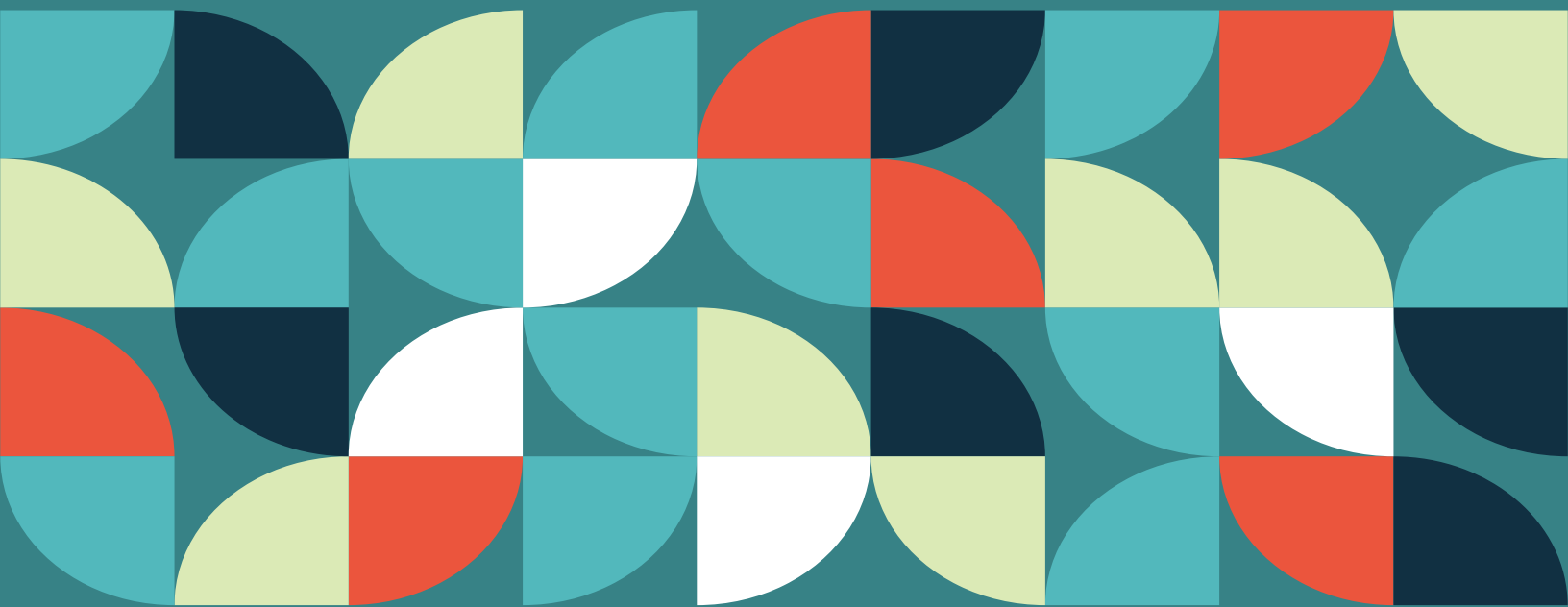


NSBS Annual Report  
**2023 in Review**

June 21, 2024



**NOVA SCOTIA  
BARRISTERS' SOCIETY**



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**Mi'kmaq Land Acknowledgement:** The Nova Scotia Barristers' Society is located in Mi'kma'ki, the ancestral and unceded territory of the Mi'kmaq People. This territory is covered by the "Treaties of Peace and Friendship" which Mi'kmaq and Wolastoqiyik (Maliseet) People first signed with the British Crown in 1725. The treaties did not deal with surrender of lands and resources but in fact recognized Mi'kmaq and Wolastoqiyik (Maliseet) title and established the rules for what was to be an ongoing relationship between nations.

**African Nova Scotian Acknowledgement:** We recognize that African Nova Scotians are a distinct people who form part of over 52 historical land-based communities, whose histories, legacies, and contributions have enriched that part of Mi'kma'ki known as Nova Scotia for over 400 years

## ■ Who We Are

### Our Mission

As the regulator of Nova Scotia's legal profession, the Nova Scotia Barristers' Society (NSBS) exists to uphold and protect the public interest in the practice of law. To meet this public interest mandate, it works to ensure lawyers deliver competent and ethical legal services in accordance with the professional standards of the legal profession.

### Objective, Strategy, Values

#### Objective

To regulate the legal profession in the public interest.

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#### Strategy

TRUST – We achieve our objective by ensuring the trust of the public and the profession.

#### Values

ACCOUNTABILITY – speaks to our commitment to being ethical, responsive, independent, and objective.

RESPECT – is about acknowledging the humanity and worth of all individuals and treating them accordingly.

TRANSPARENCY – means being open, honest, ethical, and transparent in our processes, and timely in our decision making.

## ■ President's Message

**The Society's Annual General Meeting on June 21, 2024, marks the mid-point of the current Council's two-year mandate. These past years have brought a number of changes to the way we practice law, and also shed light on important challenges facing legal regulators.**

We continue to face challenges associated with the pandemic, but this new Council has brought excellent perspectives and enthusiasm to its work. The year has seen some added flux in Council, both from resignations and from later additions to election vacancies. This reflects engagement issues that we as a Society have experienced over the past while.

That said, the dedication of the Council members is high, and their collective wisdom has led to some excellent work, including our **strategic plan**. The recent member survey will be critical in aligning our strategic plan and Society's priorities with excellence in regulating the legal profession. We anticipate this plan to be approved very soon. I am very proud of what this Council has accomplished during a time of uncertainty and change.

Cheryl Hodder, KC's leadership has enriched Council through guidance, education and governance fundamentals. She has really propelled the Society forward by adding diversity to its staff, to its policies and to its decision-making.

The staffing complement is near capacity and Cheryl's workplace culture has been very helpful to the staff who are experiencing many pressures from many directions. Not least of which is what many lawyers and judges have recently remarked about—an unprecedented degree of incivility. Neither the profession nor confidence in the administration of justice can survive with the incivility of its members. I am hopeful that we can collectively address this so that we can serve our communities with the degree of decency and professionalism that our responsibilities demand of us.

