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

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- [Leadership for Women Lawyers: Practising law in today's fast-paced environment – October 31](#)
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:: NOTICES ::

SOCIETY NEWS

UPDATE: Barristers' Library in Halifax moving to temporary location at Summit Place – October 13

Due to renovations to upgrade the heating, ventilation and air conditioning systems at The Law Courts on Upper Water Street, the Barristers' Library will be moving to temporary quarters on the fifth floor of Summit Place (1601 Lower Water Street).

The move is scheduled to happen on October 13, 2012. The Society will do its utmost to minimize disruption to services and access to the library collection during the move. If you have library materials out on loan, please return items before October 9 or after October 15. **Please do not return library materials from October 10 to 14.**

The entire circulating collection – texts, treatises and continuing professional development materials – will be available for loan at Summit Place. Key resources of the non-circulating collection will also be available for use.

The Barristers' Library and Library & Information Services staff will remain at Summit Place for approximately one year. During this time, the collection will be available for use Monday to Friday, 8:30 am to 4:30 pm. **We regret that after-hours access to the library collection is not possible at Summit Place.**

Please contact Library & Information Services at 425 2665, 1 866 219 1202 (toll-free) or nsbslib@nsbs.org with any questions.

Reminder: Society seeks input on revised Trust Account Regulations – by Oct. 22

Following the work of the Trust Account Regulation Review Working Group, introduction to Council in January 2012, and general consultation with practising lawyers and law firms, the attached regulations are proposed to replace the current Part 10 of the Society's regulations.

They were introduced to Council on September 14 and will be available for final comments by members until October 22. They will be voted on by Council in November with a **plan that they take effect after January 1, 2013.**

Please follow this link to the proposed [Revised Trust Account Regulations](#).

For more background information, see the [complete memorandum](#) posted September 18 on the News page of the Society's website. Any further comments should be directed to the Executive Director at dpink@nsbs.org, no later than **Monday, October 22, 2012.**

Technical upgrades: Member login on Society website now available

Please note, the Society continues to conduct extensive technical upgrades on its membership database and members' intranet site.

The [members' area](#) of the website is available once again but software upgrades, which began September 14, are still in progress. Members can now access their eCommunities but please be advised, some eCommunities may not yet be fully populated with all of the usual information. This work is in progress and will be completed shortly.

These upgrades will lead to significant improvements. In the meantime, all efforts are being made to minimize disruptions to the membership. Watch *InForum* and the website's [News](#) page for further updates.

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Changes in Category – September 17 to October 1, 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:

Nicole Louise Baker	Peter William Forgeron
Kevin Eugene Deveaux	Shannon Maria Williams
John Arthur Feehan	

The following members have changed to Non-Practising status:

Carolyn Dawn Baglole	Eric Patrick MacRae
Joseph Hilaire Maurice Bastarache	Eliza Amaryllis Maynes
Isabelle Margaret Alice French	Christine Elizabeth Nault
Andrée Kristine Godbout	Ivan George Cecil Nault
Daniel Arthur Hawkwood	José Miguel Antonio Rodriguez
Morgan Elizabeth Ada Hicks	Jonathan Aaron Shapiro
Jessica Robyn Lumiere	Mirsada Stasevic

The following member has changed to Retired status:

John David Filliter QC

The following member has changed to Suspended status:

Peter van Feggelen

In Memoriam

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

- **J. David “Nip” F. Theakston**, Bridgewater – September 16, 2012 [Obituary](#)
 - [Allnovascotia.com](#) article: David Theakston was Bridgewater lawyer (*September 20 – subscription required to view*)
- **Raylene Rankin**, Halifax – September 30, 2012
 - [Fare thee well, Raylene](#), Cape Breton Post, Sept. 30
 - [Raylene Rankin, singer in The Rankin Family, dies of cancer](#), The Globe and Mail, Sept. 30
 - [Singer Raylene Rankin dies of cancer](#), CBC.ca, Sept. 30
 - [RAYLENE RANKIN: Her soaring spirit will live on](#), Chronicle Herald editorial, Oct. 1
 - [Talented artist loved family, music](#), Chronicle Herald, Oct. 1
 - [Raylene's departing song](#), Chronicle Herald, Sept. 30

Notice of Suspension: Peter van Feggelen

The Complaints Investigation Committee of the Nova Scotia Barristers' Society gives notice that the practising certificate of Peter van Feggelen of Coldbrook, Nova Scotia has been suspended pursuant to Section 37(1) of the *Legal Profession Act*, effective September 24, 2012 until further notice.

Clients of Peter van Feggelen or persons affected by this suspension may direct inquiries to the Receiver appointed to this practice:

Mr. John T. Rafferty QC
Burchell MacDougall
710 Prince Street
PO Box 1128, Truro, NS B2N 5H1
Toll Free: 1 800 565 1200

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This notice was posted September 24 on the [Professional Responsibility > Decisions and dispositions](#) page of the Society's website.

Notice of Hearing: Philip Whitehead

The Hearing Committee of the Nova Scotia Barristers' Society will hold a hearing respecting charges against Philip Whitehead, a member of the Society, scheduled for Tuesday, October 23, 2012, commencing at 9:30 am at the Nova Scotia Barristers' Society's office, Cogswell Tower.

For more details, see the Notice of Hearing, posted September 24 on the [Public hearings](#) page of the Society's 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**.

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's social media channels

- On Twitter at <http://twitter.com/NSBS>
- On LinkedIn at <http://www.linkedin.com/company/ns-barristers'-society>
- On YouTube at <http://www.youtube.com/user/nsbarristersociety/videos>
 - Latest videos: "The Revolution in Legal Services Delivery," a presentation by Darrel Pink, Executive Director, at the 2012 Annual Meeting, June 16 at the Schulich School of Law.

Please note, these links are also available at the bottom right of the Society's homepage at nsbs.org.

FROM THE COURTS

New appointment to Provincial, Family Courts: The Hon. Judge Timothy D. Landry

The Honourable Patrick Curran, Chief Judge of the Nova Scotia Provincial and Family Courts, is pleased to welcome the Honourable Judge Timothy D. Landry to the Bench. The appointment of Judge Landry was announced Wednesday, September 19 by Attorney General and Minister of Justice, Ross Landry (no relation).

Judge Timothy Landry was called to the Nova Scotia Bar in 1992. He has worked as a staff lawyer with Nova Scotia Legal Aid in Yarmouth since 1994. He has experience in both criminal and family law and is bilingual.

Judge Landry will be presiding primarily in Provincial Court in the communities of Digby, Comeauville and Annapolis Royal. He replaces the Honourable Judge Warren K. Zimmer who is moving to Truro. The Honourable Judge Richard J. MacKinnon is moving from Truro to Antigonish to replace the late Judge John D. Embree who died in March of this year.

