

NOVA VOCE

Formerly the Ad Hoc! The Voice of the Legal Profession in Nova Scotia!



President's Message

By President Jessica L. Lyle



President Jessica Lyle with her daughter Ella

Hola Amigos and Amigas! I am recently returned from the Mayan Riviera in Mexico, where I attended the Canadian Bar Association Board of Directors meeting and the national Mid-Winter meeting. I am still having vivid flashbacks to the beautiful scenery, the wonderful temperatures, and as always, the fantastic CBA friends and colleagues from across the country with whom I have the good fortune of spending time at these meetings. And of course, we accomplish the business of the Association at the same time. It's a win-win all around.

And now a confession...I am an Oscars junkie. Every year I stay awake far too late on Oscar night so that I can watch the movie clips, see who's there, what they're wearing, what the winners say or do, and so on. My husband likes to watch the opening sequence to see what the host of the year comes up with, but then he's done. Not me. I

like to stick it out to the (sometimes) bitter end. This started back when I used to go to a lot of movies and so felt more invested, but not now – well, I don't have time to go to many movies, and yet I WANT to be invested still, thus my obsession.

But as I have found myself looking forward to that special Sunday night, I realized that our CBA Nova Scotia branch is its own Academy of Motion Picture Arts and Sciences. Our "gala" event unfolds at our annual January Professional Development Conference, when we present three awards: the Community Service Award (this year's winner was Elizabeth Cusack, QC), our Distinguished Service Award (this year's winner was past-president Helen Foote), and the Zöe Odei Young Lawyer Award (this year's winner was current national SOGIC co-chair and provincial Equity Committee chair, Amy Sakalauskas). This year

we held the President's Reception the evening prior, and at that we presented our new Excellence in Equity and Diversity Award (this year's winner was Waterbury Newton). The Constance Glube Spirit Award is another award our "academy" presents, typically at a dinner in October. And as I reflected on this, I realized this is another reason that I am also a CBA junkie – I love to see the great lawyers that are nominated for and win these awards. They inspire me.

So on that note, I want to congratulate the recipients of these awards this year. They are well-deserving and it is our honour to have them as members of our branch.

I also encourage and appeal to our members to truly read the notices we send out about our various awards. Please spend a few minutes reviewing the qualifications. When (not if, because we ALL know people who are deserving of these awards, wherever you may be in the province) someone comes to mind, please take a little

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NOVA VOCE!

Published by the Canadian Bar Association Nova Scotia Branch

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Call for Nominations

The Canadian Bar Association–Nova Scotia is seeking nominations for the Law Day Award, which will be presented on Saturday, April 21, 2012 at Law Day at Pier 21.

The CBA - Nova Scotia Law Day Award is to honour, recognize and celebrate the contribution of organizations who:

- Foster greater public understanding of the Canadian justice system and the role of the Charter of Rights and Freedoms within that system;
- Encourage and promote access to justice;
- Inform and educate the public about the courts, law enforcement agencies, the justice system and the legal profession;
- Act as advocates on behalf of citizens in the Canadian justice system.

For eligibility, criteria, and presentation information, go to http://www.cba.org/NS/About_Us/Awards.aspx

Note: Deadline for nominations is March 25, 2012

For additional information or to submit a nomination, please contact: cbainfo@cbans.ca



Rock the Rule of Law Law Week 2012

What can you do to help CBA–NS “Rock the Rule of Law” in 2012?

CBA–NS is celebrating the 30th birthday of Canada’s Charter with Law Week events on the theme of the “Rule of Law: The Role of Legislators, Judges and Citizens”. These events will take place on April 17, 2012 and April 21, 2012.

We need the help of “rocking” CBA–NS volunteers like you to throw our Charter and the Rule of Law a proper party! There is an interesting volunteer job waiting just for you!. Do you want to:

- Present a module of the award-winning “Try Judging” to high school students in your area
- Administer our “Charter Challenge” Pier 21 Museum Entry Contest
- Tour the Pier 21 Immigration Museum
- Assist with Law Day set up and take down
- Be our liaison to a Special Guest or to our Sponsors
- Coordinate our volunteers
- Lead a flash mob
- Participate in a Mock Trial (as lawyer or witness)
- Help out with an AJEFNE workshop for high school students (must be French speaking)
- Assist with a Bouncy Castle Rule of Law Workshop
- And many more!

