



NOVA SCOTIA  
BARRISTERS' SOCIETY

## COUNCIL HIGHLIGHTS

The Nova Scotia Barristers' Society Council met **Friday, July 19, 2019**, at the Society Offices and conducted the following business:

### Introductory Matters

- 1. Introductory Remarks** – President Carrie Ricker acknowledged that the Council meeting was taking place on traditional Mi'kmaq territory. She noted that treaties were based on peace and friendship and it is Council's intention to continue that theme through our work. She acknowledged Tuma Young, Second Vice-President, as the first Mi'kmaq Officer of the Society... She congratulated Natalie Borden for her recent appointment as Chair of the Halifax Board of Police Commissioners.
- 2. Guest Speaker Ross Earnshaw, President of the Federation of Law Societies of Canada (FLSC)** – President Ross Earnshaw provided Council with highlights of the Federation's activities. He advised that the Federation is in the second year of its three-year plan. The three key strategic areas the Federation considers most important at this time are 1) Money laundering, client ID rules and the need for enforcement; 2) National Committee on Accreditation – evaluation of underlying principles of credentialing; and 3) Reconciliation as highlighted by the TRC Calls to Action – specifically 27 & 28.

### Discussion of Big Issue (Strategic Plan)

- 3. Strategic Plan 2019-2022** – Council held table discussions regarding the draft Strategic Plan and suggested revisions. A motion was approved to have the revised Strategic Plan approved by Council via *OnBoard*.

### Policies/Processes

- 4. Public Website Redevelopment Project** – Collette Deschenes, Communications Advisor, provided Council with an overview of the NSBS website revamp and provided preliminary thoughts as to how our communications strategy needs to align with our new Strategic Plan.
- 5. Client ID Rules** – Elaine Cumming, Professional Responsibility Counsel, presented a memo recommending that the Society adopt the Federation of Law Societies of Canada's Model Rules for client identification, verification and limits on cash transactions for use in Nova Scotia and sought Council's approval on regulatory amendments to Regulations 4.12, 4.13, 10.1.1 and 10.2.9-10.2.10.

Member, Stephen Kingston, presented Council with concerns regarding the amendments and the possible consequences for court appointed lawyers who act as auctioneers on foreclosures and occasionally accept cash payments. Council approved the amendments in principle with the caveat that further consultation take place with the foreclosure bar and further analysis be done to see whether an



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exception has to be carved out for this practice.

6. **Education & Credentials Monitoring Report** – Jackie Mullenger, Director of Education and Credentials presented a memo updating Council on the work of the department.
7. **CPLED Proposal** – Cheryl Canning QC provided an overview of the CPLED proposal and PREP course and sought Council's direction on whether to join CPLED or create our own course with the goal of moving to national admission standards. The matter will return to Council for further discussion in September.
8. **Trust Assurance and Monitoring Report Update** – Kate Shewan, Director of Finance, provided an overview of the Trust Assurance process and the activities of the Trust Account Regulation Working Group.

### Approvals

9. **Lawyers' Fund for Client Compensation Regulatory Amendments** – Council approved the amendments to Part 11 of the Regulations regarding the Lawyers' Fund for Client Compensation.
10. **Distinguished Service Award Recipient** – Aleta Cromwell QC, Chair of the DSA Committee, provided a memo to Council advising that the Committee's recommendation is that the award this year be given to Lee Cohen, QC. Ms. Cromwell reviewed Mr. Cohen's many accomplishments and stated that the Committee was unanimous in its recommendation. Council approved that Lee Cohen, QC be the recipient of the Society's DSA for 2019.
11. **Trust Account Report – Proposed Regulation Amendments** – Council approved the recommended amendments to Regulations 4.11.1 and 4.11.2 changing the date of filing for the Annual Firm Report and the Trust Account Report.

**Items for information** – Council received the following informational items:

12. **2019-2020 Council Calendar**
13. **2019 Activity Plan**
14. **President's Report**
15. **Executive Director's Report**

**Consent Agenda** – The following Consent Agenda matters were approved:

16. **Minutes of the June 15, 2019, Meeting**
17. **Committees Appointments:** Colin Clarke QC to the Professional Responsibility Policies & Procedures Committee and Cheryl Canning QC to the Executive Committee



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**18. Resignations:** Rebecca Maria Alleyne, Jennifer Kristine Badley, Allan Francis Fenske QC, Mario Alberto Garcia Chavez, Caroline Kenneth-Ogah, Jonathan Langlois-Sadubin, Jean-Claude Roy, Alison Wynne Scott, Juliet Kim, Rohan Rajpal and George P. Smith.

**In Camera**

**19.** Claims were approved in relation to Jason Boudrot, in the amounts of \$34,261.31 and \$9,023.

The next meeting of Council is scheduled for **Friday, September 27, 2019.**