*, C.A. No. 355883, Farrar, J.A., July 31, 2012. 2012 NSCA 80

FAMILY LAW *Breed v. Breed*, No. 1201-064992, Beaton, J., July 27, 2012. [2012 NSSC 285](#)

INJUNCTIONS *Fynn v. College of Physicians and Surgeons of Nova Scotia*, Hfx. No. 401520, McDougall, J., July 18, 2012; July 11, 2012 (orally). [2012 NSSC 265](#)

MAINTENANCE *Boudreau v. Marchand*, C.A. No. 353848, Hamilton, J.A., July 24, 2012. [2012 NSCA 79](#)

MOTOR VEHICLES *Kulig v. Clayton*, Hfx. No. 294271, Wright, J., July 18, 2012. [2012 NSSC 252](#)

MOTOR VEHICLES *Baird v. Barkhouse*, Syd. No. 334436, Bourgeois, J., July 30, 2012. [2012 NSSC 289](#)

PRACTICE *Vaughne Realty (2005) Ltd. v. Nelson*, Ken. No. 326965, McDougall, J., July 11, 2012. [2012 NSSC 205](#)

PRACTICE *Vaughne Realty (2005) Ltd. et al. v. LeBlanc et al.*, Ken. No. 324236, McDougall, J., July 11, 2012. [2012 NSSC 261](#)

PRACTICE *Vaughne Realty (2005) Ltd. et al. v. LeBlanc et al.*, Ken. No. 324236, McDougall, J., July 11, 2012. [2012 NSSC 262](#)

PRACTICE *Omega Formwork Inc. v. Pomerleau Inc.*, Hfx. No. 357699, Duncan, J., August 1, 2012. [2012 NSSC 294](#)

PRACTICE *Velsoft Training Materials Inc. v. Global Courseware Inc.*, Hfx. No. 341894, Wood, J., August 2, 2012. [2012 NSSC 295](#)

PROFESSIONAL OCCUPATIONS *Symington v. Halifax (Regional Municipality) et al.*, Hfx. No. 214598, Robertson, J., July 25, 2012. [2012 NSSC 284](#)

TORTS *Savoury v. Nova Scotia (Attorney General)*, Hfx. No. 260885, McDougall, J., July 18, 2012. [2012 NSSC 270](#)

WILLS AND ESTATES *Arron Estate (Re)*, Hfx. No. 393634; Probate No. 59089, Rosinski, J., August 1, 2012. [2012 NSSC 292](#)

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.

August 3, 2012

[R. v. Bellusci](#)

Neutral Citation: [2012 SCC 44](#) (CanLII)

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File No.: 34054.

2012: February 16; 2012: August 3.

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

On Appeal from the Court of Appeal for Quebec

Constitutional law — Charter of Rights — Remedy — Stay of proceedings — Accused prisoner and prison guard both suffering injuries as a result of altercation — Accused charged with assault and intimidation of a justice system participant — Trial judge acquitting accused of assault charges and staying charge of intimidation of a justice system participant on ground that his section 7 Charter rights had been breached — Whether stay of proceedings was a proper remedy — Canadian Charter of Rights and Freedoms, s. 24(1).

Criminal law — Appeals — Powers of Court of Appeal — Court of Appeal overturning stay of proceedings entered by trial judge and remitting matter back to trial court for continuation of trial — Whether Court of Appeal erred in interfering with trial judge's decision to grant stay — Whether Court of Appeal has power to order continuation of trial — Criminal Code, R.S.C. 1985, c. C-46, ss. 686(4), 686(8).

B, a prisoner, was charged with assault causing bodily harm, assault of a peace officer and intimidating a justice system participant following an altercation with A, a prison guard, during which both men suffered injuries. The trial judge acquitted B of both charges of assault and entered a stay of proceedings on the charge of intimidating a justice system participant on the ground that B's rights under s. 7 of the *Charter* had been violated. The Court of Appeal quashed the stay and remitted the matter to the trial court for continuation of B's trial.

Held: The appeal should be allowed and the stay of proceedings entered by the trial judge should be restored.

August 1, 2012

[*Canada v. Craig*](#)

Neutral Citation: [2012 SCC 43](#) (CanLII)

File No.: 34144.

2012: March 23; 2012: August 1.

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

On Appeal from the Federal Court of Appeal

Taxation — Income Tax — Deduction of farming losses — Taxpayer drawing income from farming and other sources — Taxpayer deducting farming losses from total income — Whether farm income combined with other income constitutes chief source of income — Whether totality of farming losses deductible from income — Income Tax Act, R.S.C. 1985, c. 1 (5th Supp.), s. 31(1)(a).

