



NOVA SCOTIA
BARRISTERS' SOCIETY



2019 ANNUAL REPORT

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To promote environmental and fiscal responsibility, the Society has produced this short summary as a snapshot of the past year. Our complete 2019 Annual Report is available on the website. For detailed reports from Society departments, please visit nsbs.org/annual-reports.

ON THE FRONT COVER: **COUNCIL AND COMMUNITY MEMBERS AT THE BLACK CULTURAL CENTRE FOR NOVA SCOTIA.**
From left to right: Cheryl A. Canning QC (Council Member at Large), Raytia Turney, Michael Baker (NSBS Public Representative), Tamar Brown, former Chief Justice J. Michael MacDonald, Curtis Whiley and Justine Colley-Legere. Photo by Michelle Doucette.

PRESIDENT'S REPORT

Our Annual General Meeting June 15, 2019, marks the end of the Society Council's two-year mandate and the end of a three year strategic plan.

Not surprisingly, the work we have done hasn't solved "Access to Legal Services" or "Equity, Diversity and Inclusion in the Legal Profession." However I can say with confidence that this Council has been focused on its strategic plan and we have moved the dial.

There are a few, like me, that will not be on the Council after the Annual Meeting. Many more are continuing and there are five new members taking office. Four of those five are members of the Society and have attained seats by election or appointment. The fifth member joining Council at the Annual Meeting is our newest public representative, Mr. Bryan Darrell, PEng. Bryan will join four dedicated, conscientious and hard working members of the public to help to guide our work. I offer a special thanks to Michael Baker who is retiring as a public representative after six years service to our mandate. His contributions will be long lasting.

This year marks the first full year with our Executive Director Tilly Pillay QC. There were many Society staff changes in 2018-2019 and over the last four years I have had the privilege of working with both the old and the new. It has been a pleasure all around.

This Annual Meeting also marks the end of the 2016-2019 Strategic Plan. Daren Baxter QC, Julia Cornish QC and I were on hand at the start of the 2016-2019 Strategic Plan, and now Carrie Ricker, Jim Rossiter QC and Tuma Young will lead the next plan, developed over the last few months. The Society's work will continue on similar themes – excellence in regulation of the profession; working to enhance access to legal services and access to justice; supporting members; and promoting equity, diversity, and inclusion in the profession.

Although those themes are familiar to those who have seen our earlier Strategic Framework, there remains work to do.



FRANK DEMONT QC
President 2018-2019

PRESIDENT'S REPORT

*"I am confident that a **risk-focused, principled, proactive and proportionate leadership** is well established throughout the Society's work."*

When I began this work, I was mindful of the Society's aspirations and that it should be principled, proactive and proportionate in its work. Throughout the three years, after serving as an officer and member of the Executive Committee and Council, and after attending hundreds of meetings, I am confident that a risk-focused, principled, proactive and proportionate leadership is well established throughout the Society's work.

We have brought that "Triple P" mindset to finance, to professional responsibility, to education and credentials, to our insurance plan, and to our purpose generally, namely to uphold and protect the public interest in the practice of law.

One of my goals as President was to demonstrate that the Society is open to new ideas, new approaches and new ways of thinking. I believe Council has demonstrated that intention and will continue to do so. We have considered new forms of practice, including multi-disciplinary practices, and we have adopted new ways of doing our work.

We have taken steps to change the way we engage with the profession. For instance, we have implemented the Management System for Ethical Legal Practice (MSELP) and have developed tools to go along with it. We have worked on providing guidance to new lawyers, new firms, and also to retiring lawyers.

We have encouraged member engagement through consultation including asking for input into our strategic planning.

We also held three meetings "in the community" – one on Millbrook First Nation, another at the Schulich School, and a third at the Black Cultural Centre in Cherry Brook. These were exciting opportunities to meet members of the public and understand their concerns about the delivery of legal services and justice issues generally.

We have been working hard on providing the public with excellence in regulation and we have faced challenges.

PRESIDENT'S REPORT

Our Professional Responsibility work has been demanding, but based on good policy, budgeting, and sound fiscal management, including setting appropriate reserves based on thoughtful analysis. We have managed to navigate the challenges, all while ensuring the protection of the public.

This Annual Meeting is a finale for me as President. For others it is a time of renewal and rededication.

Let this stand as my formal thanks to all members of Council – past and present. Over the last years, you made my work both meaningful and fun. You were a great support to your leadership team. Thank you.

