

INFORUM

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

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Events of Interest

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- [2012 Cape Breton Barristers Society Bench & Bar Dinner](#) – Saturday, November 3
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Career Opportunities

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:: NOTICES ::

SOCIETY NEWS

2013 Society Elections: Memorandum from the Governance and Nominating Committee

Although elections for the Second Vice-President and members of Council are still several months away, the Governance and Nominating Committee invites you to begin to think about the Society's leadership.

In 2013, a Second Vice-President will be elected. The *Legal Profession Act* requires that person to be from outside of Halifax Regional Municipality, because the incoming President and First Vice-President are from Halifax.

Council elections will also be conducted next year in March and April; more detail will be provided about them in due course.

As the Governance and Nominating Committee begins its work to nominate a candidate for a Second Vice-President (which must be done by the end of January 2013), it invites all lawyers to provide recommendations on who might be nominated. Under its policies, in addition to the ability to meet the expected time commitments (approximately 500 hours), the Committee will look for such characteristics as unquestionable integrity, respect for others, communications skills, strategic thinker, consensus builder, leadership skills, and fit with the other officers.

As well, the Society strives for diversity of leadership with respect to personal characteristics, area of practice, and geographic location of the candidate.

If you are interested in being considered for this position or wish to recommend someone for consideration by the Committee, you are invited to do so in writing, or by calling the Chair of the Committee, Daniel Campbell QC, at dmcampbell@coxandpalmer.com or 902 491 4105.

UPDATE: Barristers' Library in Halifax closed this week; expected to reopen October 22 at Summit Place

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

The Barristers' Library remains closed this week, October 15 to 19. It is expected to open in the new space on Monday, October 22. **If you have library materials out on loan, please do not return them until after October 22.**

Prior to October 22, please contact the following law society libraries for reference assistance, and mention the Regional Reference Desk when calling:

- Law Society of New Brunswick **506 453 2500**;
- Law Society of Newfoundland **709 753 7770**; or
- Law Society of Prince Edward Island **902 368 6099**.

The Barristers' Library is expected to remain in the temporary location for approximately one year. During this time, the collection will be available for use Monday through Friday, 8:30 am to 4:30 pm. After-hours access to the library collection will not be possible at the Summit Place location.

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 – including federal and Nova Scotia legislation, Nova Scotia case law, British report series, encyclopedias, forms and precedents, and rules of court – will also be available for use.

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The Society will provide further updates on the website and in *InForum* as they become available. Please contact Library & Information Services at 425 2665, 1 866 219 1201 (toll-free) or nsbslib@nsbs.org with questions or concerns.

Other changes at Law Courts during renovations

For changes relating to courtroom space and court services during the renovations, please see the Courts of Nova Scotia website: www.courts.ns.ca. A detailed memo from the Honourable Joseph P. Kennedy, Chief Justice of the Nova Scotia Supreme Court, has been posted on the Notices to the Bar page.

Changes in Category – October 1 to 15, 2012

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

The Society welcomes the following lawyers, called to the Nova Scotia Bar since October 1:

Jennifer Marie Chiasson
Stephen David Hiscock
Janine Lynne Kidd
Kathryn Anne Lo

Aileen Kerr McGinty
Kelly Eileen McMillan
Laura Elizabeth Spurway

The following members have changed to the Practising Lawyer category:

Nicole Louise Baker
Michael Eugene Deturbide

Carolle Shannon Fernando

The following members have changed to Non-Practising status:

Carolyn Dawn Baglole
Joseph Hilaire Maurice Bastarache
Isabelle Margaret Alice French
Andrée Kristine Godbout
Daniel Arthur Hawkwood
Morgan Elizabeth Ada Hicks
Jessica Robyn Lumiere

Eric Patrick MacRae
Eliza Amaryllis Maynes
Christine Elizabeth Nault
Ivan George Cecil Nault
Jonathan Aaron Shapiro
Mirsada Stasevic

The following member has changed to Retired status:

John David Filliter QC

Notice of Hearing: Michael Iosipescu

The Hearing Committee of the Nova Scotia Barristers' Society will hold a hearing respecting charges against Michael Iosipescu, a member of the Nova Scotia Barristers' Society, scheduled for **Friday November 2, 2012**, commencing at 9:30 am at the Nova Scotia Barristers' Society's classroom, Cogswell Tower Suite 800-2000 Barrington Street, Halifax, Nova Scotia.