This year continues to bring into focus the urgent need to address mental health and wellness in the profession. In April, 2024, a Wellness conference was held to offer some insight into what the Society hopes to do, in collaboration with others, to address this pressing concern. Our profession is noble, but competitive. A need for help has been seen as weakness. The result is all too predictable—our members suffer alone, and the problem gets worse. We need look no further than within our own membership over the past year for the most stark and distressing illustrations of this.

Simply put, the public interest and our colleagues and communities deserve a kinder and a more welcoming profession.

The Society anticipates the report from Doug Ruck, KC concerning his operational and regulatory review of systemic discrimination at the Society. The report will include recommendations to Council for improvements to the Society's policies and processes. This report will have a lasting impact on the Society and the Implementation Task Force is ready to assist Council with this important work. The work will no doubt involve a paradigm shift, but the Society has already begun substantial change in EDIA initiatives on which to build.

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We have been delighted to see to Council members appointed to the Supreme Court, Family Division. Justice Terry Sheppard and Justice Shannon Mason were thoughtful members of Council and their dedication to justice will suit them well in this exciting new chapter.

When I began my term as Second Vice President, a valued colleague soon became a mentor and a very dear friend. He said that I would look back on my time as an officer of the Society fondly. And he was right. I have met so many excellent people that I otherwise would not have. I have also seen the negative effects of fractured meetings and relationships. Amid this, I have seen how strangers can come together with different and valuable perspectives on common interests, have difficult discussions and make meaningful progress.

In my year as President, I have learned yet more. My role was made easier by the Presidents who came before me and by the incredible support of Cheryl, staff, Council and the committees that serve Council. But, in a time of both change and stabilization, it is not easy to get as much done as I had planned. I would add that the position is not a reward—it is a responsibility. I wish two things in retrospect: that I had had more time to give to the position and that it was longer.

This leads me to some final thoughts. First, as President Craig Garson, KC, said in his 2020-2021 report, we need more member engagement, especially from larger firms. The Society has a responsibility to make that happen, but it cannot do it alone.

Second, we have repeatedly had trouble filling Council and officer positions. Luckily, the Governance Committee is looking into how we can improve this and continue to make Council and the Society relevant as a self-regulating body. I anticipate we will see more related to this in the Ruck Report.

Finally, we need to continue with two-way mentorship. Our senior, most gifted members have to help new members navigate and excel in this increasingly demanding profession. Our young members have to help normalize substantive equity and inclusivity so that we can meaningfully remove barriers to both the profession and to access to justice.

It has been my pleasure and honour to serve the Society as President for the 2023/2024 year. I am confident the Society is in great hands with the leadership that follows.

Thank you,



**Mark Scott, KC**  
2023-2024 President



## ■ Chief Executive Officer's Message

**The past year at the society was about engaging with our members and the public. We knew we had considerable work to do – not only in developing our new strategic plan, but in listening and responding to all the views presented to us. By the end of April 2024, we found ourselves in a solid position to appreciate the magnitude of “what we heard” and turn it into a meaningful plan.**

For the first time in the society's recent history, we sought feedback from our members and the public alike. The process of gaining comprehensive inputs—then turning those views into meaningful insights—was an absolute pleasure. I am grateful to those who took the time to contribute their opinions, and I want to assure everyone that they will see these comments reflected in many ways in the months and years to come.

While I was pleased to learn 71% percent of members hold a favourable view of the Society, and 80% feel informed about our role, I was mindful of several comments towards streamlining our governance structures.

Our survey process included input by Council and committee members, an environmental scan, group discussions with equity-deserving audiences, an online survey to nearly 2,300 members, and questions completed by more than 400 Nova Scotians. By April 30, 2024, we were ready to feed our survey results into the creation of our Strategic Plan.

Our President, Mark Scott, KC, was incredibly supportive to our leadership team and members of Council. He led Council with a principled and inclusive approach. I am personally grateful for his counsel and guidance, as well.

We are fortunate to have dedicated and engaged Council and committee members. Their collective commitment to making the Society better is truly commendable.

Contributing to a year of engagement while prioritizing operational improvements took effort and dedication by our leadership team members, and I thank them all. Further, I would like to acknowledge the the entire Society team for their work and contributions over the past year.

Our workplace saw recent improvements, and we hope our team members will be energized by the light, space, and aesthetics optimized to bring everyone together in productivity and collaboration. Holistic wellness continues to be a priority for our team. I believe strongly in the correlation between healthy work environments and professional success.



In the near term, we expect to receive the report by Mr. Douglas Ruck, KC, on systemic discrimination, and we anticipate placing his recommendations at the forefront of all our activities. We are committed to making the profession inclusive for all members and the public.

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Our approach to this work will be comprehensive and intersectional. I look forward to working with our Equity and Access team, Council, Equity Committees, and the Implementation Task Force to ensure Mr. Ruck's important work receives meaningful implementation.

Our survey told us 70% of Nova Scotians are familiar with the Society. Now we want to turn that awareness into trust. With our motivation to remain relevant in a changing, complex, regulatory environment, the public's trust is more important than ever. We will use this to guide our strategy as we embark on the important work ahead of us.

Thank you,

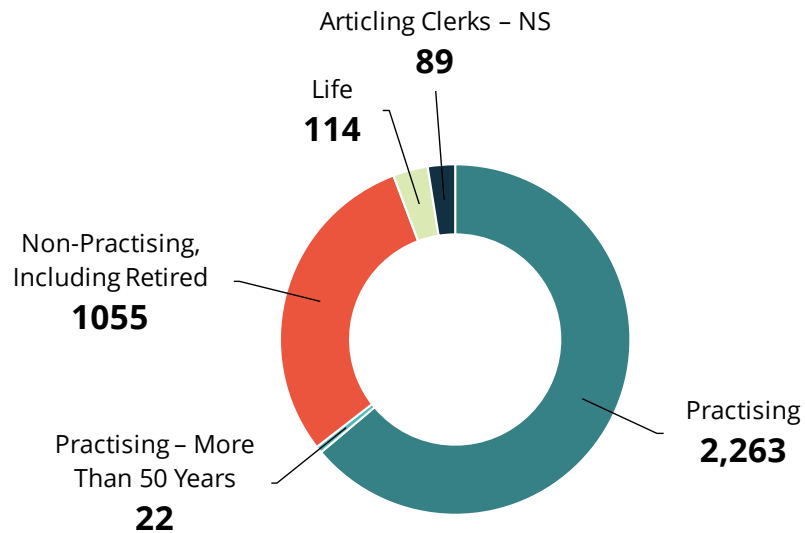
A handwritten signature in black ink, which appears to read "Cheryl". The signature is fluid and cursive, with a long horizontal line extending to the right.