We are blessed with a caring and conscientious staff, some of whom I worked with quite closely. That hard work, quietly done in the background often goes uncelebrated. To one and all, on behalf of the membership and public you serve and on my own behalf, thank you.

I may be the only President that has served with four second Vice-Presidents. That presented some interesting moments, plenty of phone calls and many meetings, but I am honoured to have worked with all four, (now) Madam Justice Christa Brothers QC, (now) Mr. Justice John Bodurtha, Carrie Ricker, and Jim Rossiter QC. Thank you.

It has been my pleasure and honour to serve as President, and I am confident the Society is in good hands.



Frank Demont QC
President



President Frank DeMont QC (right) at the Society's 2018 Pride Reception with guest speaker the Hon. Judge Judge Amy Sakalauskas (left).

EXECUTIVE DIRECTOR'S REPORT



TILLY PILLAY QC
Executive Director

"PRACTISE WHAT YOU PREACH"

As I reflect on the past year, it is this biblical reference that comes to mind. As the regulator of the legal profession, we cannot be asking our members to meet standards, adopt ethical practices, embrace diversity and be culturally competent, if we ourselves do not demonstrate our commitment to meet these goals. And, we cannot ask the public to trust us, without demonstrating that we have earned that trust.

With this in mind, we set out several years ago to change our processes, practises and approaches to better reflect our new way of regulating the legal profession, our new way of engaging with our members and the public and a renewed focus on our role in improving the administration of justice.

The Society has accomplished much in the life of its 2016-2019 Strategic Plan and that is documented in previous Annual Reports as in the current one. Let me take this opportunity to highlight some accomplishments this past year that allow you to be the judge of whether we do indeed "practise what we preach."

POPULATING COUNCIL COMMITTEES

- The Governance and Nominating Committee decided to strike a subcommittee comprised of different individuals (lawyers and public representatives) with diverse backgrounds and experience (diversity in practice, geographical diversity, diversity in age, gender and culture).
- This subcommittee invited applications from the membership, vetted the applications and made recommendations for appointments to committees.
- Council committees today are more diverse, more representative of the membership and the public, and bring a perspective that may not always have been present before.

EQUITY, DIVERSITY AND CULTURAL COMPETENCE

- Society employees and Council have engaged in a series of cultural competence training sessions over the past several years.

EXECUTIVE DIRECTOR'S REPORT

- This training is ongoing and evolving, as it needs to be, until this just becomes part of what we do in our daily practice.
- We are committed to a meaningful integration of this knowledge and approach into our organization and our work. We are committed to supporting our members to do the same.



The Society's 2017-18 President Julia Cornish QC (left) with the Society's Executive Director Tilly Pillay QC (right) at Halifax's 2018 Pride Parade. Since 2016, the Society and CBA-NS have walked in the Halifax Pride parade together as a profession. Participants wear rainbow tabs and carry colourful signs proclaiming "Legally Proud."

*"...we set out, several years ago, to change our processes, practises and approaches to better reflect our **new way of regulating the legal profession**, our new way of **engaging with our members and the public**, and a renewed focus on our role in **improving the administration of justice.**"*

EXECUTIVE DIRECTOR'S REPORT

ENGAGEMENT WITH THE MEMBERS AND THE PUBLIC

- In developing an informed 2019-2022 Strategic Plan, we held focus groups with members such as managing partners, past presidents, county bar representatives, sole practitioners and those working in small firms.
- We also held focus groups with stakeholders, justice partners and community organizations and we asked everyone what the Society's priorities should be.
- Based on the feedback from the focus groups, a survey was sent to all members, stakeholders and community organizations, again seeking feedback on what the Society's priorities should be over the next three to five years.
- Council used this information at their two-day strategic planning session in May 2019. You will hear more about the new Strategic Plan at the Annual Meeting and in the months to come.

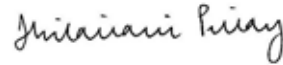
COUNCIL IN THE COMMUNITY

- Three times this past year, Council held its meeting away from the Society offices: in September 2018, at Millbrook; in January 2019, at the Schulich School of Law; and in May, at the Black Cultural Centre in Cherry Brook.
- Relationships were forged at these meetings and we continue to build on them by feeding back to the community what we heard and taking opportunities for future conversations.

ON THE ROAD AGAIN...

To weave all of these initiatives together, the incoming President, Carrie Ricker, the Legal Services Support Team, Jennifer Pink and Rob McCleave, and our Equity and Access Manager, Angela Simmonds, are heading out to a community near you over the summer and fall months. They will talk about how we can support lawyers in delivering quality legal services and provide tools and tips about how to incorporate an equity and diversity lens into their practice.