For more details, see the Notice of Hearing, posted October 5 on the [Public hearings](#) page of the Society's website

Reminder: Society seeks input on revised Trust Account Regulations – by October 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](#).

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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.

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. See the complete notice on the [Public hearings](#) page.

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.

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FROM THE COURTS

New: Hints & Tips from the Prothonotary – October 12, 2012

This edition includes:

- court dockets for October and November;
- a reminder from the Court of Appeal regarding ordering of transcripts; and
- a notice of Change in Practice of Prothonotary, from the Supreme Court of Nova Scotia.

See the October 12 [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 Twitter service.

Notice to the Bar: Seventh floor renovations to begin shortly at Halifax Law Courts

The courtrooms on the seventh floor of the Halifax Law Courts will be shut down in the near future as part of phase two of the renovation of the building's heating, ventilation and air conditioning systems. A new courtroom and related offices are being prepared in the Summit Place building just down the street.

Find out more in the detailed memo from the Honourable Joseph P. Kennedy, Chief Justice of the Nova Scotia Supreme Court, posted on the [Notices to the Bar](#) page at www.courts.ns.ca.

New Judge to be sworn in December 7 in Yarmouth

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 September 19 by Nova Scotia's 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.

A swearing-in ceremony for Judge Timothy D. Landry will be held on December 7, 2012 at 12:00 noon in the Yarmouth courthouse at 164 Main Street Yarmouth, Nova Scotia. The public is invited.

Assermentation d'un nouveau juge

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.

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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 cérémonie d'assermentation du juge Timothy D. Landry aura lieu le 7 décembre 2012 à midi, au palais de justice de Yarmouth, situé au 164, rue Main à Yarmouth. Le public est invité.

See the [original notices](#) posted on the Courts of Nova Scotia website at www.courts.ns.ca, under the News heading.

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

Notice from the Family Law Nova Scotia website – Parenting Plan Checklist available online

Please be advised, a federal-provincial-territorial working group has developed a new [Parenting Plan Checklist](#), which has been posted on the Justice Canada website:

This checklist can help identify issues to consider when developing a parenting plan. The checklist deals only with parenting and child support and does not address issues such as property division or spousal support. The checklist identifies topics for consideration along with some questions to consider. These questions are not exhaustive and are simply meant to help guide your thinking and discussions on the topic.

This checklist will also be linked through the Family Law Nova Scotia website at www.nsfamilylaw.ca.

Launched in July, this new website provides information relating to the law, processes and services that make up family law in Nova Scotia. Receive further updates by following Family Law Nova Scotia on twitter:

<https://twitter.com/nsfamilylaw>

Adjudicative & Non Adjudicative Agencies, Boards and Commission (ABCs)

Want to make a difference? If you have an interest, we have a committee.

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The Province of Nova Scotia is accepting applications from individuals interested in being appointed to serve on its various Adjudicative and Non Adjudicative Agencies, Boards and Commissions (ABCs). To learn more, visit www.gov.ns.ca/exec_council/abc or call 1-902-424-4877 in HRM (Toll-free: 1-866-206-6844).

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

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>

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 Digby and Yarmouth 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,

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- 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

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

MOVEMBER: Official Judicial Kickoff – October 31 at 9:00 am

The Nova Scotia Judiciary challenges you to join the fight against prostate cancer and mental illness by participating in this year's Movember campaign. You are invited to the official Movember kickoff at the Law Courts, 1815 Upper Water Street in Halifax on Wednesday October 31, at 9:00 am.