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Planning is now underway for a swearing-in ceremony for Judge Landry. The date, time and location of the ceremony will be announced on this website as soon as they are determined.

L'honorable Patrick Curran, juge en chef de la Cour provinciale et du Tribunal de la famille de la Nouvelle-Écosse, est heureux d'accueillir l'honorable juge Timothy D. Landry à la magistrature. La nomination du juge Landry a été annoncée le mercredi 19 septembre par le procureur général et ministre de la Justice de la Nouvelle-Écosse, Ross Landry. Les deux hommes n'ont aucun lien de parenté.

Le juge Timothy Landry a été admis au Barreau de la Nouvelle-Écosse en 1992. Il est avocat-conseil à l'Aide juridique de la Nouvelle-Écosse à Yarmouth depuis 1994. Il a de l'expérience en droit pénal et en droit de la famille et il est bilingue.

Le juge Landry présidera principalement la Cour provinciale dans les collectivités de Digby, Comeauville et Annapolis Royal. Il remplace l'honorable juge Warren K. Zimmer, qui se déplace à Truro.

L'honorable juge Richard J. MacKinnon se déplace de Truro à Antigonish pour remplacer le regretté juge John D. Embree, qui est décédé en mars dernier.

La planification de la cérémonie d'assermentation du juge Landry est en cours. La date, l'heure et le lieu de la cérémonie seront annoncés sur ce site Web dès que possible.

See the Department of Justice announcements from September 19, 2012 in [English](#) and [French](#), and the Courts of Nova Scotia [news item](#).

The Hon. Justice Robert F. Ferguson retires

The Honourable Robert F. Ferguson, Justice of the Nova Scotia Supreme Court Family Division, is retiring – one month shy of 41 years after he was first appointed to the Bench. That makes him the longest sitting Judge among the all Judges currently in the Nova Scotia Courts.

Justice Ferguson was first appointed to the Nova Scotia Family Court on November 1, 1971 and presided in Sydney. He was elevated to Associate Chief Judge of his Court in 1993 and then to Chief Judge one year later.

In March of 1999, he was appointed Associate Chief Justice (ACJ) of the Nova Scotia Supreme Court Family Division, a position he held for almost 12 years. He stepped down as Associate Chief at the beginning of 2011 and became a supernumerary Judge still presiding in the Supreme Court Family Division.

The Honourable Robert France Ferguson was born in Sydney Mines on October 6, 1937. He graduated from Acadia University with his Bachelor of Arts degree in 1959 and from Dalhousie University in 1962, with his Bachelor of Laws degree.

He articulated with the firm of McNeil and Coburn and was called to the Bar in 1963. He went on to practise law in Sydney at the firm of Matheson and Ferguson and later, with the firm of MacIntyre, Gillis, and Ferguson.

When Justice Ferguson stepped down as Associate Chief Justice of the Supreme Court Family Division in 2011, he was succeeded by the Honourable Justice Lawrence I. O'Neil. At the same time, Justice O'Neil's position was filled by the appointment of the Honourable Justice Carole A. Beaton. She has been sitting on the Nova Scotia Family Court since her appointment to the Bench in December 2002.

Justice Robert F. Ferguson will be retiring on October 6, 2012 – on his 75th birthday.

Read the complete [retirement notice](#) posted on the News area of the Courts of Nova Scotia website at www.courts.ns.ca.

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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.

FROM THE PROVINCE

Advisory Committee on Provincial Judicial Appointments: one position for members of the Nova Scotia Barristers' Society

The Advisory Committee on Provincial Judicial Appointments (the "Committee") evaluates candidates for appointment to the Provincial and Family Courts using the criteria set out in the Guidelines to Ensure Appointments Based on Merit (the "Guidelines").

Revised Guidelines were approved by the Executive Council on March 26, 2009, and are available at the Department of Justice website at: http://courts.ns.ca/conduct/prov_judges_appoint_guide.pdf.

The revised Guidelines provide the Minister of Justice with the authority to appoint two members of the Nova Scotia Barristers' Society to the Committee. At this time, one member is required.

Members will be selected by the Minister with the following considerations in mind:

- geographical representation
- gender balance
- minority representation
- representation of persons with a disability, and
- interest in the administration of justice and public service.

Applicants are invited to send their resume, along with a covering letter, to Heather Boyle at 5151 Terminal Road, 4th Floor, Halifax, Nova Scotia B3J 2L6 or boyleha@gov.ns.ca by **October 19, 2012**.

This [notice](#) is also available on the Careers page of the Society's website: <http://nsbs.org/careers>

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Error & Omission notices

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

Call for nominations and applications: Queen's Counsel Appointments 2012

Dear Member:

In the fall of this year the Advisory Committee on Queen's Counsel Appointments, chaired by the Honourable Justice Peter Bryson, will consider candidates for the next Queen's Counsel appointments.

The criteria for these appointments are:

- a. fifteen years or more as a member of the Bar of Nova Scotia as of October 31, 2012 and eligible to practise law in Nova Scotia;
- b. demonstrated professional integrity, good character and outstanding contributions to the practice of law through one or more of:
 - i. recognition by other members of the profession as an exceptional barrister or solicitor,
 - ii. exceptional contributions through legal scholarship, teaching or continuing legal education,
 - iii. demonstration of exceptional qualities of leadership in the profession, and
 - iv. (iv) engaging in activities of a public or charitable nature in such a way as to raise the esteem in which the legal profession is held by the public;
- c. the Advisory Committee on Queen's Counsel Appointments is asked to consider regional, gender and minority representation among the persons recommended for appointment as Queen's Counsel.

In order to be considered as a candidate for a Queen's Counsel appointment, you must apply pursuant to this request. The Committee will not consider applications or nominations from previous years.

A complete application or nomination package must consist of an original and 12 copies of the following documents:

- a. application or nomination form;
- b. authorization for disclosure of information and release; and
- c. Information form. Ordinarily the information will be confined to the form provided. However, if you find the space on the form insufficient, additional material that you may wish to provide (not exceeding two pages in length), will be considered by the Committee. Material exceeding two pages will not be forwarded to the Committee.

These forms are available on the [Queen's Counsel process](#) page of the Nova Scotia Barristers' Society website. In addition, please ensure you have provided with your application materials a current telephone number where you can be reached. If you wish, you may include two letters of reference for consideration by the Committee. The inclusion of reference letters is optional.

Persons may either apply personally or may nominate a member of the Bar. All applicants will be treated equally by the Committee whether they are nominated, or whether they apply personally.