**Cheryl Hodder KC**  
Chief Executive Officer



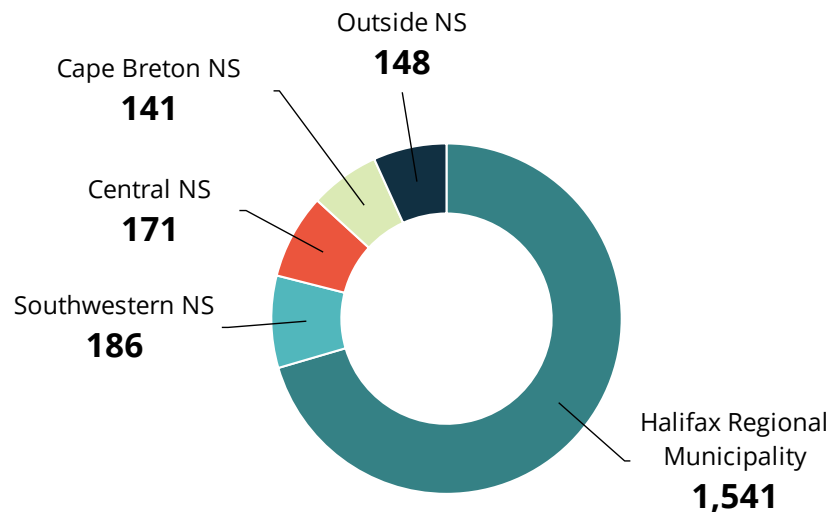
## ■ 2023 Statistical Snapshot of the Membership

### Membership (December 31, 2023)

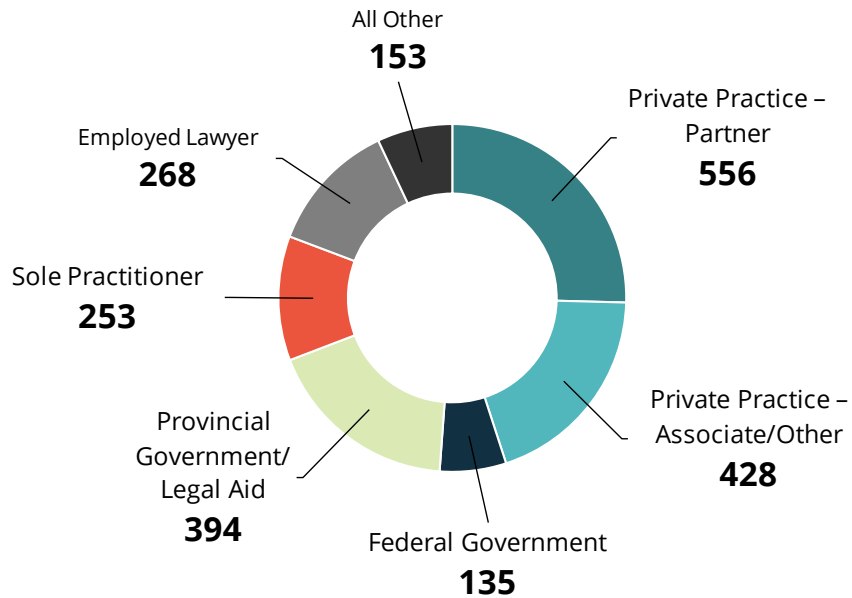


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### Practising Lawyers – Geographical Distribution (2023 Annual Lawyer Report)



## Type of Practice or Employment (2023 Annual Lawyer Report)



## Practising Lawyers - Diversity (2023 Annual Lawyer Report)

Diverse Communities Self-Identified as	Individual Identification	Unique Member Total	% of Total
Mi'kmaq	45		2.1%
Indigenous	36		1.7%
<b>Total Indigenous or Mi'kmaq (adjusted for those identifying as both)</b>		<b>60</b>	<b>2.8%</b>
African Nova Scotian	49		2.3%
Black	49		2.3%
<b>Total Black or African Nova Scotian (adjusted for those Identifying as both)</b>		<b>84</b>	<b>3.9%</b>
Adjusted for those both Black or ANS and Indigenous or Mi'kmaq	5	-5	
Racialized	57	55	2.6%
<b>Total identifying as a member of a Black/ ANS, Mi'kmaq/Indigenous or Racialized Community</b>		<b>194</b>	<b>9.1%</b>
Persons with a disability	81	81	3.8%
2SLGBTQ+	127	127	6.0%
Those identified as a person with a disability or 2SLGBTQ as well as indigenous or racialized	38	-38	
<b>Total identifying as belonging to one or more of the listed equity deserving communities</b>		<b>364</b>	<b>17.1%</b>