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Depending on the anticipated crowd and weather, it may take place outdoors on the square in front of the main entrance; otherwise it will be held inside the building in a designated courtroom.

The combined efforts of lawyers and judges in Nova Scotia raised approximately \$105,000 last year. Of that sum the judiciary, under its team banner *Putting A New Face On Justice*, raised more than \$19,000. This is especially noteworthy since judges appreciate that they are not able to solicit funds for any cause and therefore their fundraising was limited to their own contributions along with support from family, colleagues and close friends.

Please register or join your firm team by visiting www.movember.com. If you have any questions regarding Movember or require assistance, please contact Andrew Nahas at anahas@boyneclarke.ca

We've moved – Blois, Nickerson & Bryson LLP

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

Our mailing address remains P.O. Box 2147, Halifax, Nova Scotia, B3J 3B7.

Halifax's Vital Signs report – now available online

Discover important and surprising facts about the Halifax Regional Municipality, in this signature product of the Community Foundation of Nova Scotia. The report provides a 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.

The report was launched on October 2 and is available for viewing on the Community Foundation's website, under the [Vital Signs](#) heading.

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.

Seeking will for Richard "Bryce" Greene of Amherst

Lawyers with any information on the location, or existence, of an original Last Will and Testament of Richard "Bryce" Greene are asked to please contact his brother, Boyd Greene at 902-759-0982 or boyd@ns.aliantzinc.ca. Richard "Bryce" Greene lived in Amherst and passed away on October 9, 2012 at the age of 59 years.

Thank you,
Catherine A. McKean, Law Department
Michelin North America (Canada) Inc.
Phone: (902) 753-1811 | Fax: (902) 396-2183
Email: Catherine-Anne.McKean@ca.michelin.com

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.

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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 still 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.

Notice from the Actuarial Standards Board: Exposure Draft for Revised Standards of Practice September 7, 2012

Dear Stakeholder:

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

Janice Stairs appointed Chair of NSBI Board

Nova Scotians will continue to benefit from experienced private-sector leadership focused on business development as Nova Scotia Business Inc. (NSBI) welcomes its newest board chair.

Janice Stairs, a practising member of the Nova Scotia Bar since 1985, has been appointed chair of the Crown corporation's private-sector-led board of directors. An accomplished lawyer of more than 20 years, Ms. Stairs has been a director of the board since 2009 and most recently vice-chair. She replaces Jim Eisenhauer, outgoing board chair.

"Janice brings tremendous experience and is an excellent leader," said Percy Paris, Economic and Rural Development and Tourism Minister, in an [October 5 announcement](#). "Like Mr. Eisenhauer before her, Janice and the board will guide NSBI as it works towards building a strong and sustainable economy for the province of Nova Scotia."

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Stairs is currently general counsel and corporate secretary to TSX listed Namibia Rare Earths Inc. She is also a director of TSX/NYSE listed NovaCopper Inc. and serves on several committees of the Board.

A former partner, Stairs continues to act as counsel to the Halifax office of McInnes Cooper, and is a member of the Canadian Bar Association and the Nova Scotia Barristers' Society.

Mr. Eisenhauer has chaired the board since November 2010, and has been a director since 2005. He continues with the board as a director. During the Oct. 3 board meeting, held in Membertou, Ray Ivany, a director on the board since December 2011, was appointed vice-chair to replace Ms. Stairs.

"NSBI is fortunate to attract high-calibre board members who volunteer their time and expertise to helping the important, beneficial work of driving a growing Nova Scotia economy," said Stephen Lund, president and CEO of NSBI. "I'm honoured to continue working with the board and with Janice, especially in her new role as chair."