Sound like fun? We need as little as 1 hour of your time and there are a variety of opportunities! To volunteer, please contact Law Day Co-Chairs, Susan I. MacKay at mackaysi@gov.ns.ca or Robyn L. Elliott at relliott@elliottlaw.ca.

Thanks for your support! See you during 2012 Law Week!

Law Day/Law Week 2012

“The Rule of Law: The Role of Legislators, Judges and Citizens”

“La primauté du droit : le rôle des législateurs, des juges et des citoyens”

By Susan MacKay

One late summer day over ten years ago I was hiking across fields and wooded areas in southern England near Windsor Castle. Part of a family group, I felt a bit like I was in a Jane Austen novel as we clambered over stiles and used public rights of way to cross farmers' fields.

During our adventures we happened upon a small, beautiful pavilion near the famous field at Runnymede. The plaque on it had been unveiled by President John F. Kennedy. The American Bar Association had had the structure built to commemorate the signing of the Magna Carta in 1215.

As we all know, the Magna Carta is a constitutional document of great historical significance. Its signing blazed a trail for the idea that no one should be above the law, and that everyone should be subject to it. This idea went on to be developed in ways that paved the way for English society to prosper and grow. In turn, English society went on to influence the world in a manner disproportionate to the country's relatively small place on the map of the world.

Just as the Magna Carta is a part of our legal heritage well worth celebrating, so too is our own Canadian Charter of Rights and Freedoms. Each year since it first began to come into force on April 17th, 1982, the Canadian Bar Association has celebrated the Charter during Law Day, which over time has grown to become Law Week. The overall national theme each year is Access to Justice. Our great CBA-NS volunteer Law Day organizing committee last summer set our 2012 subtheme: “The Rule of Law: The Role of Legislators, Judges, and Citizens”.

Our Canadian constitution is a “living tree”. The process of figuring out constitutional rights should be, and is, interactive, engaging and dynamic. Legislators, judges and, most certainly, citizens all play a part in this. This year's Law Week 30th anniversary Charter celebrations are designed to engage the minds and imaginations of young and old alike. Everyone attending Law Week events will be given an opportunity to reflect on the Charter and the rule of law in ways that at times will be serious and at other times more light-hearted (but certainly never frivolous!)

On Law Day itself, April 17th, celebrations begin that morning with a citizenship ceremony and reception at the Federal Court in Halifax. The CBA flag will be raised at Province House for the day. There also will be a reception there for invited guests. One of these guests will be our CBA National President, Trinda Ernst, Q.C.; we are thrilled she will be participating in Law Day activities here at home with us in Nova Scotia. In the afternoon, Premier Dexter will read a Law Day proclamation from the floor of the Legislature. That evening, President Ernst along with other female members of the bench and bar will be in Bedford meeting members of the Pathfinders and Rangers Girl Guide groups. They will take part in “Girl Greatness Continues Here”, an interactive forum designed to inspire girls to think about legal careers.

During Law Week, volunteers will be going to high school law classes to present a module about the Rule of Law modified from “Try Judging”. This award-winning, bilingual, and free program is available online through the Courts of Nova Scotia website. (If you're interested, take a



Susan MacKay with her son

look – there's still time for you to get involved in this anywhere you may happen to live in the province.)

On Saturday morning, April 21st, quite literally we are taking our CBA Law Day Open House “to the people”, by hosting it at the beautiful National Museum of Immigration at Pier 21 on the Halifax waterfront. Our Law Week 2012 Honourary Co-Chair Dr. Ruth M. Goldbloom, O.C., O.N.S., has recorded a short but inspiring message which will be played during the opening ceremony when greetings from other dignitaries also will be given. Dean Kim Brooks of Dalhousie's Schulich School of Law not only will speak on our Law Week theme, she also will participate in a workshop with children: they will get a taste of what the roles are of legislators, judges and citizens as they devise rules for the safe, happy, and fair use of a bouncy castle (which they then will get to use, of course!) AJEFNE also plans to bring in about 75 Francophone high school students for the day. Children will be able to win free admission to the immigration

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What Lawyers Can Learn from Nurses

By Robert Patzelt, QC

“I have a new found respect
and appreciation
for the medical profession.”