## Area of Law – Percentage of Time (2023 Annual Lawyer Report)

Area of Law	# of Lawyers Whose Practice Includes	Overall % of All Lawyers' Time
Aboriginal	125	1.3%
Administrative	540	5.5%
Bankruptcy and Insolvency	122	0.7%
Civil Litigation – Corporate & Commercial	502	4.9%
Civil Litigation – Personal Injury – Plaintiff	287	4.8%
Civil Litigation – Personal Injury – Defence	207	4.1%
Civil Litigation – Real Estate / Residential Tenancy	131	0.9%
Constitutional / Human Resources	184	1.2%
Corporate / Commercial / Banking	668	11.0%
Criminal – Defence	306	5.8%
Criminal – Prosecution	190	6.8%
Elder	61	0.3%
Employment / Labour – Employee	218	1.2%
Employment / Labour – Employer	279	4.1%
Environmental / Natural Resource / Energy	119	1.2%
Family – Child Protection	223	3.1%
Family – Other	390	6.9%
Government / Crown / Legislative	182	4.1%
Health	67	1.0%
Immigration and Refugee	83	1.7%
Indigenous	37	0.4%
Intellectual Property / Franchises / Patents	110	0.6%
Marine / Shipping / Fisheries	94	0.7%
Military / Aviation	30	0.5%
Mediation & Arbitration / Alternative Dispute Resolution	86	0.8%
Municipal	134	1.1%
Real Estate	570	9.6%
Privacy	105	0.8%
Securities	76	1.1%
Tax	143	2.4%
Wills, Estates & Trusts	633	6.1%
Other	200	5.0%

## Breakdown of Practising Lawyers By Years Since Call

(June 30, 2023) Compared to baseline quartiles established in 2007

Years Since Call	2007 (base year for quartiles)		2023	
0-7 Years	432	25%	734	33.6%
8-16 Years	451	25%	487	22.3%
17-26 years	448	25%	423	19.3%
27+ Years	432	25%	543	24.8%
Totals	1,763	100%	2,187	100%

## Gender Distribution By Years Since Call

(2023 Annual Lawyer Report)

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Years Since Call	Male/Man		Female/Woman		Outside M/F Binary		Choose Not To Answer	Total
0-7 Years	322	44.9%	387	54.0%	8	1.1%	17	734
8-16 Years	262	54.8%	215	45.0%	1	0.2%	9	487
17-26 years	186	44.9%	228	55.1%	0	0.0%	9	423
27+ Years	402	76.1%	126	23.9%	0	0.0%	15	543
Totals	1,172	54.8%	956	44.7%	9	0.4%	50	2,187

## ■ Department Reports

### Education and Credentials

During 2023-24, the Society's Education and Credentials department continued to experience growth in admission applications from lawyers trained in jurisdictions outside of Canada, and to navigate new credentialing challenges—for example, practice permits involving increasingly complex corporate structures, and admission applications giving rise to questions of character.

These complexities demanded a lot from our Credentialling Committee and Internal Review Subcommittee volunteers—many of whom also hear appeals from students challenging their Practice Readiness Education Program (PREP) results. The Society appreciates their time and dedication.

The growing trend of practising across borders, and virtually, continues to push up against the boundaries of our regulatory framework. Work is ongoing to reconsider various credentialling norms through a risk-focused and Triple-P lens. Collaboration with colleagues at other law societies, and in other regulated professions, ensures we navigate these changes with best practices and consistency front of mind.

Since transitioning away from the Bar exam model for new lawyer competence assessment a few years ago—to the integrated, lawyering skills-focused PREP—the opportunity for clerks to interact with Society staff have lessened. With this shift came a decline in awareness and understanding of the role of the professional regulator, and of the supports available to articled clerks as they navigate the path to Bar admission.

We began work this past year to address this. We held the inaugural (and now annual) reception for Articled Clerks, with thanks to our hosts Stewart McKelvey. And with the support of McInnes Cooper, we were able to deliver our Cultural Competence Workshop—a mandatory admissions requirement for articled clerks and internationally trained lawyers—via an in-person format. Finally, we facilitated two sessions for articled clerks to appear before the Supreme Court of Nova Scotia's Chief Justice Deborah K. Smith, who shared valuable insights and instruction on professionalism, both in the courtroom and beyond.

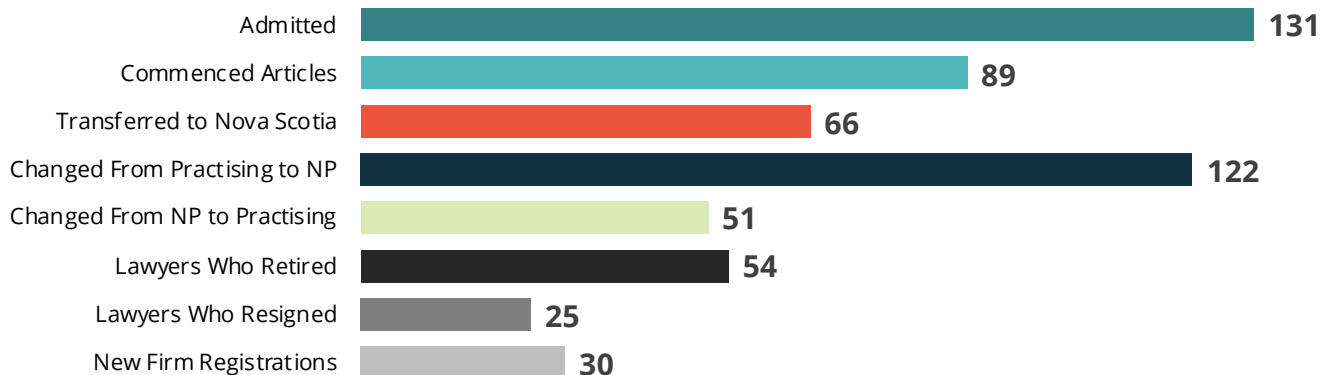
These opportunities to connect with both trainee lawyers and those new to practice in Nova Scotia are proving valuable. Our Legal Service Support team carries these relationships forward as new admittees set up their own practices and navigate career transitions and practice challenges. We also had increased contact over the past year with clerks—and principals—dealing with relationship breakdowns, wellness issues, and other challenges. This has taught us more about the resource needs of clerks and principals to support productive mentor/mentee relationships, and our department is carrying this work forward into the coming year.

Our profession's changing landscape and wellness challenges defined much of our work this past year and will inform our priorities next year and beyond. The Education and Credentials department will continue collaborating with Society staff and volunteers, and colleagues in Canada and beyond, to inform creative solutions and ensure our lawyers understand the necessary competencies to navigate the demands of modern practice.