NSBI's 13 board members may serve up to four years per term and cannot serve more than two consecutive terms. Nova Scotia Business Inc. is the province's private-sector-led business development agency. Through trade development, investment attraction, business financing and venture capital, NSBI assists local companies and attracts international companies to Nova Scotia. For more information, visit www.nsbi.ca and follow online at www.nsbi.ca/connect.

WATERFRONT DEVELOPMENT CORP.: Board Appointments Announced

Denise King has been appointed to the Waterfront Development Corporation board of directors, and Bernie O'Rourke has been reappointed for another term.

"These board members have made significant contributions to the business community and bring valuable experience," Economic and Rural Development and Tourism Minister Percy Paris said in an [October 10 announcement](#). "Waterfront Development has multiple development projects underway and oversees two of the most visited destinations in Nova Scotia – the Halifax and Lunenburg waterfronts. They are important economic drivers for our province, and will help grow our economy."

Bernie O'Rourke joined I.M.P. Group International Inc. in 1986 and serves as Senior Vice-President and Chief Legal Officer. He has been a member of the Nova Scotia Bar since 1979, and is also a member of the Canadian Bar Association, Canadian Corporate Counsel Association and Institute of Chartered Secretaries of Canada.

Ms. King is director of market analysis, planning and support, with Amirix Systems Inc. Amirix, through its Vemco line of products, is the world leading supplier of acoustic transmitters and receivers used by marine biologists to study aquatic animals. Ms. King joined Amirix in 1993 and has held a variety of engineering and management roles. The Halifax resident is a member of the Amirix senior management team.

The four-year terms are effective immediately. A full list of board members can be found at www.my-waterfront.ca/about/board-of-directors.

Waterfront Development is a provincial Crown corporation developing the strategic potential of waterfronts in Bedford, Dartmouth, Halifax and Lunenburg. The corporation fosters waterfronts that drive economic opportunity, enhance tourism, provide experiences and reflect and protects marine heritage.

PUBLIC PROSECUTION SERVICE: Crown Attorney Appointed in Dartmouth

Janine Kidd has been appointed a Crown attorney in the Dartmouth office of the Public Prosecution Service. The appointment was [announced October 10](#), by Martin Herschorn, Director of Public Prosecutions.

"I am very pleased to have Ms. Kidd join our team of Crown attorneys," said Mr. Herschorn. "Her background in criminal law and her enthusiasm for the criminal prosecutorial process will be invaluable to the Nova Scotia Public Prosecution Service."

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A native of Thornhill, Ontario, Ms. Kidd graduated in 2003 from Brigham Young University with a bachelor of science in psychology. She graduated from the University of Alberta Law School in 2008. She articulated with Knisely Shipanoff in Edmonton and became an associate, focusing on criminal defence work.

In 2011, Ms. Kidd was appointed a Crown prosecutor in Alberta and earlier this year returned to criminal defence work with Alberta Legal Aid. Ms. Kidd also volunteered at the Edmonton Community Legal Centre and the Alberta Hospital Edmonton.

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.

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.

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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 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](#) 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.

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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 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
(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

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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

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:

- 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

Upcoming Canadian Centre for Ethics in Public Affairs events

LUNCHTIME TALK: Culture in the Brain and Under the Skin: What Historians Know about Illness Experience and Why it Matters

Tuesday, October 23, 1:00pm

University of King's College, Peter Wilson Room, New Academic Building

Dr. Anne Harrington, Professor for the History of Science at Harvard University

Author of: *Medicine, Mind and the Double Brain* (1987), *Reenchanted Science* (1997) and *The Cure Within: A History of Mind-Body Medicine* (2007).