John Lennon said that, “Life is what happens to you when you’re busy making other plans”. Recently, I had a really big dose of life tossed my way. I will not bore you with the tawdry details of my medical adventure, other than to say I am extremely grateful that I am on this side of the radishes. Arising out of that fascinating experience comes this column.

When you think about it, a medical patient is potentially the worst customer in the world. They are not in a good mood and do not feel well. They do not want to be there and considering what they are about to experience from lack of privacy, needles, pain, and more, they don’t want the stuff you have to offer. Only two things make them stay or consider it tolerable. They operate under the faith and hope that by subjecting themselves to the system they will get better and in Canada, they don’t get whacked with a really big bill. Here are a few things I observed.

1. **Loss of control:** In my case, as a senior executive, who on a daily basis has staff at my beck and call, almost perfect receipt of timely information and others to find, shepherd and address my issues through the proper channels, I found myself exposed (not just in those ridiculous Johnny shirts) to a situation where I had no information, power or control. While they are doing their best to assess the situation and get you on the first steps to safety and stabilization, hardly anyone talks to you (or so it seems). Being a massive Type A personality does not help and I can be a bit demanding (insert your own comment here) and even that was met with what I thought were inadequate answers or no answers at all which did not meet with much satisfaction. Imagine what our clients feel when they are confronted with a legal problem and what must seem like a bizarre and foreign world. Their file is opened and then it begins a life of its own about which the client knows little. I suspect their feelings range from fear to feeling very much alone. It is very important that you give to your client some sense of participation and control. After all, it is their life, their file and their money.
2. **No information:** One of the things I found distressing as I was trying to wile away the hours was wondering what was going on. Believe me, when you have so much time on your hands you think about a lot of things and having limited or no information provides fodder for your imagination to conjure up the worst of scenarios. A major source of relief were the nurses who would go out of their way to read the file, call the doctor and advise what was happening next. Even reporting that there was nothing new to report was valuable. It showed not only that someone was working on it but that they cared. Call your client, even if it is to report nothing has changed. By the way, don’t bill them for this. Chock it up as a business expense. It is much cheaper than a lunch, sending out brochures that we toss in the garbage after removing the paper clip or such other ineffective marketing techniques. And your clients will love you for it.
3. **Everyone is different:** All the staff from janitors, to ward aides to the residents and doctors were fantastic but the nurses were something special. It is like they have an extra degree in human psychology. Each person is truly different and deals with pain and adversity in different ways. Once my pain was stabilized with excessive amounts of a morphine substitute I started to help myself and others where I could. Naturally, my sense of humour returned and was appreciated. At least I think I was funny. I had a lot of drugs in me. Some people are frightened, grumpy and demanding to the point of annoyance and others were gracious, interesting and uplifting. Jean, a 74 year old former night club entertainer would never open her curtains until she did her hair and make up. Then we had her for the rest of the day. Another lady was fully quarantined. No one came to visit except nurses. Her TV was really loud but it would be wholly inappropriate to complain. Maybe that was her only pleasure. The main point is that the nurses had an innate ability to assess each person and adjust to make things better for all. We need to remember our clients are all different too. What works for one does not work for another.
4. **Little things count big:** Just like in the law, competence, having the right equipment, etc. is merely table stakes. That is, everyone expects that this is standard. What makes the difference is the little

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By Jill Thomson

Section activity is alive and well in the 2011-12 program year with 70 meetings being held to date or being planned and many, many members participating. There are very few Sections that have not held a meeting and we have been assured that plans will be forthcoming for future meetings. We are certain that this will prove to be an excellent way to quickly accumulate your mandatory continuing professional development (CPD) requirements for the 2012-13 year. If you have not received your Section Registration Form to select your area of interest for Section notices, please call the CBA office at 422-1905.

We are happy to advise that our new Section for Law Students has been organized with Co-Chairs and an executive body. An informal reception was held recently at the Lord Nelson Hotel which proved to be popular with both students and members of the Bar. The CBA wishes to thank once again the sponsor of these activities for law students, the Canadian Bar Insurance Association.

Plans are continuing to liaise with member volunteers to bring educational speakers and networking opportunities to the Law School. In addition, we offer free registrations to our breakfast and lunch Section meetings to our law student members.