Your complete application or nomination must be received by Justice Bryson **no later than 4:00 pm, Wednesday, October 31, 2012**. It may be mailed or delivered to:

**Advisory Committee on Queen's Counsel Appointments
c/o The Honourable Justice Peter Bryson
The Law Courts, 1815 Upper Water Street
Halifax, NS B3J 1S7**

Thank you for your attention to this matter.
Judith F. Ferguson, Deputy Minister of Justice

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LABOUR/ADVANCED EDUCATION: Province consults with construction sector

(August 9, 2012) The province is asking builders, architects, engineers, municipal building officials and other interested parties for input on 24 recommendations prepared for the Building Advisory Committee.

A discussion paper, in English and French, and the complete Review of Obligations under Letters of Undertaking are posted at www.gov.ns.ca/lae/policy/BuildingCodeLettersofUndertaking.asp.

The department will review comments that are received by Dec. 14. Responses will be reviewed by staff and summarized for the Building Advisory Committee in early 2013, and the committee will make its final recommendations to government later in the year. See the [August 9 announcement](#).

OTHER NOTICES

We're moving on up – Blois, Nickerson & Bryson LLP

On October 5, 2012, Blois, Nickerson & Bryson LLP will be relocating to the firm's new offices at 1645 Granville Street, Suite 1100, in the Centennial Building.

We will be open for business on Tuesday, October 9th in the new premises. Our mailing address remains P.O. Box 2147, Halifax, Nova Scotia, B3J 3B7.

LISNS fundraiser: Play in a Day tickets now available

LAST CALL! There is still time to take part 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 (learning the script, creating the sets, make costumes, creating props and rehearsing). The accomplished actor/director/producer, **Jeremy Webb** 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 two people) or find out more, email philanthropy@legalinfo.org or visit our website: <http://www.legalinfo.org/events/5-play-in-a-day-2012.html>.

Tickets are now available to attend the October 20th show (and pre- & post-show receptions). To purchase tickets (\$30 for adults; \$15 for children) please contact jpink@nsbs.org.

CPD File announces free national CPD database and tracking tools for lawyers

(Toronto, ON–September 17, 2012) CPDFile (www.cpdfile.com) launches today; a free online service to help lawyers manage and meet continuing professional development (CPD) requirements.

The site will make it easier for lawyers to find continuing professional development courses by bringing all the major CPD providers together in one place. Over 20 providers, including a dozen national providers, have posted more than 200 courses to the site so far in anticipation of the launch. These include the Canadian Tax Foundation, the Canadian Institute for the Administration of Justice, Lancaster House, Infonex, Intellectual Property Institute of Canada, Licensing Executives Society, Association of Canadian Pension Management, The Advocates' Society, Pacific Business and Law Institute, Ontario Trial Lawyers' Association, Trial Lawyers' Association of British Columbia and others.

New providers are signing on daily. According to Gretchen Wilson, Managing Director, "Mandatory CPD has created a boom in CPD opportunities for lawyers, but finding the right activities takes time most lawyers don't have. In addition, not

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all lawyers have access to planning and tracking tools. CPD File makes it easy for all lawyers to access, organize, and record CPD activities with a click of a button.”

Lawyers who register as a CPD File user are able to search the national CPD database, and record CPD activities in their personal CPD Planner and Tracker. Plus, users can choose to receive CPD deadline reminders and alerts when new activities in their areas of interest have been added to the national database.

Registration for lawyers is free. Lawyers can sign up at www.cpdfile.com. CPD Providers who want to add their programs to the national database should contact support@cpdfile.com. See the [news release](#) for more details.

New national guidelines for lawyers recommend knowledge of aboriginal rights

Summary of Postmedia News article, Sept. 25, 2012

The Federation of Law Societies of Canada is recommending in its first-ever set of national standards for admission to the bar that all new Canadian lawyers possess knowledge of aboriginal rights.

Approved over the weekend in Vancouver, the move by the federation — the coordinating body for Canada’s 14 provincial and territorial law societies — is part of a push to ensure Canada’s lawyers are knowledgeable in aboriginal law, an area that some legal experts say is becoming more important and plays into everything from natural resources development to drafting or changing government policies.

Aboriginal law is the law relating to the content and application of the constitutional protection of aboriginal and treaty rights that was affirmed in the 1982 *Constitution Act*.

“It’s something that can arise in a whole number of areas of the law and lawyers, as the protectors of rights, need to be aware of the rights that exist so they can identify areas where they’re being infringed,” said Tom Molloy, a Saskatoon lawyer with Miller Thomson LLP and a leading expert in aboriginal law.

The federation’s new list of several-dozen national competencies will now be voted on by the provincial law societies, where it is expected that they be approved and, hopefully, implemented within a year, said John Hunter, the president of the Federation of Law Societies of Canada.

Knowledge of aboriginal law is becoming more important, Hunter said, but added that it does depend somewhat on where a lawyer practices and the areas of law a lawyer engages in.

“In British Columbia, there’s no question that aboriginal rights are playing a larger and larger role in anything to do with land development or land matters, and in other areas beyond that,” Hunter said.

“Now there might be other areas in the country where that would be less so, but I don’t think there’s any part of the country in which it’s not so to some degree.”

Read the [complete article](#) in the Vancouver Sun.

Also see:

[Law students should be obliged to learn about Aboriginal law, says federation](#)

APTN National News posted Sept 28, 2012

Notice from the Actuarial Standards Board: Exposure Draft for Revised Standards of Practice

September 7, 2012

Dear Stakeholder:

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The mission of the Actuarial Standards Board (ASB) is to develop, establish and maintain Standards of Practice governing actuarial practice in Canada. An important part of the ASB's role is to communicate effectively and efficiently with people or organizations that have, or may have, an interest in the work of the ASB. Your organization has been identified as one of these stakeholders.

On August 30, 2012 the ASB approved an exposure draft which proposes revised Standards for Actuarial Evidence and several related changes to the General Standards of Practice. These revisions are pertinent for actuaries working in Canada as expert witnesses and performing other actuarial evidence work.

In accordance with our due process, we are forwarding the exposure draft to stakeholders that may wish to review and comment on the proposed changes. Both the exposure draft and the current Actuarial Evidence Standards are attached.

We would be very grateful if you would distribute the documents, as appropriate, within your organization. Comments are invited **by November 30, 2012** and may be sent to Nancy Yake at nancy.yake@sympatico.ca, with a copy to Chris Fievoli at chris.fievoli@actuaries.ca.

We look forward to receiving any feedback that you may wish to provide.