Courts — Decisions — Stare decisis — Whether subordinate courts may overrule higher court precedent — Circumstances in which prior Supreme Court of Canada decisions will be reconsidered or revised.

Section 31(1) of the *Income Tax Act* limits deductible losses “[w]here a taxpayer’s chief source of income for a taxation year is neither farming nor a combination of farming and some other source of income”. In *Moldovan v. The Queen*, [1978] 1 S.C.R. 480, this Court found that a predecessor to s. 31(1) contemplated three classes of taxpayer involved in farming. In the first class are taxpayers for whom farming provides the bulk of income or the centre of work routine. Loss deductions are not limited for this class. In the second are taxpayers who do not look to farming, or to farming and some subordinate source of income, for their livelihood, but carry on farming as a sideline business. For this class, s. 31(1) limits loss deductions. The third class consists of taxpayers who carry on some farming activities as a hobby, not as a business, and whose losses are not deductible in any amount.

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In *Gunn v. Canada*, 2006 FCA 281, [2007] 3 F.C.R. 57, the Federal Court of Appeal adopted a more generous interpretation of what could constitute a combination of farming and some other source of income.

In this case, C's primary source of income came from his law practice. He also had income from investments, stock options, and farming (buying, selling, training and maintaining horses for racing). He deducted losses from the horse-racing business from his other income in 2000 and 2001. Based on *Moldowan*, the Minister reassessed and limited the deductions on the grounds that the combination of the law practice and the horse-racing business was not C's chief source of income. Following *Gunn*, the trial judge allowed C's appeal, finding that the loss deduction limitation in s. 31(1) did not apply. The Federal Court of Appeal dismissed the Minister's appeal, holding that it was required to follow its prior decision in *Gunn*.

Held: The appeal should be dismissed.

July 31, 2012

[R. v. Knott](#)

Neutral Citation: [2012 SCC 42](#) (CanLII)

File No.: 33911.

2011: December 14; 2012: July 31.

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

On Appeal from the Court of Appeal for British Columbia

Criminal Law — Sentencing — Probation — Courts empowered to issue probation orders in addition to imprisonment for a term not exceeding two years — Whether “imprisonment for a term not exceeding two years” relates only to imprisonment imposed by a sentencing court at a single sitting or the aggregate of all sentences imposed on offender — Whether probation can be ordered where offender is subject to multiple sentences that, if aggregated, exceed two years — Criminal Code, R.S.C. 1985, c. C-46, s. 731(1)(b).

In August 2005, the appellant K received a sentence of 24 months' imprisonment with three years' probation and a concurrent sentence of 12 months' imprisonment with three years' probation. Less than one month later, on a different matter, he received a concurrent sentence of 16 months' imprisonment with three years' probation. One week before the expiry of the 24-month sentence, he received a consecutive sentence of six months' imprisonment. He later received a consecutive sentence of eight months' imprisonment with one year's probation. In June 2008, the appellant D.A.P. received a conditional sentence of two years less a day with two years' probation. He breached that sentence and committed other offences. In February 2009, his conditional sentence was converted into a custodial term and he received concurrent sentences of three years' imprisonment and six months' imprisonment for the additional offences. On appeal, the appellants contested the probation orders claiming that s. 731(1)(b) of the *Criminal Code* only permits such orders where there is “imprisonment for a term not exceeding two years”, and that this consists of the aggregate of all custodial terms. The Court of Appeal confirmed the probation orders.

Held: The appeals should be dismissed

July 27, 2012

[R. v. Walle](#)

Neutral Citation: [2012 SCC 41](#) (CanLII)

File No.: 34080.

2012: April 13; 2012: July 27.

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

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On Appeal from the Court of Appeal for Alberta

Criminal law — Murder — Elements of offence — Mens rea — Accused convicted of second-degree murder after shooting victim in chest at close range — Whether trial judge erred in resorting to common sense inference that person usually knows predictable consequences of actions and means to bring them about without first considering whole of evidence bearing on accused's mental state at time of shooting.

Criminal law — Evidence — Admissibility — New evidence — Accused seeking to admit psychiatric evidence on appeal — Whether evidence could have been adduced at trial with due diligence — Whether evidence could reasonably be expected to have affected result at trial.