Our Annual Professional Development Conference was another great success with over 150 registrants, many high-profile speakers and special guest lunch speaker, Premier Darrell Dexter. Take note and mark your calendars, this annual conference is growing and will materialize in the next program year as our first Mid-Winter Meeting, taking place on January

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Annual Professional Development Conference: “Bar Tabs: Mixing Business with Pleasure” January 27, 2012

A special “thank you” to those who made this event a success:

Organizing Committee:

Brian K. Awad, Burchells LLP
Lydia S. Bugden, Stewart McKelvey
Heather Burchill, FOIPOD
David A. Cameron, Burchells LLP
Peter Coulthard, QC,
Sealy Cornish Coulthard
Andrew J.R. Inch,
Municipal Enterprises Ltd
John A. Keith, Cox & Palmer
Jessica L. Lyle,
Scotia Private Client Group
Daniel A. MacRury, QC,
Public Prosecution Service
A. William Moreira, QC,
Stewart McKelvey
James G. Rossiter, Parks Canada
Peter C. Rumscheidt, Cox & Palmer
R. Mark Ryer, Boyne Clarke
Philip J. Star, QC,
Pink Star Murphy Barro
Daniel F. Wallace, McInnes Cooper

Presenters & Speakers:

Glenn R. Anderson, QC,
Department of Justice
Brian K. Awad, Burchells, LLP
Rachel Barnes, McInnes Cooper
Daniela Bassan, Stewart McKelvey
Justice Cindy Ann Bourgeois,
Supreme Court of Nova Scotia
Lydia S. Bugden, Stewart McKelvey
Daniel M. Campbell, QC, Cox & Palmer
Scott R. Campbell, Stewart McKelvey

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R. Mark Ryer, Boyne Clarke
Raymond E. Wagner, Wagners
Peter Wilson,
Scotia Private Client Group



Sponsors





Michele Hollins, QC, Calgary

Michele Hollins, QC, named incoming 2nd VP; Annette Horst to serve second Term as Treasurer

On December 16, 2011, CBA President Trinda L. Ernst, Q.C., announced that Michele Hollins, Q.C., of Calgary has been named the incoming CBA Second Vice-President. In addition, Annette Horst of The Pas, Manitoba, has been named CBA Treasurer for a second term.

Both Michele Hollins and Annette Horst ran unchallenged. Their acclamations will become official at the CBA Mid-Winter Meeting of Council in February.

Having served as President of the CBA's Alberta Branch in 2007-08, Michele Hollins has been involved with the CBA for many years. Nationally, she is the Vice-Chair of the CBA Communications Committee, and is Chair of

the CBA's CLC and Mid-Winter Review Committee. A partner at Dunphy Best Blocksom in Calgary, Michele Hollins will become CBA President in 2014.

Annette Horst served as President of the Manitoba Bar Association in 2008-09 and was national Chair of the Young Lawyers-CBA in 2006-07. A supervising attorney at Legal Aid Manitoba's Northland Community Law Centre in The Pas, Annette Horst is currently serving a two-year term as CBA Treasurer. In 2012, she will begin her second term as Treasurer, a role she will hold until 2015.

Trinda Ernst congratulated both Michele and Annette on behalf of the CBA's Board of Directors and staff.



Annette Horst, The Pas



Daphne Dumont, Charlottetown

Daphne Dumont, QC, appointed to Order of Canada

Daphne Dumont, Q.C., of Charlottetown, CBA National President in 2000-2001, has been appointed a Member of the Order of Canada in recognition of her outstanding achievement, dedication to the community, and service to the nation as a lawyer and volunteer.

CBA President Trinda L. Ernst, Q.C., of Kentville, NS, has been a friend and colleague of Daphne Dumont's for many years. Trinda Ernst offered her personal congratulations, along with those of the CBA, to Daphne Dumont. "Your priorities as CBA President more than a decade ago have had a ripple effect, resulting in incremental improvements to legal aid in various Canadian jurisdictions, and more recently an awakening to the need for a new system-wide focus on access to justice in Canada," noted Trinda Ernst.

"Your contributions not only benefit all Canadians, but specifically women in the legal profession. You have become our role model 'par excellence'," added Trinda Ernst.