Dave Pelletier
Nancy Yake

Find this document on the Actuarial Standards Board website at www.asb-cna.ca, under the Discussion Documents heading:

- Exposure Draft for Revised Standards of Practice – Part 4000 Practice-Specific Standards for Actuarial Evidence and Relevant Paragraphs of Part 1000 General Standards

AWARDS & APPOINTMENTS

Senator Jim Cowan receives Dalhousie's A. Gordon Archibald Alumnus of the Year Award

"Dalhousie isn't a place you attend for a few years, get a degree, and then leave behind. This place gets in your blood."

Senator Jim Cowan (BA'62, LLB'65, LLD'09) was speaking from the heart when he said these words in his 2009 convocation address to graduates. For 36 years, he served on Dalhousie's Board of Governors, eight of them as chair.

At the annual Alumni Dinner on September 27, Mr. Cowan received the 2012 Dalhousie Alumni Association A. Gordon Archibald Alumnus of the Year Award in recognition of his outstanding volunteer contributions to the university. But don't look to him to list his accomplishments. Rather, he speaks to what the university has granted him.

"It's given me an opportunity to be exposed to so many talented people doing so many interesting things. I don't know where else I would have gotten that experience," he says.

He has drawn on this experience in his legal career as a senior partner at Stewart McKelvey, in volunteer boards he has served on and in his current role as leader of the opposition in the Senate. He has shared his talents with a number of organizations in the health, education and business sectors. He held leadership roles with the Abbie J. Lane Memorial Hospital and the Metropolitan Mental Health Planning Board. Read more in this [Dalnews article](#).

VOLUNTEER & PRO BONO OPPORTUNITIES

Stepping Stone seeks board members and other volunteers

Stepping Stone is a charitable not-for-profit organization that offers supportive programs and outreach to women, men and transgender sex workers and former sex workers.

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The Board has recognized that our greatest resource is our grass roots support and is implementing a plan to mobilize it. As part of this plan, we seek applicants for a number of volunteer positions – descriptions are available online in the [Stepping Stone Call for Volunteers](#).

Previous experience is valued, but not essentially. Our focus is to tap into and strengthen our network of passionate supporters, forward the goals of the organization and foster a results-heavy and meeting-light environment where volunteer contributions are easy and enjoyable.

To offer your help, please fill in our online [Stepping Stone Volunteer Form](#) prior to September 30, 2012. If the link to the form does not work, please contact Jeff Liberatore jeff@stepping-stone.org. Board and committee members will be selected by middle October.

Nova Scotia College of Early Childhood Education looking for new Directors

The Nova Scotia College of Early Childhood Education is a non-profit institution located on Quinpool Road, which offers courses leading to an Early Childhood Education diploma and also operates daycare centres at the three Halifax campuses of the Nova Scotia Community College.

We are looking for new members for our dynamic Board of Directors. If you would like to find out more about helping with the direction of an organization that trains many of the daycare workers in the province, please contact Jane Cawley (Executive Director) by phone at 423-7114 or by email at janecawley@nscece.ca.

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.

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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 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/via>

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](#) 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:

- 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

Dalhousie Health Law and Policy Seminar Series 2012-2013

Weldon Law Bldg, Room 104, 6061 University Ave, Hfx, NS
12:10 - 1:30 PM

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

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

http://hli.law.dal.ca/Seminar_Series.php

Series schedule

- **Friday, October 12**
Discriminatory Effects of Criminal Abortion Laws: Prejudices, Stereotypes and Stigma
Rebecca Cook, Faculty of Law, University of Toronto
- **Friday, October 26**
Legislating for Catastrophic Risk
Evelyn Fox Keller, Emerita, History and Philosophy of Science, Massachusetts Institute of Technology
(co-sponsored by *Situating Science Strategic Knowledge Cluster*, www.situsci.ca)
- **Friday, November 23**
The Medical Non-Necessity of In Vitro Fertilization
Carolyn McLeod, Department of Philosophy, University of Western Ontario
- **Friday, January 18**
HIV Testing and Disclosure: Public Health or Legal Matters?
Jacqueline Gahagan, Gender and Health Promotion Studies Unit, Dalhousie University
- **Friday, February 8**
Nonexcludability and the Limits of Patents in Furthering Health
Amy Kapczynski, Yale Law School

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(co-sponsored by the Law and Technology Institute, Dalhousie Schulich School of Law)

- **Friday, March 8**
The Culture and Context of Frequent Marijuana Use in Teens: Accounting for Gender, Diversity and Place
Joy Johnson, Scientific Director, Institute of Gender and Health, Canadian Institutes of Health Research
(co-sponsored by the Faculty of Health Professions, Dalhousie University)
- **Friday, March 22**
Is There a Constitutional Right to Die?
Joseph Arvay QC, Arvay Finlay Barristers, British Columbia

The launch of Halifax's Vital Signs – Panel announced for the launch of Halifax's Vital Signs – October 2
Tuesday, October 2, 2012 from 8:00 am - 9:00 am
Commonwealth Room A, The Westin Nova Scotian, 1181 Hollis Street, Halifax, Nova Scotia

A signature product of the **COMMUNITY FOUNDATION OF NOVA SCOTIA**
Open to the public

Discover important and surprising facts about the Halifax Regional Municipality as we provide an interactive portrait in numbers of how we are doing in the HRM across several key indicators including safety, health and wellness, economy, housing, getting started and belonging, getting around, learning, arts and culture, environment, and youth.

Panelists attending the launch:

- **Natasha Gibb**, Chair, Fusion Halifax; Human Resource Consultant, Halifax Regional Municipality
- **Superintendent Don Spicer**, HRM Public Safety Officer
- **David Fleming**, Economist and Project Development Specialist, Greater Halifax Partnership
- **Dr. John Finley**, President, Doctors Nova Scotia

For more information contact Allison Kouzovnikov at 902-490-5907, email ak@cfns.ca, or visit the Community Foundation of Nova Scotia at www.cfns.ca.

Finding New Meaning and Satisfaction in Work

Friday, October 5 from 1:00 – 2:00 pm

NSBS Classroom (Suite 800-2000 Barrington Street, Halifax)

Join the **LIANS Risk and Practice Management Program** for a brown-bag lunch or join by webinar (details to follow) for **Finding New Meaning and Satisfaction in Work**.

Hosted by Lisa Nicholson from our health and wellness provider, Homewood Human Solutions™, this is the first in a series of sessions that will be sponsored throughout the year by the [Nova Scotia Lawyers Assistance Program](#) (NSLAP). This wellness session will offer participants the opportunity to reflect on the place work occupies within the overall context of their lives. Participants are invited to think about the satisfaction that they get from work, and about the different ways they can give new life to their careers.