Free light lunch provided starting at 12:30pm

The Story of Mr. Wright

October 23, 7pm | Neptune Studio Theatre

2b Theatre Company Opening Night performance supported by the Canadian Centre for Ethics in Public Affairs (CCEPA) and the Situating Science Knowledge Cluster

By Christian Barry, Anthony Black, Duncan Fisher,

Kate Herriot, Daniel Maslany, Ashley Turner and Judy Wensel

A Globe Theatre and 2b theatre company co-production. Presented in association with Eastern Front Theatre

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Post Performance Talk & Discussion: *Stories, Truth and Medicine*

Dr. Anne Harrington, Professor of the History of Science, Harvard University, Author of *The Cure Within: A History of Mind Body Medicine*

Reception to follow.

Free Admission with Registration (register by October 19).

Contact info@ccepa.ca, 428-1416 or situsci@dal.ca, 422-1270 ext. 200

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.

SESSIONS@SCHULICH

Friday, October 26 from 3 - 5 pm

Sessions@Schulich is a new series to help you satisfy your mandatory CPD requirements—and enjoy some social time, too!

Next session: "An ounce of prevention is worth a pound of cure": Risk and Practice Management

Stacey Gerrard, Counsel, Lawyers Insurance Association of Nova Scotia

Weldon Law Building, Room 104, 6061 University Avenue

15 (\$10 students) at the door, refreshments provided

REGISTER: julie.harnish@dal.ca noting: "Sessions@Schulich"

Did you know you can satisfy part of your own CPD requirements by presenting CPD to others? For information, contact: Sarah Kirby, Assistant Dean Student Services at skirby@dal.ca or 494.7115.

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](#)

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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;
- 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.](#)

2012 Cape Breton Barristers Society Bench & Bar Dinner – Saturday, November 3

The Cape Breton Barristers Society cordially invites members of the Bench and Bar to attend the 2012 Bench & Bar Dinner. This year the dinner will honor retiring Justice Robert Ferguson and Justice Patrick Murray. The dinner will be held on Saturday, November 3rd, 2012 at the Holiday Inn Sydney. Reception at 6pm and dinner at 7pm.

Tickets may be obtained by contacting Madonna by telephone at 902-563-5901 or via email Madonna@bretonlawgroup.com.

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'kmaw Legal Support Network

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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™.

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

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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 ::

Lawyers' Lounge at The Law Courts – services available

With the temporary relocation of the Barristers' Library to Summit Place, the Society has placed some equipment in the Barristers' Lounge on the first floor of The Law Courts.

Wi-Fi is available. The password is posted on the wall. One computer with internet access is also available.

A photocopier is also in the Barristers' Lounge. It is also connected to the computer so you can print documents. Payment for copies will be managed with a form located on a clipboard by the copier. Please record your name, the number of copies made, and your billing reference; the Society will then invoice you for the costs. We realize this is not as convenient as having a copy card, but there is no way to manage the cards without Library & Information Services staff in the building.

Copiers will also be available at the temporary Barristers' Library location on the fifth floor of Summit Place.

The Society appreciates that the library move is inconvenient for users. If you have any suggestions on other ways we can minimize the impact of our relocation, please let us know.

:: NEW DECISIONS ::

ADMINISTRATIVE LAW *Antigonish/Guysborough Federation of Agriculture v. Antigonish County (Municipality)*, Ant. No. 405985, Rosinski, J., October 8, 2012. [2012 NSSC 352](#)

BANKRUPTCY *Morris Bureau v. Darde*, Hfx. No. 347331, Robertson, J., October 3, 2012. [2012 NSSC 344](#)

CONTRACTS *Canadian Elevator Industry Education Program v. Gilby*, Hfx. No. 383979A, Wright, J., September 27, 2012. [2012 NSSC 274](#)

CONTRACTS *Dykens v. Mullen*, Ken. No. 281136, Coady, J., October 3, 2012. [2012 NSSC 347](#)

CRIMINAL LAW *R. v. W. (J.J.)*, C.A.C. No. 353674, Oland, J.A., October 2, 2012. [2012 NSCA 96](#)

CRIMINAL LAW *R. v. Carvery*, C.A.C. No. 353119, Beveridge, J.A., October 3, 2012. [2012 NSCA 107](#)