In 2009, Daphne Dumont received the Governor General's Award in commemoration of the Persons Case. She earned her law degree at Oxford University in 1976, where she was the first woman admitted to study law at Wadham College. The third female president of the CBA, she was the first from Prince Edward Island. Daphne Dumont was also President of the PEI Branch (1986-1987) and was a member of the National

Task Force on Gender Equality in the Legal Profession (1991-1993), which produced the landmark report on Gender Equality in the Legal Profession. She was named Queen's Counsel in 1995 and was a founding member of the Women's Legal Education and Action Fund (LEAF).

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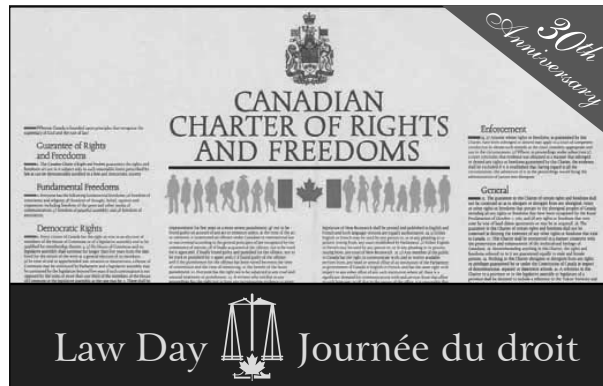
Details coming in March at
www.cba.org/Vancouver2012

Law Day 2012 marks 30th anniversary of Charter

April 17, 2012, will mark both Law Day and the 30th anniversary of the Canadian Charter of Rights and Freedoms. On and around that day, lawyers and judges will participate in programs for elementary and high school students, families, and the general public to explain the workings of the law and legal systems in Canada. Numerous activities will have a special focus on the Charter and its importance.

National Law Day Chair Karlee Blatz of Winnipeg says planning for Law Day 2012 is off to a good start. "We held our first call of the national committee in November and the scope of activities in the works is most impressive." Planned activities across the country include lectures on the law, mock trials, courthouse tours, fun runs, open citizenship courts, and poster, photography, and public speaking contests.

In Nova Scotia, many Law Day activities are planned – so many, in fact, that events will be held during Law Week from April 15-21. Susan MacKay, Co-Chair of the CBA-NS Law Week Committee, notes that the committee is enthusiastic about the events being planned for Nova



Scotia.

"To celebrate the Charter's 30th birthday, we're planning fun and thought-provoking events during the week of April 15th, including a citizenship ceremony, activities for Francophone students from across the province, and, on April 17th, a Charter anniversary celebration," says Susan MacKay. "We're also planning lively and interactive events during open-house activities on April 21st at the Canadian Museum of Immigration. Join us and you may just discover for yourself what a bouncy castle has to do with the rule of law and the Charter!"

In addition to the CBA's lineup of activities, a group of University of Windsor law students have launched the Charter Project in honour of the Charter's 30th anniversary.

The project's objective is to increase awareness and understanding of the Charter through education. "They are offering online video content and educational workshops aimed at high school students," explains Karlee Blatz.

Byron Pascoe and Jennifer Graham of the University of Windsor described the online character of their initiative on the committee's November

call. Currently, it contains videos of legal pioneers and celebrities such as Frank Iacobucci, Howie Mandel, and Rick Hansen describing what the Charter means to them. On the education side, online programs will offer basic information about rights and responsibilities under the Charter.

"Law Day organizers are hoping to make use of the materials developed by the Charter Project in conjunction with high school mock trials and debates," says Karlee Blatz.

Law Day is organized by the CBA. Volunteer committees in CBA Branches are in place. To volunteer or take part in Nova Scotia, please contact the Nova Scotia Branch at cbainfo@cbans.ca. Law Day <http://www.cba.org/CBA/LawDay/main/>

CBA becomes co-sponsor of prestigious Gale Cup Moot

The CBA has entered into a five-year commitment with Lenczner Slaght Royce Smith Griffin LLP to sponsor the Gale Cup Moot, one of Canada's most prestigious bilingual law-school mooting competitions.

"The future of the legal profession rests with our law students and young lawyers," says CBA CEO John Hoyles. "As such, the CBA is proud to support the world-renowned, bilingual Gale Cup and to encourage engagement of law students across the country."