This session is valued for one hour of CPD. There is no cost to participate. Lawyers and their staff are welcome.

Please RSVP by email to Cynthia Nield, Database and Information Officer, at cnield@lians.ca and indicate whether you will attend in-house or by webinar. Please include the **name and email address** of each person participating.

42nd Annual Workshop on Commercial & Consumer Law

October 12-13

The 2012 Annual Workshop on Commercial & Consumer Law will be held at the Dalhousie Schulich School of Law on October 12-13. The Workshop is the only academic business law conference regularly held in Canada and this will be the

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first time it has been held in Atlantic Canada in its 42 year history. The Workshop will include an interesting and varied selection of panels and has attracted a distinguished roster of presenters and discussants from across the country. Full information about the Workshop, including registration details, is available on our website: [website](#).

Please note that registration will close October 5th.

**Meet author Craig Jones QC as he signs his new book *A Cruel Arithmetic: Inside the Case Against Polygamy*
Saturday, October 13th from 2:30 to 4:00 pm
Chapters – Bayers Lake, Halifax**

Craig Jones, Queen's Counsel, has written a memoir of the court case against polygamists held in the BC Supreme Court. His book, ***A Cruel Arithmetic: Inside the Case Against Polygamy***

The book offers a remarkable insider's story as Jones and his colleagues, along with a handful of allied public interest groups, began a fascinating and far-reaching debate about polygamy in the BC Supreme Court; a debate that became a fundamental clash of personal and religious rights. The Polygamy Reference, as the case was called, would proceed for almost two years, and was laid out through forty-four days of trial and more than 100 witnesses, many of whom offered stark and disturbing confessions under the shield of anonymity.

In a thoughtful and open-minded documentation of the Polygamy Reference, with arguments drawn from fields as diverse as anthropology, history, economics, and evolutionary psychology, Jones traces an unexpected evolution in his personal beliefs: from his initial "Left Coast" civil libertarian leanings against criminalizing polygamy to a firm opposition to polygamy's "cruel arithmetic" which harms women and children, society at large, and the very foundation of democracy itself.

About the Author: *Craig Jones, QC, BGS, LL B, LLM, holds law degrees from UBC and Harvard Law School. For six years he was the lead constitutional litigator for the Attorney General of British Columbia, where he argued a series of significant cases including the Safe Injection Site appeal, the Polygamy Reference, and challenges to the Braidwood Taser Inquiry. He is now a professor of law at Thompson Rivers University. He is the author of three previous books and dozens of articles on legal subjects.*

For more information, contact Chapters – Bayers Lake at (902) 450-1023

Learn more about *A Cruel Arithmetic* at www.irwinlaw.com

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:

- 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

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- 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

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>.

Halloween Dance Party – Seventh Annual Halifax Rock for Dimes – October 25, 2012

On Thursday October 25, 2012, local amateur musicians will once again take up their rock instruments to battle for the title of "Halifax's Best Band" and raise much-needed money for Nova Scotians with physical disabilities. Over \$120,000 has been raised to date by March of Dimes Canada at this annual rocking event in Halifax. The previous two year's “*Retro 80s*” and “*Canada Rocks vs Britain Rocks*” events at the World Trade Convention Centre were two of the biggest and best Rock for Dimes events across Canada in March of Dimes Canada history. We’re hoping the 7th year will make it even bigger and better!

This year's costume-musical theme for the “two stages” event will be **HALLOWEEN DANCE PARTY**. Another excellent opportunity to dust off creative and spectacular Halloween costumes for this one! The Battle will focus on Dance Music and will include only lawyers, for the first time in several years!

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The biggest 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.

The bands for this Clash of the Bands have been confirmed: **Project 501** (Stewart McKelvey), **Red C** (McInnes Cooper), last year's Big Winners **Terminal Road** (N.S. Department of Justice), **Piranha Brothers** (various in-house and private lawyers), **Gene** (government and private lawyers), **The Goldilocks Effect** (Burchells LLP). All six of these bands comprise your fellow bar society members, competing as "rock-star-wannabes" for a really great charitable cause. Best NS bar event of the year!

Mark your calendars now. The date is **Thursday, October 25, 2012**. Doors open at 7:00 P.M. Be there or be square.

For tables (of 10), tickets and more detailed event & sponsorship information, go to: www.rockfordimes.ca 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 2nd 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.

Leadership for Women Lawyers: Practising law in today's fast-paced environment

Halifax, NS | October 31, 2012

Why participate?

- Identify and overcome barriers to communicating difficult issues, resistance to change and gaining buy-in
- Find out if you have what it takes to be an effective project manager
- Learn how to read a financial statement - the key considerations regardless of the accounting or auditing principles used
- Get to know the five huge traps in negotiating and the strategies to deal with them
- Explore the principles of ethical behaviour and the challenges faced by women lawyers
- Find out what the art of successful delegation requires
- Hear the perspective of a lawyer in a large private firm on the imperatives of quality client service
- Get to know the nuts and bolts of what technology can offer the legal profession
- Understand the role of the Nova Scotia Barristers' Society in retaining women in private practice (Speaker: Marie Paturel, Equity Officer)

Further information

APTLA's Information Conference: Modern Litigation & the Art of Intelligence Gathering

Friday, November 2, 2012 | Delta Halifax, Halifax, NS

Information wins cases. More information is now available to litigants than ever before. But what exactly is available and where? How can I get? What information is protected from disclosure? Find out the answers to these and other questions at APTLA's Intelligence Officer Training School for Litigators.

Learn from national policing instructors, engineering experts and leading lawyers about:

- the uses and limitations of freedom of information requests in securing information vital to your case;
- what crash data secrets lie within the "little black box" and how you can use it for your client;

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- how your client's footsteps can be retraced using GPS and other data located in their "smart phones";
- how to preserve electronic data from cell phones, computers and more;
- protecting your client's right to privacy in their own medical records;
- recognizing and advancing claims for solicitor/client, litigation, spousal and settlement privilege;
- ensuring you have received all of your client's information from the insurance adjuster's file; and why you and your client need to pay attention to Facebook and other social media or suffer the consequences.

You will also hear directly from the Bench about the latest in eDiscovery.