CRIMINAL LAW *R. v. Buckley*, C.A.C. No. 354572, Farrar, J.A., October 2, 2012. [2012 NSCA 108](#)

CRIMINAL LAW *R. v. Dunham*, No. 2270855, Tax, J.P.C., October 2, 2012; June 4, 2012 (orally). [2012 NSPC 83](#)

CRIMINAL LAW *R. v. D. (R.J.)*, Hfx. No. 370385, MacDonald, J., July 17, 2012; May 23, 2012 (orally). [2012 NSSC 286](#)

CRIMINAL LAW *R. v. Ford*, SYD. No. 369699, Bourgeois, J., September 26, 2012. [2012 NSSC 340](#)

CRIMINAL LAW *R. v. Slaunwhite*, Cr. No. 323404, Duncan, J., October 1, 2012; September 24, 2012 (orally). [2012 NSSC 342](#)

EVIDENCE *Portage LaPrairie Mutual Insurance Co. v. MacLean*, Hfx. No. 257302, Duncan, J., October 1, 2012. [2012 NSSC 341](#)

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FAMILY LAW *McIntyre v. Nova Scotia (Minister of Community Services)*, C.A. No. 370045, Fichaud, J.A., October 2, 2012. [2012 NSCA 106](#)

FAMILY LAW *Nova Scotia (Community Services) v. M. (A.)*, S.F.S.N.C.F.S.A. No. 74698, Wilson, J., October 3, 2012. [2012 NSSC 343](#)

FAMILY LAW *Lagace v. Mannett*, No. 1201-062738; S.F.H.D. No. 059212, Jollimore, J., May 17, 2012. 2012 NSSC 346

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.

October 5, 2012

[R. v. D.C.](#)

Neutral Citation: [2012 SCC 48](#) (CanLII)

File No.: 34094.

2012: February 8; 2012: October 5.

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

On Appeal from the Court of Appeal for Quebec

Criminal law — Evidence — Credibility — Sexual assault and aggravated assault — Non-disclosure of HIV status — Proof of realistic possibility of transmission of HIV — Whether trial judge could rely on doctor's note as confirmatory evidence of complainant's testimony that no condom had been used — Whether trial judge committed error on question of law — Criminal Code, R.S.C. 1985, c. C-46, ss. 265(3)(c), 268, 271, 686(1)(a)(ii).

D.C. was charged with sexual assault and aggravated assault. When she first engaged in vaginal intercourse with the complainant, she had not disclosed to him the fact that she was HIV-positive. At the time, her viral load was undetectable. The critical issue in the trial was whether a condom had been used. The only evidence on the point was that of the complainant and D.C. The complainant testified no condom was used; D.C. testified a condom was used. The trial judge found that neither witness was credible. However, on the basis of a note of D.C.'s doctor made seven years earlier and referring to a broken condom, the judge concluded that D.C. had lied to her doctor, and inferred that no condom had been worn. He convicted D.C. The Court of Appeal concluded that the trial judge's reasoning as to whether a condom was used was a reasonable inference, but set aside the convictions on the ground that even without condom use, the requirement of a significant risk of serious bodily harm was not met, given the absence of detectable HIV copies in D.C.'s blood.

Held: The appeal should be dismissed.

October 5, 2012

[R. v. Mabior](#)

Neutral Citation: [2012 SCC 47](#) (CanLII)

File No.: 33976.

2012: February 8; 2012: October 5.

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

On Appeal from the Court of Appeal for Manitoba

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Criminal law — Aggravated assault — Consent — Fraud — Non-disclosure of HIV status — Accused undergoing antiretroviral therapy and having protected and unprotected sexual relations knowing he was HIV-positive — Whether approach outlined in R. v. Cuerrier, [1998] 2 S.C.R. 371, remains valid in determining whether fraud vitiates consent to sexual relations — Whether non-disclosure of HIV status in circumstances where no realistic possibility of transmission exists can constitute fraud vitiating consent — Criminal Code, R.S.C. 1985, c. C-46, ss. 265(3)(c), 268, 273.