**Jennifer Pink**  
Director, Education and Credentials

### Education and Credentials Statistics



## Professional Responsibility

The Professional Responsibility department currently consists of six staff members, including four lawyers who bring a high level of professionalism and consistency to this important work. As a small team, we continually seek to develop new ways to integrate the Triple P approach—proactive, principled and proportionate—and risk focus, into our processes. Like all other Law Societies, we strive to adhere to every aspect of the Federation of Law Societies' National Discipline Standards.

The Professional Responsibility department continues to see an increase in the number and complexity of complaints. One of the trends we are seeing is ungovernability or resistance to being governed. These lawyers fall into two broad categories—those who ignore us and those who challenge our authority (and motivation) at every step.

We currently have over 20 open complaint files for lawyers who either routinely fail to respond or commit to providing responses or materials but routinely fail to follow through for various reasons.

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In relation to the lawyers who actively challenge the Society, we have seen an increase in lawyers accusing the Society of impropriety by engaging in targeted or biased investigations. While not a new approach, it does seem to be more prevalent.

In addition, we have seen an increase in complaints between lawyers. These generally seem to be part of an overall trend towards the misuse or weaponization of the complaints process by those who wish to gain advantage personally, in associated litigation, or other parallel proceedings, or to inflict reputational damage/embarrassment.

The Professional Responsibility team is working with the Equity & Access team to identify opportunities for education and training to assist with the increasingly challenging and complex complaint files. Our team had education sessions in November 2023 and January 2024 in the areas of cultural competence and anti-racism. We engaged in a facilitated discussion regarding cultural humility, unconscious bias and being trauma informed. Our team also will be seeking out additional training and supports regarding trauma-informed practice and vicarious trauma. The PR staff who have not yet completed the CBA's The Path will do so in the coming months as well.

The amendments to the *Code of Professional Conduct* regarding equality, discrimination and harassment adopted in early 2023 also have prompted us to consider both our intake process and investigation process for complaints of conduct that would fall within these rules. The training noted above will be extremely important for the PR team as we face increasingly difficult and challenging complaints.

Additionally, we are collaborating with Equity and Access to increase the participation of lawyers from equity deserving communities to participate in the PR process. This will involve the development of “job descriptions” for paid Society work (i.e. practice reviewers, practice supervisors, custodian/receivers, investigators and prosecutors), training, promotion of opportunities and development of rosters.

With an increase in the workload of the PR department comes an increase in workload for the Complaints Investigation Committee (CIC). The CIC managed the increased work before them by convening additional meetings to ensure that we are addressing serious matters in a timely manner. The CIC held seven regular meetings and 14 special meetings in 2023. To the end of April 2024, the CIC held four regular CIC meetings and seven special meetings.

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Our team continues to collaborate with other departments on the Innovation Sandbox Pilot Project. We have adopted a novel, two-step application process designed to streamline and tailor the application process, avoiding the overcollection of confidential and personal information. With the cooperation and support of our pilot volunteers, we will progress through the application and assessment process together, collecting information and feedback at every stage.

The Federation of Law Societies of Canada’s October 2022 report on the “National Study on the Health and Wellness Determinants of Legal Professionals in Canada” was not necessarily surprising, but alarming nonetheless. The PR department faces issues of mental health from both the complainants and our members. The COVID pandemic, and in particular the social isolation it caused, has clearly played a role in damaging the health of both the general public and lawyers. The PR department collaborated with Education & Credentials, Equity and Access and the Nova Scotia branch of the CBA to organize a half-day Mental Health and Wellness Conference for Legal Professionals that was held on April 8, 2024.



The Professional Responsibility team will be working in the coming year to review our processes to ensure that we continue to be a modern legal regulator. We know that the legal profession is changing, including an increasing reliance on AI, remote work arrangements, and virtual court appearances. Our team continues to work diligently to ensure that we are meeting the Society's public protection mandate in a dynamic environment.



**Elaine Cumming**  
Director, Professional Responsibility

## By the Numbers

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### Matters Referred to Hearing

**2** matters referred in early 2023 were scheduled to be heard in April and June 2024 but have now been adjourned to December 2023 and January 2024

**1** new matter has been referred to hearing

### Ethics Inquiries From Members

**132** ethics inquiries

### Intake Calls and Complaints

**282** intake calls (avg. 23.5/month)

**240** complaint files opened

**208** complaint files closed

## Equity and Access

The Equity and Access Office (EAO) has been fully operational for just over one year now. During this time, we have been working diligently on several equity related initiatives and have made ten presentations to staff, Council, articulated clerks, and private bar on various equity related topics.

To support the EAO with its work, a new Analyst role has been created. The position seeks to foster community, member, and employee engagement by primarily conducting research, analysis, and evaluation on the effectiveness of programs, initiatives, and services.

In April 2024, EAO received a grant totalling close to \$400,000 from the Law Foundation for two key initiatives for which we had applied to obtain funding. The first initiative was to develop an African Nova Scotian cultural competency professional development training. The Society is working with Professor Michelle Williams to create educational modules for the profession.

The second initiative is the Indigenous Black and Mi'kmaq High School Internship Pathway. We are working in partnership with the Department of Education, the Law Courts, Dalhousie Law School and several African Nova Scotian and Indigenous organizations to create an enriching learning opportunity (possibly for credit) for African Nova Scotian and Mi'kmaq students during March break 2025. We meet regularly with the steering committee, consultant and are in the process of creating a Terms of Reference for the committee.

The EAO worked with several pro bono students this year who assisted with updating and expanding the Equity Lens Toolkit to provide the membership with a full range of resources that reflect the most up-to-date equity information. We are continuing to refine the work completed by the students, which will be delivered on a web-based, interactive, and accessible platform that we hope to make available in November 2024.

We continue to build relationships and work collaboratively with other regulators through the Federation of Law Societies' Equity Network. In conjunction with the law societies of British Columbia, Manitoba and Saskatchewan and Alberta, EAO and Education and Credentials, the Society has launched a cross-jurisdictional articling survey seeking feedback on the types of training and mentoring articling students are receiving, issues related to discrimination or harassment, and how prepared articling students feel to practice law in the 21st century.