APTLA's *Modern Litigation & the Art of Intelligence Gathering* is open to APTLA Members and Non-Members, lawyers and non-lawyers. [Complete conference information and registration.](#)

Registration open: BRINGING IT HOME

November 9, 2012 | Delta Sydney

The Cape Breton Barristers' Society invites you to its

[First Annual Professional Development Conference](#)

Friday, November 9, 2012

Sydney Holiday Inn (formerly Delta Sydney)

7.5 hours of eligible CPD

[REGISTRATION FORM AND SPEAKER SCHEDULE](#)

Keynote Address: "Civility: A View from the Bench," with the Hon. Justice Kevin Coady of the Nova Scotia Supreme Court

Other sessions:

- Getting the most of your CPD: Understand the new NSBS requirement; Jennifer Pink, NSBS Officer, Education & Credentials
- So you think you know the new *Code of Professional Conduct?*; Victoria Rees and Elaine Cumming, NSBS Professional Responsibility department
- Cultural competence and the law: Working with diverse clients; Robert S. Wright
- An ounce of prevention is worth a pound of cure; Melanie McGrath and Stacey Gerrard, Lawyers' Insurance Association of Nova Scotia
- A practitioner's point of view; Gail Rudderham-Chernin QC
- Lunch with Paula Marshall, Mi'kmaq Legal Support Network

Please note: This conference includes 7.5 hours of eligible study under the Nova Scotia Barristers' Society CPD requirement.

- Registration deadline (subject to space): November 2, 2012
- Registration is open to non-members of the Cape Breton Barristers' Society as of October 10, 2012

For more details, contact Jill Perry at 902 563 2295 or jill.perry@nslegalaid.ca.

REGISTRATION NOW OPEN: Earn 6 CPD hours at LIANS Risk and Practice Management Conference, November 23 from 9:00 am to 4:15 pm

The 4th annual LIANS' Risk and Practice Management Conference will be held on November 23 from 9:00 am to 4:15 pm at the Westin Nova Scotian in Halifax. **Earn 6 hours of CPD** with featured sessions on The Art of Negotiation; Research in the Digital Age; Cultural Competence; Workload Management and more ...

Confirmed speakers include Ray Wagner, Paul Saunders, Naiomi Metallic, Kendrick Douglas, Kathryn Dumke, Tony Mancini of Priority Management consulting, and a health and wellness session with Homewood Human Solutions™.

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Online registration is now available through LIANS' News & Alerts at www.lians.ca.

Early Bird Rate: \$200+tax; after Nov.2nd: \$250+tax

All-day parking available to all participants for \$6.

Sessions will appeal to lawyers, office managers, paralegals and legal assistants from across Atlantic Canada. Lawyers and staff from all sized firms are welcome. We look forward to seeing you there!

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.

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

[Brochure and Registration](#)

This conference is intended to bring together many of the actors responsible for ensuring equitable treatment for persons with mental health problems who come into contact with the criminal justice system. As many challenging cases have revealed and as the ratification by Canada of the Convention on the Rights of Persons with Disabilities mandates, this is a time for change. Persons with lived experience and their advocates, police officers, lawyers and judges, among others, will collaborate to present and discuss the latest developments and preferred practices at the often difficult intersection of criminal justice and mental health. The goals of the conference include updating attendees, fostering discussion and enabling participants to emerge with better tools and firmer links to other justice, health and social service professionals and to the community. [More information...](#)

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:: LIBRARY & INFORMATION SERVICES ::

New books at the library

COMMERCIAL ARBITRATION

ARBITRATION ACT : STAY AND APPEAL ISSUES / Alberta. Law Reform Institute -- Edmonton, Alta. The Institute, 2012. [KB 125 .A7 A333 2012 no.24]

CRIMINAL CODE

THE PRACTITIONER'S CRIMINAL CODE 2013 / Gold, Alan D -- 2013 ed. -- Markham, Ont. LexisNexis Canada, 2012. [KB 91 G618 2012]

CRIMINAL PROCEDURE

CRIMINAL APPEAL PROCEDURES : QUEEN'S BENCH AND COURT OF APPEAL / Alberta. Law Reform Institute -- Edmonton, Alta. The Institute, 2012. [KB 92 A333 2012 no.101]

CRIMINAL TRIAL PROCEEDINGS / Alberta. Law Reform Institute -- Edmonton, Alta. The Institute, 2012. [KB 92 A333 2012 no.100]

EVIDENCE

2012 NATIONAL CRIMINAL LAW PROGRAM EVIDENCE, ETHICS, AND THE ADMINISTRATION OF JUSTICE / Federation of Law Societies of Canada -- Victoria, B.C. The Federation, 2012. [KB 92 C212N 2012]

INCOME TAX

CONFERENCE REPORT 2007 : REPORT OF PROCEEDINGS OF THE 59TH TAX CONFERENCE / Canadian Tax Foundation -- 59th ed. -- Toronto: The Foundation, 2008. [KB 84.I5 C215 2007]

STIKEMAN'S INCOME TAX ACT ANNOTATED 2012 INCOME TAX ACT ANNOTATED 2012 / Stikeman, H. Heward; Pound, Richard W -- 52nd ed. -- Toronto: Carswell Thomson Reuters, 2012. [KB 84.I5 S855 2012(2)]

LABOUR ARBITRATION

LABOUR ARBITRATION IN CANADA / Mitchnick, Morton; Etherington, Brian -- 2d ed. -- Toronto: Lancaster House, 2012. [KB 60.L3 M679 2012]

LAW FIRMS

AVOIDING EXTINCTION : REIMAGINING LEGAL SERVICES FOR THE 21ST CENTURY / Kowalski, Mitchell -- Chicago: ABA, 2012. [KB 267 K75 2012]

LAW OFFICES

THE ORGANIZED LAWYER / Anders, Kelly Lynn -- Durham, NC: Carolina Academic Press, 2009. [KB 267 A544 2009]

LAW REFORM

TWENTY-FIRST ANNUAL REPORT 2011-2012 / Nova Scotia. Law Reform Commission -- Halifax, N.S. The Commission, 2012. [KB 100.L5 N935 2012]

NATIVE PEOPLES

ABORIGINAL LAW : COMMENTARY AND ANALYSIS / Isaac, Thomas -- Saskatoon, Sask. Purich Publishing Ltd. 2012. [KB 79 .I6 I73A 2012]

PRACTICE OF LAW

LIMITED SCOPE LEGAL SERVICES : UNBUNDLING AND THE SELF-HELP CLIENT / Kimbro, Stephanie L -- Chicago: American Bar Association. Law Practice Management Section, 2012. [KB 252 K49 2012]

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:: NEW DECISIONS ::

ADMINISTRATIVE LAW *National Bank Financial Ltd. et al. v. Nova Scotia (Securities Commission) et al.*, C.A. No. 392519, Saunders, J.A., September 21, 2012. [2012 NSCA 99](#)

BUILDING CONTRACTS *APM Construction Services Inc. v. Caribou Island Electric Ltd.*, C.A. No. 406600, Farrar, J.A., September 26, 2012. [2012 NSCA 105](#)