Remember – engagement is a two-way process. So, we need to hear from you. When the opportunity arises, please share your thoughts. I promise we will hear you with an open mind. After all, that is how we all learn and grow.



Tilly Pillay QC
Executive Director

COUNCIL MEMBERS



Frank E. DeMont QC
President



Carrie Ricker
First Vice-President



Jim Rossiter QC
Second Vice-President



Tilly Pillay QC
Executive Director



Jillian Barrington
Cape Breton District



Shane Russell
Cape Breton District



Ellen R. Burke
Central District



Kelly R. Mittelstadt
Central District



Shelley Hounsell-Gray QC
Halifax District



Sheree L. Conlon QC
Halifax District



Deanna Frappier QC
Halifax District



Loretta Manning QC
Halifax District

COUNCIL MEMBERS



Andrew S. Nickerson QC
Southwestern District



David Hirtle
Southwestern District



Brian Awad
Member At Large



Cheryl A. Canning QC
Member At Large



Tuma Young
Member At Large



Michael Joseph Baker
Public Representative



Natalie Borden
Public Representative



Peggy Gates-Hammond
Public Representative



Michelle Ward
Public Representative



Dr. Rod Wilson
Public Representative

HIGHLIGHTS

NSBS MEMBERSHIP DATA

AS AT APRIL 30	2017	2018	2019
Practising Lawyers	1,989	2,025	2,052
Non-practising, Life & Retired	928	941	980

FOR THE 12 MONTHS ENDING APRIL 30	2017	2018	2019
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CREDENTIALING

Admitted	120	131	136
Commenced articles	79	78	67
Transferred to Nova Scotia	49	53	59
Changed from Practising to NP	104	112	96
Changed from NP to Practising	55	60	54
Lawyers who retired	48	41	58
Lawyers who resigned	34	45	27
New firm registrations	–	14	23

PROFESSIONAL RESPONSIBILITY

Intake calls received	419	522	460
Written complaints received	145	111	129
Written complaint files closed			
• Staff resolution and dismissal	98	65	88
• CIC disposition	34	13	17
Average time to process complaints assessed for dismissal	46 days	92 days	77 days
Ethics inquiries from members	76	83	73
Matters referred to hearing			
• Carried over	1	0	0
• New matters	0	1	1
New referrals to Fitness to Practise Program	1	0	1

2016-2019 STRATEGIC FRAMEWORK

PURPOSE	The purpose of the Society is to uphold and protect the public interest in the practice of law.						
VISION	The Society is an independent, trusted and respected regulator of the legal profession. Acting in the public interest, we provide leadership, value and support to a competent, ethical, inclusive and engaged legal profession. We enable the legal profession to enhance access to justice and uphold the rule of law.						
STRATEGIC DIRECTIONS	EXCELLENCE IN REGULATION AND GOVERNANCE				ADMINISTRATION OF JUSTICE		
PRIORITIES	Transform regulation in the public interest	Enhance access to legal services and the justice system			Promote equity, diversity and inclusion in the legal profession		
STRATEGIC INITIATIVES	Implement and adjust as necessary legal services regulation	Promote increased access to legal services through regulatory initiatives and monitor their impact			Engage with justice sector players and equity-seeking communities to enhance access to legal services and the justice system		
	Implement the Regulatory Objectives	Promote substantive equality and freedom from discrimination in the delivery of legal services and the justice system			Respond to the Calls to Action of the Truth and Reconciliation Commission		
	Implement a framework for enterprise risk management				Advance cultural competence and inclusiveness in the legal profession and the justice system		
FOUNDATIONAL ACTIVITY	<ul style="list-style-type: none"> Evaluating outcomes across all areas of activity and consistently measuring performance Supporting national regulatory initiatives and adopting best practices Promoting and maintaining effective relationships through sincere, substantive and sustained engagement and adopting restorative approaches Focusing on the future and making sound, informed financial decisions 						
VALUES	Commitment to Excellence	Fairness	Respect	Integrity	Visionary Leadership	Diversity	Accountability

The Society advances this Strategic Framework through the work of a motivated and professional staff and members of Council and committees. The Society follows an Annual Activity Plan, which establishes the specific outcomes, initiatives and timeline to achieve the Society's strategic priorities and initiatives. The Society strives to work collaboratively and in partnership with justice system participants.