Equity and Access also has launched its Internationally Trained Lawyer (ITL) Observership Program in partnership with the Immigrant Services Association of Nova Scotia (ISANS) and the Racial Equity Committee. We look forward to supporting our ITL's to make connections with Nova Scotia's legal community.

Another priority for EAO has been accessibility. In September, as a recommendation of the Disability Equity Committee (DEC), an accessibility audit was conducted of our physical space. This was a very comprehensive audit with 141 recommendations made. We have shared the findings with Crombie management, with whom we will work, as most of the recommendations fall under their purview. We also are working with the DEC and Council to ensure that the Halifax Courthouse and all Courthouses in Nova Scotia are accessible.

The EAO will continue its work to promote and support meaningful change in alignment with the forthcoming Ruck Report and strategic plan. This coming year, EAO will be focused on the institutionalization of equity and access across the Society and profession through equity auditing and benchmarking and providing senior leadership advisory support.



**Marla Brown**  
Director, Equity and Access

## ■ Reports, Awards, and 2023 Annual Meeting Minutes

### Public Representatives Report

The past year has provided an opportunity for us to demonstrate leadership and make substantial contributions at the Council table, Executive Committee, and through participation in committees of Council.

Our varied experiences, both lived and professional, bring perspectives that are significant both in serving the public interest and in offering solutions using strategic critical thinking.

Over the past year we have become aware of increased challenges Nova Scotians face when accessing legal services. Nova Scotia has struggled with inflation more than most other provinces. Many Nova Scotians do not qualify for legal aid due to the earnings criteria, but also do not have enough resources to hire a lawyer. The public representatives have prioritized access to justice as their most important issue facing the profession and look forward to being engaged in the development of solutions.

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“As the Public Representatives on the Council of the Nova Scotia Barristers Society, we help protect and promote the public interest and leverage the diversity of our respective professions, communities, and experiences to ensure innovative change that always places the public first.”

– 2024 Public Representatives

Public opinion regarding the professional regulatory environment has changed, and there is now an increased expectation of a separation between regulation and advocacy. For Council, this means more clarity when the Society is advocating on behalf of the legal profession or the public interest. The public representatives endorse efficient and effective communication mechanisms on the performance of the regulator to inform, educate, and secure public trust.

The public representatives are structured to be free from any potential professional conflicts of interest when assessing, advancing, and voting on policy or fiscal recommendations. This is an important feature of our structure, and one that should be maintained.

It is with the interest of Nova Scotians that we move into the 2024-2025 term with a commitment to continue to add impact and influence to uphold and protect the interests of the public.

## 2023 Distinguished Service Award – Raymond Wagner, KC

Raymond Wagner, KC, was the recipient of the 2023 [Distinguished Service Award](#) (DSA).

Established in 1999, this award is presented to a member who has made significant contributions to their community, the legal profession and to the Society.

The Society presents this award and honours the recipient, along with 50-year practitioners, at our annual Recognition Reception.

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### ABOUT RAYMOND WAGNER, KC

Raymond Wagner, known as “Ray” by thousands of clients over the years, is founder and principal of Wagners, a plaintiff-side law firm founded in 1982, focusing on personal injury, medical malpractice and class action litigation.

Ray obtained his law degree from Dalhousie Law School in 1979 and was called to the bar of Nova Scotia in 1980.

Ray is a compassionate advocate, known for his candour, civility and practical advice. He places value on timely and equitable resolutions for his clients. He is known for litigating complex, technical and novel issues within his medical negligence and class action work, and he has consistently strived to advance the law on behalf of injured plaintiffs who otherwise would have limited access to justice.

In growing Wagners, Ray also has consciously aimed to provide opportunities for new and historically underrepresented individuals in the profession.

Seeing a deficit in plaintiff-side advocacy organizations, Ray co-founded the Atlantic Provinces Trial Lawyers Association (APTLA) in 2001 to advance the collaboration and organization of plaintiffs' lawyers in the Atlantic Provinces. He is a past president of APTLA and continues to provide significant support to the association.



"We often underestimate the importance of our work in the lives of the people we represent. The impact we have on individuals and society in general is often underestimated. As lawyers, we have an important role to play in the advancement of our community as a caring and compassionate place to work and play."

– Raymond Wagner, KC

A recipient of several awards and acknowledgments of his dedication to plaintiffs' advocacy over his career, most recently Ray was inducted as a Fellow of the American College of Trial Lawyers (2021).

Ray has been repeatedly recognized by peer review publications Lexpert and Best Lawyers. From 1997 to 2012 he was consistently recommended in the areas of personal injury and medical malpractice. From 2013 to the present, Mr. Wagner has continued to be consistently recommended in these areas of law, in addition to being repeatedly recommended in class actions.

## Award for Mi'kmaq & Indigenous Peoples Excellence in the Legal Profession – Heather McNeill, N.W.L., KC

In September 2023, the Nova Scotia Barristers' Society was delighted to announce Heather McNeill N.W.L., KC, as the 2023 recipient of the Society's Award for Mi'kmaq & Indigenous Peoples Excellence in the Legal Profession (AMIE).

This award recognizes outstanding Mi'kmaq and Indigenous lawyers within Nova Scotia who have contributed to their community, their Nation, the legal profession and the Society. More information about this award and the nomination criteria is available on our website.

Heather is the Legal Advisor to the Maw-Kleyu'kik Knijannaq (MKK) Initiative at the Kwilmu'kw Maw-klusuaqn – Mi'kmaq Rights Initiative. She is a member of Millbrook First Nation, a mother, grandmother and wife. She is a practising lawyer of 28 years, and for more than 21 of those years, she was a staff lawyer at Dalhousie Legal Aid Service, practicing primarily in the areas of child protection, family and youth criminal law, representing many Mi'kmaq, Indigenous and non-Indigenous clients.

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"As in all good things that have come to me, I give my profound appreciation and thanks to family, Elders, Millbrook First Nation, community, friends, colleagues, and the many teachers, all of whom have supported, guided, and counselled me along my journey. There were many."