BUILDING CONTRACTS *Ross v. Garnett*, Tru. No. 282076, Boudreau, J., September 25, 2012. [2012 NSSC 334](#)

CONTRACTS *Tambala v. Norwood*, Claim No. S.C.C.H. 354656, Parker, Adjudicator, January 25, 2012. [2012 NSSM 41](#)

CONTRACTS *Stonetile Atlantic Inc. v. Tench*, S.C.C.H. No. 357688, Parker, Adjudicator, March 8, 2012. [2012 NSSM 42](#)

CRIMINAL LAW *R. v. Banfield*, C.A.C. No. 344966, Oland, J.A., September 18, 2012. [2012 NSCA 98](#)

CRIMINAL LAW *R v. Mullen*, No. 2372695; 2372696, Chisholm, J.P.C., September 17, 2012. [2012 NSPC 66](#)

CRIMINAL LAW *R v. Downey*, No. 2353166, Tax, J.P.C., September 18, 2012; January 17, 2012 (orally). [2012 NSPC 74](#)

CRIMINAL LAW *R. v. Wasson*, No. 2352944, Scovil, J.P.C., September 18, 2012. [2012 NSPC 79](#)

CRIMINAL LAW *R. v. 3237211 Nova Scotia Ltd.*, No. 2210978, Whalen, J.P.C., September 19, 2012; August 1, 2012 (orally). [2012 NSPC 80](#)

CRIMINAL LAW *R. v. Oldham*, C.R.H. No. 393604, Wood, J., September 17, 2012; September 12, 2012 (orally). [2012 NSSC 326](#)

CRIMINAL LAW *Mercier v. Nova Scotia (Attorney General) et al.*, C.A. No. 362099, MacDonald, M. C.J., September 20, 2012. [2012 NSCA 100](#)

CRIMINAL LAW *R. v. Dugas*, C.A.C. No. 362840, Oland, J.A., September 25, 2012. [2012 NSCA 102](#)

CRIMINAL LAW *R. v. Smith*, No. 2145257; 2145259, Hoskins, J.P.C., August 3, 2012. [2012 NSPC 82](#)

CRIMINAL LAW *R. v. Ellis et al.*, C.R.H. No. 368181, Pickup, J., September 25, 2012. [2012 NSSC 329](#)

FAMILY LAW *St-Jules v. St-Jules*, C.A. No. 348221, Hamilton, J.A., September 18, 2012. [2012 NSCA 97](#)

FAMILY LAW *McKearney-Morgan v. Morgan*, No. 1217-000734, Legere-Sers, J., September 12, 2012. [2012 NSSC 236](#)

FAMILY LAW *Armoyan v. Armoyan*, H.F.D. No. 1201-065036; S.F.H.C.I.V. No. 070342; S.F.H.M.C.A. No. 068981, Campbell, J., September 14, 2012. [2012 NSSC 323](#)

FAMILY LAW *John v. John*, No. 1201-064723; S.F.H.D. No. 071124, Jollimore, J., September 14, 2012. [2012 NSSC 324](#)

LANDLORD AND TENANT *Cowper v. Crew et al.*, S.C.C.H. No. 406179, Parker, Adjudicator, September 26, 2012. [2012 NSSM 43](#)

MAINTENANCE *Lagace v. Mannett*, No. 1201-062738; SFHD-059212, Jollimore, J., August 29, 2012. [2012 NSSC 320](#)

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MORTGAGES *Cragg v. Eisener*, C.A. No. 377951, Saunders, J.A., September 27, 2012. [2012 NSCA 101](#)

MORTGAGES *Concentra Financial Services Association v. MacKay*, Hfx No. 356543, Moir, J., September 25, 2012; August 2, 2012 (orally). [2012 NSSC 333](#)

MOTOR VEHICLES *Baird v. Barkhouse*, No. 334436, Bourgeois, J., September 26, 2012. [2012 NSSC 339](#)

NEGLIGENCE *Shane v. 3104854 Nova Scotia Ltd.*, Hfx. No. 315268, LeBlanc, J., September 17, 2012. [2012 NSSC 327](#)

PRACTICE *Saturley v. CIBC World Markets Inc.*, Hfx. No. 305635, Wood, J., September 17, 2012. [2012 NSSC 325](#)

PRACTICE *Keddy v. Blue Cross Life Insurance Co. of Canada*, C.A. No. 388764, Farrar, J.A., September 24, 2012. [2012 NSCA 103](#)

PRACTICE *Lienaux v. Halifax (Sheriff)*, C.A. No. 387585, Hamilton, J.A., September 27, 2012. [2012 NSCA 104](#)

PRACTICE *North End Community Health Association v. Halifax (Regional Municipality)*, Hfx. No. 376190, MacAdam, J., September 24, 2012. [2012 NSSC 330](#)

PRACTICE *Jeffrie v. Hendriksen*, Hfx. No. 346079, Wood, J., September 26, 2012; July 5, 2012 (orally). [2012 NSSC 335](#)

REAL PROPERTY *Norbridge Management Ltd v. Lienaux*, No. 381120, Bourgeois, J., September 5, 2012. [2012 NSSC 318](#)

REAL PROPERTY *Miles v. Tan*, Hfx. No. 355703, Robertson, J., September 11, 2012; July 17, 2012 (orally). [2012 NSSC 322](#)

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.

September 27, 2012

[A.B. v. Bragg Communications Inc.](#)

Neutral Citation: [2012 SCC 46](#) (CanLII)

File No.: 34240.

2012: May 10; 2012: September 27.

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

On Appeal from the Court of Appeal for Nova Scotia

Courts — Open court principle — Publication bans — Children — 15-year old victim of sexualized cyberbullying applying for order requiring Internet provider to disclose identity of person(s) using IP address to publish fake and allegedly defamatory Facebook profile — Victim requesting to proceed anonymously in application and seeking publication ban on contents of fake profile — Whether victim required to demonstrate specific harm or whether court may find objectively discernable harm.

A 15-year old girl found out that someone had posted a fake Facebook profile using her picture, a slightly modified version of her name, and other particulars identifying her. The picture was accompanied by unflattering commentary about the girl's appearance along with sexually explicit references. Through her father as guardian, the girl brought an

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application for an order requiring the Internet provider to disclose the identity of the person(s) who used the IP address to publish the profile so that she could identify potential defendants for an action in defamation. As part of her application, she asked for permission to anonymously seek the identity of the creator of the profile and for a publication ban on the content of the profile. Two media groups opposed the request for anonymity and the ban. The Supreme Court of Nova Scotia granted the request that the Internet provider disclose the information about the publisher of the profile, but denied the request for anonymity and the publication ban because there was insufficient evidence of specific harm to the girl. The judge stayed that part of his order requiring the Internet provider to disclose the publisher's identity until either a successful appeal allowed the girl to proceed anonymously or until she filed a draft order which used her own and her father's real names. The Court of Appeal upheld the decision primarily on the ground that the girl had not discharged the onus of showing that there was evidence of harm to her which justified restricting access to the media.