W shot S in the chest at close range with a .22-calibre rifle and killed him. He was charged with and convicted of second-degree murder. The outcome of the trial turned on W's intent at the time of the shooting. The trial judge, sitting alone, rejected as not credible W's theory that his act of pulling the trigger was involuntary and that the discharge of the gun had therefore been unintentional. He considered the salient features of the evidence that could have impacted W's awareness of the consequences of his actions, but was left in no doubt that W was fully aware of the fatal consequences that were likely to follow when he pulled the trigger. He then reverted to the "common sense inference" that a sane and sober person intends the reasonable and probable consequences of his acts, and found that W had the requisite intent for second-degree murder.

On appeal, W claimed that in assessing whether he was aware of the consequences of shooting S — and thus possessed one or the other of the specific intents for murder — the trial judge failed to consider evidence bearing on W's mental state on the night of the shooting, such as his developmental delays and alcohol consumption. The Court of Appeal dismissed the appeal. It found that no evidence had been led at trial as to W's mental state that could call into question whether he was able to or did in fact foresee the consequences of his actions when he pulled the trigger.

Held: The appeal and the motion to adduce fresh evidence should be dismissed.

July 26, 2012

R. v. Vu

Neutral Citation: [2012 SCC 40](#) (CanLII)

File No.: 34286.

2012: February 15; 2012: July 26.

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

On Appeal from the Court of Appeal for British Columbia

Criminal law — Offences — Kidnapping — Whether kidnapping is a continuing offence encompassing subsequent confinement of victim — Whether persons who willingly or knowingly choose to participate in subsequent confinement become parties to the offence of kidnapping — Criminal Code, R.S.C. 1985, c. C-46, s. 21(1), 279(1).

M was abducted and held for eight days in three different houses. There was circumstantial evidence that connected the appellant V to all three houses where M was confined, but based on the trial judge's findings, it is accepted that V neither participated in M's initial taking nor knew of it at the time it occurred. At trial, the appellant was convicted of unlawful confinement and acquitted of kidnapping. The Court of Appeal held that the appellant was liable as a party to kidnapping under s. 21(1) of the *Criminal Code* and substituted a conviction for that offence.

Held: The appeal should be dismissed.

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:: NOVA SCOTIA BILLS ::

There are no new bills at this time.

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

:: PROCLAMATIONS UPDATE ::

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 ::

RISK AND PRACTICE MANAGEMENT TIP: Mobility tips for summertime travel

If you are travelling this summer but want to stay in touch with the office, here are some tips to help keep you “on the grid” during your time away, whether you’re negotiating a deal at the cottage or drafting emails while in flight:

- Know where the outlets are on the airplane and book those seats;
- Use your laptop, not cyber cafes;
- Public Wi-Fi “hotspots” are often insecure, so connect through your own ISP (Internet Service Provider) or wireless card;
- Carry an extra extension cord and adapters in your carry on;
- Set up a VPN (Virtual Private Network) service so you can access your electronic documents remotely;
- Get consent from your clients to communicate via email, let them know that you will be away from the office, who the contact person will be in your absence, and when they can expect to hear from you;
- Get a reputable firewall, encrypt your data, and purchase a privacy screen;
- Avoid micromanaging while away; ensure your files are up to date and properly documented should immediate attention be required during your absence.

These tips will help you stay in contact with the office and let everyone know you are available to answer the necessary questions.

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: Debt collection scam from “Ray Aubrey”

We have received several fraud reports from Nova Scotia lawyers who had received the following email, which has been confirmed as a scam attempt:

i»¿

We are Electronic Resources Inc in Honolulu, Hawaii a private company categorized under Wholesale Electronic Equipment and Supplies. We were established in 1989 and incorporated in Hawaii. We have a collection matter of \$1,200,000.00 in your area.

Please send us your retainer agreement and advice on your retainer fees.

*Ray Aubrey (President)
Electronic Resources, Inc
A Div of
Japan General Appliance Co, Ltd. Japan
534 Ohohia Street # A
Honolulu, HI 96819-1989*

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.

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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 or 423 1300 x346 to help you debunk any emails or potential "clients".

NSLAP WELLNESS TIP: How to deal with job loss

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

After job loss or significant job change, many of us expect ourselves to carry on as if nothing traumatic has happened. However, if left unresolved, distressful feelings of loss can harm your health and your relationships.

Here are some tips to help cope with the emotional effects of job loss and help you begin to focus on the future.

Take time to grieve

If you've just been informed of your job loss, don't vent on the spot. Go home, relax, and collect your thoughts. Now is the time for you to begin grieving. Much like losing a loved one, you might feel shock and disbelief at first, and this will be followed by some period of sadness and perhaps depression (because you feel that the situation is hopeless). Later still, you may feel angry (at the workplace, at your boss, at yourself).