– Heather McNeill N.W.L., KC

Prior to her legal career, Heather worked for a decade as a registered nurse in Halifax, working several of those years in Intensive Care. Heather retired from Dalhousie Legal Aid Service and took the position of Legal Advisor for the MKK Initiative in September 2018. She is very honoured to be doing this ground-breaking child and family well-being work on behalf of all Mi'kmaq children, youth, families and communities in Nova Scotia.

Heather has been a member of many boards, committees, organizations, groups and task forces where she brings a Mi'kmaw lens and heart to the discussions and issues. Heather also has been the recipient of numerous prestigious awards throughout her nursing and legal career.

## Law Foundation of Nova Scotia Annual Report

The Law Foundation of Nova Scotia was established in 1976 by amendment to the Barristers and Solicitors Act (*now the Legal Profession Act*, 2004, c. 28, s. 1.). Its central purpose is to receive and distribute interest earned on lawyers' pooled trust accounts in accordance with its mandate. It is the only foundation in Nova Scotia devoted solely to community law related initiatives and legal education.

The objects of the Law Foundation are "to establish and maintain a fund to be used for the examination, research, revision and reform of and public access to the law, legal education, the administration of justice in the Province and other purposes incidental or conducive to or consequential upon the attainment of any such objects."

[2023-2024 LFNS Annual Report](#)

## 2023 Annual Meeting Minutes

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The 2023 Annual Meeting minutes will be approved at the 2024 Annual Meeting.

[Review the 2023 Annual Meeting Minutes](#)

## Additional Information

[2021-2023 Strategic Plan](#)

[2022-2023 NSBS Council](#)

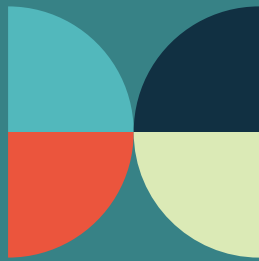
[Society Staff](#)



## Appendix I

# Financial Statements

Year ended April 30, 2023



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.

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**NOVA SCOTIA  
BARRISTERS' SOCIETY**

The statements below are extracts from the Financial Statements. These should be read in conjunction with the notes found in the [full audited Financial Statements](#).

- 1 -

## NOVA SCOTIA BARRISTERS' SOCIETY

Statement of Financial Position  
For the year ending April 30

	2024 Operating Reserve Fund	2024 Lawyers' Fund for Client Compensation	Total 2024	Total 2023
<b>Assets</b>				
Current assets:				
Cash and cash equivalents	\$ 1,588,621	\$ 110,793	\$ 1,699,414	\$ 2,664,179
Receivables	323,512	236	323,748	108,372
Prepaid expenses	272,982	36,941	309,923	268,606
Interfund balances	(230,972)	230,972	-	-
	1,954,143	378,942	2,333,085	3,041,157
Investments (note 3)	4,247,920	1,382,937	5,630,857	5,359,496
Investment in CLIA surplus (note 8)	-	228,512	228,512	228,512
Capital assets and intangibles (note 4)	110,728	-	110,728	50,908
Artwork (note 5)	1	-	1	1
	\$ 6,312,792	\$ 1,990,391	\$ 8,303,183	\$ 8,680,074

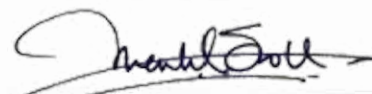
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### Liabilities and Reserves

Current liabilities:				
Payables and accruals	\$ 420,848	\$ 51,067	\$ 471,915	\$ 613,119
Employee entitlements	97,928	-	97,928	52,008
HST payable	20,888	-	20,888	3,510
Due to Lawyers' Insurance				
Association of Nova Scotia	96,088	-	96,088	304,904
Unearned miscellaneous revenue	20,113	-	20,113	18,359
Deferred contributions (note 6)	157,500	-	157,500	-
Deferred membership fees	938,870	-	938,870	955,202
	1,752,235	51,067	1,803,302	1,947,102
Reserves: (note 2(e)):				
Operating reserve fund	4,449,829	-	4,449,829	4,791,478
Capital asset fund	110,728	-	110,728	50,908
	4,560,557	-	4,560,557	4,842,386
Lawyers' Fund for Client Compensation (note 2(c) and (e))	-	1,939,324	1,939,324	1,890,586
	4,560,557	1,939,324	6,499,881	6,732,972
	\$ 6,312,792	\$ 1,990,391	\$ 8,303,183	\$ 8,680,074

Commitments (note 7)

See accompanying notes to financial statements.



PRESIDENT



CHAIR OF FINANCE COMMITTEE

## NOVA SCOTIA BARRISTERS' SOCIETY

Statement of Revenues and Expenditures  
Year ended April 30

	2024 Operating Reserve Fund	2024 Lawyers' Fund for Client Compensation	Total 2024	Total 2023
<b>Revenues:</b>				
Fees	\$ 5,610,264	\$ 204,433	\$ 5,814,697	\$ 5,779,273
Education and credentials	147,650	-	147,650	226,919
Library	124,700	-	124,700	116,075
Other	286,330	-	286,330	225,215
Investment income (note 3)	407,325	88,116	495,441	352,773
	<u>6,576,269</u>	<u>292,549</u>	<u>6,868,818</u>	<u>6,700,255</u>
<b>Expenditures:</b>				
Administration salaries and benefits	1,765,772	-	1,765,772	1,464,624
Amortization	34,017	-	34,017	53,328
Audit	23,402	-	23,402	18,221
Banking and investment management fees	70,605	9,169	79,774	73,941
CLIA premium	-	218,696	218,696	202,083
Client compensation claims paid	-	15,946	15,946	65,166
Communications and publications	455,482	-	455,482	386,544
Council and committees	289,370	-	289,370	372,709
Education and credentials	854,708	-	854,708	822,334
Equity and access program	384,755	-	384,755	169,141
Legal and professional fees	50,806	-	50,806	22,119
Library	320,222	-	320,222	375,769
Miscellaneous	22,890	-	22,890	28,260
Professional responsibility	1,708,877	-	1,708,877	1,123,324
Programs and initiatives	465,467	-	465,467	475,940
Rent and taxes	163,808	-	163,808	149,802
Staff travel	16,198	-	16,198	4,963
Technology and consultant support	199,715	-	199,715	193,197
Telephone and office	32,004	-	32,004	31,217
	<u>6,858,098</u>	<u>243,811</u>	<u>7,101,909</u>	<u>6,032,682</u>
(Deficiency) excess of revenues over expenditures	\$ (281,829)	\$ 48,738	\$ (233,091)	\$ 667,573

See accompanying notes to financial statements.