Held: The appeal should be allowed in part.

September 21, 2012

Canada (Attorney General) v. Downtown Eastside Sex Workers United Against Violence Society

Neutral Citation: [2012 SCC 45](#) (CanLII)

File No.: 33981.

2012: January 19; 2012: September 21.

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

Civil procedure — Parties — Standing — Public interest standing — Public interest group and individual working on behalf of sex workers initiating constitutional challenge to prostitution provisions of Criminal Code — Whether constitutional challenge constituting a reasonable and effective means to bring case to court — Whether public interest group and individual should be granted public interest standing.

A Society whose objects include improving conditions for female sex workers in the Downtown Eastside of Vancouver and K, who worked as such for 30 years, launched a *Charter* challenge to the prostitution provisions of the *Criminal Code*. The chambers judge found that they should not be granted either public or private interest standing to pursue their challenge; the British Columbia Court of Appeal, however, granted them both public interest standing.

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 ::

REGISTRATION NOW OPEN: Earn 6 CPD hours at LIANS Risk and Practice Management Conference, November 23; 9:00 am to 4:15 pm

The 4th annual LIANS Risk and Practice Management Conference will be held on November 23, 2012 from 9:00 am to 4:15 pm at the Westin Nova Scotian in Halifax. **Earn 6 hours of CPD** with featured sessions on the art of negotiation; research in the digital age; cultural competence: recognizing issues of culture; workload management: effective management of priorities, tasks and email; a wellness seminar and more ...

Confirmed speakers include Ray Wagner, Mark Scott, Brad Proctor, Naiomi Metallic, Kendrick Douglas, Kathryn Dumke, Paul Saunders, Scott Amyoony, Stacey Gerrard, Tony Mancini of Priority Management consulting, and a health and wellness session with Lisa Nicholson from Homewood Human Solutions™.

Online registration is now available through LIANS' *News & Alerts* at www.lians.ca.

Early Bird Rate: \$200+tax; after Nov.2nd: \$250+tax
All-day parking available to all participants for \$6.

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

We look forward to seeing you there!

REGISTER FOR FREE CPD WELLNESS SESSION: "Finding New Meaning and Satisfaction in Work"

Join the **LIANS Risk and Practice Management Program** for a brown-bag lunch or join by webinar (details to follow) for "Finding New Meaning and Satisfaction in Work".

Friday, October 5 from 1:00 – 2:00 pm
NSBS Classroom (Suite 800-2000 Barrington Street, Halifax)

Hosted by Lisa Nicholson from our health and wellness provider, Homewood Human Solutions™, this is the first in a series of sessions that will be sponsored throughout the year by the [Nova Scotia Lawyers Assistance Program](#) (NSLAP). This wellness session will offer participants the opportunity to reflect on the place work occupies within the overall context of their lives. Participants are invited to think about the satisfaction that they get from work, and about the different ways they can give new life to their careers.

This session is valued for one hour of CPD. There is no cost to participate. Lawyers and their staff are welcome.

Please RSVP by email to Cynthia Nield, Database and Information Officer, at cnield@lians.ca and indicate whether you will attend in-house or by webinar. Please include the **name and email address** of each person participating.

RISK AND PRACTICE MANAGEMENT TIP: Canadian Directory of CPD Activities

Are you looking for ways to complete the minimum 12 hours of mandatory continuing professional development?

A number of excellent resources are available through the CBA, as well as the [CPD Form and Online Tracking System](#) developed by LIANS.

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In addition, CPD File is a free nationwide online service that maintains a database of CPD providers and available activities so that lawyers manage and meet continuing education requirements. It allows you to create a personal CPD plan, track completed CPD hours, and receive important CDP deadline reminders. See www.cpdfile.com.

You can also check the NSBS website's [Upcoming events](#) listings and [Events calendar](#), and watch [InForum](#) for local CPD offerings.

LIANS has recently registered as a CPD provider and has promoted the LIANS Risk and Practice Management Conference on November 23, 2012, and will continue to advertise upcoming webinars and CPD sessions. If you would like to register for this service, follow the link on the LIANS website at: http://www.lians.ca/rpm/resources/cpd_form/ under "Online Tracking System"

*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.*

EMAIL AWARENESS: "Legal Club of Canada" and "Law Assist Canada Inc."

Several lawyers have received emails soliciting their membership with a free legal referral service. These companies work with employee assistance programs (EAPs) to connect potential clients with lawyers who wish to enhance and promote their profiles within the directory of the legal referral service.

Be vigilant and read the fine print if you are approached, and be prepared to provide the services that are listed for "free". On the [Legal Club of America](#) website, for example, initial consultations (by phone or in person) are free and there **is no time limit**.

The Fee schedule provided on the American website indicates:

"Free Services (NOTE: Providers may collect a retainer from the member prior to providing some of the free member benefits):

- **One initial phone or face-to-face consultation during normal business hours** for each new legal matter.
- **Review of legal documents (6 page maximum)** – one per new legal matter. Note that review and/or modification of any pages above and beyond the maximum of 6 pages or subsequent documents that are part of an ongoing case are not included and would be billed out at the reduced hour rate.
- **Make the initial telephone call or write a letter on behalf of a client for a new legal matter**, when determined appropriate by provider in their professional judgment (independent of ongoing case)."

Although this appears to be a legitimate service, please be advised that you are not obliged to reply to such emails unless you wish to become a member in this service. For any additional information or questions on these services or their emails, please contact me as below.

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 evaluate potential "clients".

REMINDER: LAP is for lawyers, your staff and families

The 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 for more information.

*For information, support, 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 ::

Office for rent in modern downtown Halifax building

The law firm of Singleton & Associates has a vacant office for rent in its new premises at Suite 604, Cogswell Tower in Halifax. Great views of Halifax Harbour and downtown. Use of a conference room and other services can be negotiated.

To inquire, please contact Tom Singleton at tsingleton@singleton.ns.ca or telephone (902)492-7000.

Office for rent in historic downtown Halifax building

One office for rent in the St. Paul's Building, a historic downtown building located at 1684 Barrington Street, Halifax. Located on the fifth floor, with elevator and stair access. Great light, lovely views. Use of shared conference room included.

Available October 1.
\$600/month plus HST.

To view or inquire, please contact ewozniak@nsimmigration.ca.