If you allow yourself to experience these feelings and collect your thoughts without taking drastic action, you will grow to accept what has happened and begin to plan for the future.

Talk to others

Your family and friends can be an important source of support for you. By talking with supportive others, you will work through your feelings and thoughts. As well, other people may have some ideas and a new perspective for you, as well as reassure you that you will be okay. Talking to family is particularly important because they need to know what is happening, what they can do to help and what they can explain to friends and concerned others.

Take care of yourself

Keep active by walking, running, going to the gym, etc. This will help you release tension.

Taking care of yourself also means taking care of your inner self. Treat yourself well by challenging yourself to think positively about your abilities, strengths, talents and accomplishments. Don't let the loss of your job diminish your sense of worth.

One helpful activity during this period of transition is journalizing. Write down your thoughts about job loss and your struggle to find new work in a daily journal. This will help you get a better perspective on the situation, and it may even help you secure new employment faster. How is this possible? The Harvard Business School found that unemployed people who wrote in a journal each day while looking for work resolved their anger and resentment and depression much faster than those who did not write in a journal, and as a result were more appealing to potential employers.

Bridge the gap

There is a period of transition from when you lose your job to when you find new employment. What are you going to do to bridge this gap emotionally? With your time? With finances? These are important questions to answer.

Structure daily activities much like you are still working. Get up at a regular time, begin your job search, take specific break periods and 'quit' at 5:00 pm to go home.

Seek the advice of a financial counsellor, manage your debt, cut back on expenses (include your family in these decisions) and perhaps pay yourself in regular instalments if you have received a lump sum on exiting your previous employer (much like a continued paycheck).

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Question the company

Seek answers to these questions:

- Will your previous employer help you find new work?
- Will they let you use their resources (telephone, fax, secretary, etc.) to look for new work?
- Do you have continued health benefits for a certain period?
- Is there a lump sum payout?
- Do you have a written copy of their reasons for terminating your employment?
- Do you have a copy of your personnel records (to show to new employers)?

The silver lining

In the end, some people find that losing their job is a welcome event – a turning point in life. This is not to say that the experience is a happy one or an easy one. Rather, this is an opportunity to force yourself to take a look at where you have been spending your time and energy and decide whether you want to continue on the same career path or change direction. Ask yourself:

- Are you happy with the work you have been doing?
- Do you want to make changes?
- Have you been climbing a career ladder without looking at where it is leading?

Now is your opportunity to reflect upon your career choices, as well as the opportunity to steer yourself in a different direction if you so desire – therein you'll find the silver lining.

*For more information and support on dealing with job loss, 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 NSLAP number at **1-866-299-1299**, your call will be answered any time, day or night, 365 days per year.*

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:: CLASSIFIEDS ::

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](http://culturalclinicalconsultants.ca) link at <http://culturalclinicalconsultants.ca>.

Jacqueline Barkley, MSW, RSW

barkley@ns.sympatico.ca

902 454 5784

Cornerstone Occupational Therapy Consultants

Have you heard of occupational therapy but are not sure how it can enhance your practice? Occupational therapists are health care professionals who work with clients with both physical and mental health concerns. Cornerstone OT provides consulting and intervention services that can assist your clients to improve their day to day function, and can assist with progression of your claim.

Cornerstone therapists, Ruth Duggan & Lisa Saunders-Green, have extensive experience and are able to provide comprehensive services to assist with progression and resolution of personal injury claims by:

- Completing a file review to gain understanding of the client's past and present medical conditions and treatment
- Completing an in-person objective assessment of the client's functional abilities
- Consulting with other health professionals involved in the client's care
- Providing a thorough and objective opinion regarding current and future rehabilitation needs
- Providing Case Management to facilitate and coordinate rehabilitation services for the injured client to ensure optimal progression of the client's rehabilitation
- Providing Vocational Consultation regarding the client's potential for employment in their own or any occupation
- Preparing a Life Care Plan for the injured client.

A **Life Care Plan** is a medical legal document describing the costs of future care and services required for an individual, as a consequence of their accident or injuries. The LCP assists in determining the impact of a disability on all aspects of a client's life, and utilizes documented professional guidelines and current best practice standards to prepare a comprehensive, defensible report. We can also provide an objective critique of existing life care plans, also known as cost of future care reports.

We work with clients with all types of injuries, including amputation, soft tissue injuries, chronic pain, spinal cord injury and brain injury.

For more information, visit our web site www.CornerstoneOT.com

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