Appendix II

# 2023 Annual Meeting Minutes



NOVA SCOTIA  
BARRISTERS' SOCIETY



**NOVA SCOTIA  
BARRISTERS' SOCIETY**

**ANNUAL MEETING  
JUNE 17, 2023 AT 9:00 AM  
VIA VIDEOCONFERENCE**

**MINUTES**

**IN ATTENDANCE:**

Dan Campbell KC  
Maurice Chiasson KC  
Julia Cornish KC  
Bryan Darrell – *Council*  
Public Representative  
Frank DeMont KC –  
*Council*  
Trinda Ernst KC  
David Hirtle KC –  
*Council*  
Desireé Jones-Matthias  
Robert Kennedy  
Gregg Knudsen  
Kothai Kumanan –  
*Council Public*  
*Representative*  
Jennifer MacDonald –  
*Council*  
Fraser MacFadyen –  
*Council*  
Robert G. (Robbie)  
MacKeigan KC  
Blaise MacLean  
Janice Maloney KC  
Dante Manna  
Blair Mitchell  
Donald Murray KC  
Patricia Neild

Andy Nickerson KC –  
*Second Vice President*  
Jane O'Neill KC  
R. Scott Peacock  
Jill Perry KC  
Melanie Petrunia –  
*President, Chair*  
Carole Lee Reinhardt –  
*Council Public*  
*Representative*  
Connie Rusk  
Seyi Sanni  
Mark Scott KC – *First*  
*Vice President*  
Terry Sheppard KC -  
*Council*  
Christopher Shirritt  
Jamie Vacon – *Council*  
Lisa Wight  
Patrick Young

**Staff:**

Marla Brown  
Heather Burchill  
Cheryl Hodder KC  
Jackie Mullenger  
Jennifer Pink  
Kate Shewan

Melanie Petrunia welcomed attendees and called the meeting to order at 9:00 am. President Petrunia acknowledged that the meeting was taking place on Mi'kmaq the ancestral and unceded territory of the Mi'kmaq People and thanked the Mi'kmaq peoples for sharing their lands with us in peace and friendship. She also recognized former Presidents of the Society in attendance and thanked them for their service. She confirmed the meeting had quorum.

## 1. APPROVAL OF MINUTES OF ANNUAL MEETING JUNE 18, 2022

**IT WAS MOVED** and seconded (Andy Nickerson KC/Patrick Young) that the minutes of the June 18, 2022 Annual Meeting be approved.

*The motion was carried.*

## 2. MATTERS FOR ACTION

### a. Tabling of Annual Report

Cheryl Hodder, Chief Executive Officer, tabled the Annual Report pursuant to Section 10(2) of the *Legal Profession Act* with copies made available to attendees and the Membership on the Society's [website](#). She noted that the report includes a message from the President and from herself as CEO, the Society's financial statements, a section on awards and reports, and a highlight of the past year's membership statistics.

She thanked Melanie Petrunia for her leadership and acknowledged Council, Committee Members and Staff for all their hard work.

### b. Presentation of Financial Statements

Kate Shewan, Director of Finance & Administration, tabled the audited Financial Statements as approved by the Finance Committee on behalf of Council noting the full Report is published on the Society's [website](#) and presented the highlights. Maurice Chiasson KC, Chair, Finance Committee was also available to answer questions.

### c. Appointment of Auditor

**IT WAS MOVED** and seconded (Maurice Chiasson KC/Terry Sheppard KC) that **IT IS RESOLVED**, pursuant to Section 10 (2) (b) of the *Legal Profession Act* that Grant Thornton LLP be appointed auditors for the Society for the fiscal year ending April 30, 2024.

*The motion was carried.*

Mr. Chiasson credited the auditors for their work. He also expressed appreciation, on behalf of the Finance Committee, to Society staff for their hard work over the past year.

## 3. REPORTING MATTERS

### a. Law Foundation of Nova Scotia

Robert MacKeigan KC, Chair of the Law Foundation Board, tabled the report of the Law Foundation in accordance with the Legal Professional Act. He noted that the full Annual Report including Financial Audited Statement was available [online](#). He described the purpose of the Law Foundation, its financial position, and the allocations made by the Foundation.

## **b. President's Report**

Melanie Petrunia reported on the key events of the council year ending, including the installation of Cheryl Hodder KC as the Society's Chief Executive Officer, the release of the Rural Practice Working Group's and recommendations, the commencement of the Innovation Sandbox Pilot Project, and the amendments made to the *Professional Code of Conduct*. She acknowledged the current Council's accomplishments over the last year, thanked outgoing Council members and welcomed the incoming Council.

## **4. The Year Ahead**

Mark Scott KC remarked on his experience on Council and as a member of the Nova Scotia Bar. He provided his outlook on improvements the Society has made during his tenure with the Society. He shared that the Strategic Plan would be informed by Douglas Ruck KC's report on systemic discrimination and that the Society's plan would be essential as the profession emerges from the pandemic, faces technological change and must adapt to the evolving landscape. He thanked Melanie Petrunia for her service to the Society and welcomed the incoming Council.

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## **5. GUEST SPEAKER**

### **Keynote Presentation – Jill Perry KC, President, *Federation of Law Societies of Canada***

Ms. Perry brought greetings from the Federation. She discussed the current projects the Federation is undertaking and reviewed the work of the Federation in general.

**Melanie Petrunia thanked Ms. Perry for her remarks and time.**

**As the business to be transacted was complete, a motion was requested to adjourn the formal part of the Annual Meeting.**

**IT WAS MOVED and seconded (Frank DeMont KC/Patrick Young KC) that there being no further business the Annual Meeting be adjourned.**