COUNCIL IN THE COMMUNITY



◀ Council held its May meeting in the community at the Black Cultural Centre to provide insight into the Society's role and our equity and access work. Council also heard firsthand from community members as conversations focused on understanding African Nova Scotian access to justice and legal services.

"Our Council gave a little of its time to the community, and received so much more in return," said Jim Rossiter QC, Council's Second Vice-President. *Photo by Michelle Doucette*



Council held its September meeting in the Community at the Millbrook Community Hall in Millbrook. Indigenous members of the Nova Scotia Bar and community members joined us for the discussion. ▶

NSBS FINANCIAL STATEMENTS *(excerpt from)*

Summarized Statement of Financial Position for the year ending April 30

	2019 Unrestricted General Fund	2019 Lawyers' Fund for Client Compensation	Total 2019	Total 2018
ASSETS				
Current assets:				
Cash and cash equivalents	\$ 639,899	\$ 124,732	\$ 764,631	\$ 715,063
Accounts receivable	78,429	2,550	80,979	82,947
Prepaid expenses	187,531	22,389	209,920	215,525
Due from LIANS	99,792	-	99,792	-
Due from LFCC	162,310	-	162,310	279,614
	1,167,961	149,671	1,317,632	1,293,149
Investments	1,971,953	1,720,894	3,692,847	3,541,027
Investment in CLIA surplus	-	357,000	357,000	357,000
Loan receivable	60,542	-	60,542	45,786
Capital assets and intangibles	161,459	-	161,459	153,785
	\$ 3,361,915	\$ 2,227,565	\$ 5,589,480	\$ 5,390,747
LIABILITIES AND RESERVES				
Current liabilities:				
Payable and accruals	\$ 196,604	\$ 9,354	\$ 205,958	\$ 226,555
Employee entitlements	33,024	-	33,024	115,697
Due to General Fund	-	162,310	162,310	279,614
Due to LIANS	-	-	-	102,970
Unearned miscellaneous revenue	48,991	-	48,991	8,551
Deferred membership fees	860,682	-	860,682	854,553
	1,139,301	171,664	1,310,965	1,587,940
Reserves:				
Unrestricted reserves	2,061,156	-	2,061,156	1,800,336
Reserves to fund capital assets	161,458	-	161,458	153,784
	2,222,614	-	2,222,614	1,954,120
Lawyers' Fund for Client Compensation	-	2,055,901	2,055,901	1,848,687
	2,222,614	2,055,901	4,278,515	3,802,807
	\$ 3,361,915	\$ 2,227,565	\$ 5,589,480	\$ 5,390,747

NSBS FINANCIAL STATEMENTS *(excerpt from)*

Summarized Statement of Revenues and Expenditures, Year ended April 30

	2019 Unrestricted General Fund	2019 Lawyers' Fund for Client Compensation	Total 2019	Total 2018
REVENUES:				
Fees	\$ 5,207,506	\$ -	\$ 5,207,506	\$ 5,431,729
Education and Credentials	476,535	-	476,535	592,280
Library	138,107	-	138,107	160,033
Other	160,725	-	160,725	95,939
Investment Income	171,941	122,299	294,240	27,453
	\$ 6,154,813	\$ 122,299	\$ 6,277,112	\$ 6,307,434
EXPENDITURES:				
Administration	1,560,938	13,671	1,574,609	1,565,581
Amortization	66,852	-	66,852	65,320
Communications and publications	340,946	-	340,946	233,557
Education & Credentials	699,290	-	699,290	734,800
Equity & Access program	209,888	-	209,888	210,216
Governance & programs	635,420	-	635,420	611,229
Library	434,755	-	434,755	537,162
Professional Responsibility	1,688,231	-	1,688,231	1,487,609
Premiums and claims		151,414	151,414	151,119
	\$ 5,636,319	\$ 165,085	\$ 5,801,404	\$ 5,596,593
Excess (deficiency) of revenues over expenditures	\$ 518,494	\$ (42,786)	\$ 475,708	\$ 710,841

The oversight and financial stewardship of our financial resources is as important to the Society as any other initiative or program, we take care in our fiscal responsibility to ensure the sustainability of our organization. We continue to work to achieve financial results that focus on our Strategic Priorities and Regulatory Objectives.

* A complete set of Audited Financial Statements and the auditor's report on those statements, along with supporting schedules, as reported on by the Society's external auditors, Grant Thornton, are available on our website [nsbs.org](https://www.nsbs.org). The statements above are summarized versions of the complete statements found in the Audited Financial Statements.




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