M was charged with nine counts of aggravated sexual assault based on his failure to disclose his HIV-positive status to nine complainants before having sex with them (ss. 265(3)(c) and 273 Cr. C.). None of the complainants contracted HIV. The trial judge convicted him on six of the counts and acquitted him on the other three, on the basis that sexual intercourse using a condom when viral loads are undetectable does not place a sexual partner at “significant risk of serious bodily harm”, as required by *Cuerrier*. The Court of Appeal varied the decision, holding that either low viral loads or condom use could negate significant risk. This reduced to two the counts on which M could be convicted, and the Court of Appeal entered acquittals on the four remaining counts. The Crown appealed the acquittals.

Held: The appeal should be allowed in part and the convictions in respect of the complaints by S.H., D.C.S. and D.H. should be restored. The appeal should be dismissed in respect of the complaint by K.G.

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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 ::

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

Residential Tenancies Act, S.N.S. 2010, c. 72, s.24 & S.N.S. 2011, c. 70, s.24, s.7
NS Gaz Pt 2, [10/05/2012](#)
NS Reg 177/2012

Justice Administration (2012) Act, S.N.S. 2012, c. 8, s. 29
NS Gaz Pt 2, [10/05/2012](#)
NS Reg 179/2012

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

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

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

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:: LIANS TIPS ::

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

The fourth 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: 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 November 2: \$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 SESSION: "What every user needs to know before moving to the cloud"

Join the **Risk and Practice Management Program** in a classroom at **McInnes Cooper** (1300-1969 Upper Water Street, Halifax) for a brown-bag lunch or join by webinar (details to follow) on **Tuesday, October 23 from 1:00 to 2:00 pm**.

Hosted by Tobias Sallesky, Vice-President of LawyerDoneDeal Corp., this will be an informative session on cloud computing. Among the topics discussed will be definitions of "the cloud", security, the role of the U.S. Patriot Act and learnings from the Law Society of British Columbia's Cloud Computing Working Group.

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

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

RISK AND PRACTICE MANAGEMENT TIP: Comparing two documents in MS Word

There are times when you want to compare two documents and see the changes you have made. Software exists to do this, but it can be expensive. The next time you want to compare two documents, try the built-in functionality in Word 2007 or 2010.

Here's how:

- Open Word and click on Review (on the ribbon), then click on 'Compare'. In the pull-down menu, click 'Compare' again.
- There are two choices – choose 'Compare two versions of a document' (legal blackline).

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- When the 'Compare Documents' box opens on the left, choose the original document. The drop-down arrow will show you the most recent documents you worked with. If you don't see the document there, click on the folder icon to browse for the document you want. Click 'More' to choose more fields to compare (if you wish). Click OK.
- Now choose which document is the revised document, using the same procedure, and click 'OK'.
- A new window will open in the middle that shows the Compared Document with the changes redlined. As you scroll through this, the top right-hand part of the screen will show the Original Document and the bottom right-hand part of the screen will show the Revised Document. It's easy to follow along because it automatically shows the same part of all three documents.

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: Bogus Canada Revenue Agency (CRA) tax evasion email

Several lawyers have received the following email purportedly from both the "Canada Revenue Agency" and "Canada Revenue Service" regarding an alleged tax evasion investigation:

"Dear tax payer,

A criminal complaint has been filled against you and the company you are affiliated with.

Your company is being accused of trying to commit tax evasion schemes.

The full text of the complaint file (PDF format) can be downloaded from the CRA website, by visiting the following link :

http://http://www.cra-arc.gc.ca/tax-evasion/complaints/showcomplaint.aspx?complaint_id=15618364&xid=BDH730SG

For more information , please check our business information section , 2nd paragraph , "Authorizing a representative" :

<http://www.cra-arc.gc.ca/tx/bsnss/tpcs/thr-rpr-eng.html>

An official response from you is required, in order to take further action.

Please review the charges brought forward in the complaint file, and contact us as soon as possible by :

Telephone: 800-267-6999

Email: complaints@cra-arc.gc.ca

Thank you,

Canada Revenue Service

Anti-Fraud Department X-XWall-Excl: global-e-mail"

Be vigilant with all unsolicited "official" emails you receive. As with many email scam attempts, the links provided will not bring you to the CRA website, but to the scammer's "business" site (hover your cursor over any links to verify what address they will bring you to). The CRA website also indicates that they would not send an email notification that a complaint has been made against you.

Click to view examples of this and other fraudulent email attempts reported by the Canada Revenue Agency website (Samples 2-5): [Samples of Fraudulent Emails](#).

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".

NSLAP WELLNESS TIP: How to improve sleep

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

Think of your body as a child you're training to fall asleep when you go to bed. When you teach a child to do something, you demonstrate that behaviour step-by-step, then check to see he or she follows your instructions. The more consistency

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you put into teaching your body good sleeping habits, the more it will pay off. Let's see what you can apply to your specific situation.

Try to go to bed and wake up at the same time every day

Going to bed when you're tired is logical. But, considering that sleep is a cycle and you want to strengthen your body's association of bed with sleep (so you get to sleep easily), it's useful to stabilize your sleeping/waking cycle. You will probably end up going to bed when you're tired, but by setting a bedtime and a waking time, you can regulate your sleeping/waking pattern.

Take at least five minutes to wind down and relax

If you go to bed as soon as you get home, your chances of falling asleep right away are low. Don't ask your body to fall asleep immediately. Going to sleep requires a transition, be that a bath, flopping down in front of the TV or simply leaning on the kitchen counter while you leaf through a magazine and sip a mug of warm, almond-flavored milk. Prepare during the day for the night to come.

Avoid coffee

No more than one coffee per day. No coffee after lunch.

Walk

Walk each time you can during the day. Go for a 10-minute walk several days a week. Make sure you plan each 10-minute walk! Change into appropriate clothes for the weather, then get your body moving – no excuses allowed, as if it were an important appointment.

Don't nap

No nap during the day! If you go to bed and are not asleep after 20 minutes or so, get up. Staying in bed while you're not asleep teaches your body to associate your bed with the waking state. So, go to another room and do something that will get your attention but is not too stimulating. This might be reading flyers or watching the weather forecast on TV. When you feel drowsy, go back to bed.

Most people experience sleep problems from time to time. The following strategies have helped others get a more satisfying sleep. Remember, sleeping and waking form a cycle. To improve your sleep, you'll need to regulate that cycle.

Avoid reading, eating, watching TV, working or worrying in bed and in your bedroom

By doing so, you will help to break the association between the waking state and your bed. Do not lie in bed and worry! By staying there, you allow your body to associate worrying with lying in bed. It's very likely that the next time you go to bed, you'll worry again. So the next time all those thoughts keep you awake, get up and leave your bedroom.

Some people find it useful to note down their concerns and leave the paper outside the bedroom

When they go back to bed, the only thing they allow themselves to think is, "My concerns are written down out there. I will deal with them tomorrow." If a new anxiety comes, they get up once again and write it down along with the others. When you teach a child to do something, it is unlikely that he or she will learn it the first time and never go back to old habits. The same is true when it comes to training your body to change its sleeping patterns. Persevere in applying the strategies you find work for you. However, if your symptoms don't diminish after several weeks of real effort, you need to seek professional help.

Poor sleep can have medical causes

Therefore, if you continue to have difficulties sleeping, ask your family doctor to evaluate your health.

*For information, support, resources and counselling to improve your sleep, 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.