The Gale Cup, now known as the Lenczner Slaght-CBA Gale Cup Moot, was founded in 1974 to provide top law students across the country with the chance to argue a Constitutional law case before three judge panels hearing an appeal from the Supreme Court of Canada. Students taking part are permitted to moot in either English or French with simultaneous translation provided for oral arguments.

The 2012 Lenczner Slaght-CBA Gale Cup Moot will be held at

Osgoode Hall in Toronto on February 24-25. In addition to the Gale Cup and other team and individual awards, the McLachlin Prize will be awarded to the best female mooter. Supreme Court Justice Thomas Cromwell will deliver the after-dinner keynote address at the gala awards banquet and will also preside over the 2012 finalist judging panel.

For full details on the 2012 Lenczner Slaght-CBA Gale Cup Moot, visit www.galecupmoot.com.

*The Canadian Bar Association
Nova Scotia Branch
PROUDLY ANNOUNCES THE
RECIPIENTS OF OUR
2011 ANNUAL AWARDS*

*Inaugural Excellence in Equity and Diversity Award
WATERBURY NEWTON LAW FIRM
Kentville*

*Community Service Award
Elizabeth Cusack, QC
CUSACK LAW OFFICE INC.
North Sydney*

*Distinguished Service Award
Helen L. Foote
HERITAGE HOUSE LAW OFFICE
Dartmouth*

*Zoe Odei Young Lawyers Award
Amy Sakalauskas
DEPARTMENT OF JUSTICE (NS)
Halifax*

Excellence in Equity and Diversity Award



Inaugural Excellence in Equity and Diversity Award

Waterbury Newton, a law firm with offices in Berwick and Kentville is the recipient of the inaugural Canadian Bar Association–Nova Scotia Excellence in Equity and Diversity Award. Chief Executive Officer, Paul L. Walter, Q.C. accepted the award on behalf of the firm on January 26, 2012 at the President's Reception held in Halifax. The Equity Committee of the CBA – Nova Scotia Branch recently established this award to recognize a legal workplace striving to advance equality and diversity in the legal profession and/or the general community. Waterbury Newton received a lovely engraved crystal lamp; the lamp is symbolic for work the firm has done to light the way for others striving for excellence in equity and diversity.



1. (From left to right): President Jessica Lyle, Paul Walter, QC, Ashley Thomas, and Jennifer L. Young
2. President Jessica Lyle gives Distinguished Service Award to Past-President Helen Foote
3. President Jessica Lyle gives the Zoe Odei Award to Amy Sakalauskas, CBA–NS Equity Committee Chair
4. President Jessica Lyle gives Community Service Award to Elizabeth Cusack, QC

2012 Annual Professional



Special Guest Speaker The Honourable Darrell Dexter, QC, MLA,
Premier of Nova Scotia



Dan MacRury, QC and The Honourable Darrell Dexter, QC, MLA,
Premier of Nova Scotia



6



7



8

President's Reception



9



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11



12



13



14

Development Conference



L to R: David Cameron and Heather Burchill, Executive Members



Elizabeth Cuzack, QC

6. President Jessica Lyle (L) and Scott McCrossin (R)
7. CBIA Directors: Hugh Wright (L) and Deborah Rozee (R)
8. All in good fun - Amy Sakalauskas leads the "roast" of President Jessica Lyle!
9. (From left to right): Alex Grant, Catherine Walker, QC, Dan Campbell, QC and Gail Rudderham Chernin, QC
10. Annette Boucher, QC (L) and David Cameron (R)
11. (From left to right): Helen Foote, Susan MacKay, Carole Gillies, QC, Heather Burchill & Amy Sakalauskas enjoy good company during the President's Reception
12. (From left to right): Andree Godbout, Level Chan and Sharon Avery cheer on the roast of President Jessica Lyle!
13. Branch Past-Presidents Clarence Beckett, QC (L) and Michelle Awad, QC (R)
14. Musicians Brian Awad, Executive Committee Member, (L) and Theo MacIntosh (R) entertain the crowd at the President's Reception

Lawyers can learn continued from page 4

things. The touch, the smile, an extra blanket, going to get you a cup of tea, wrapping your IV thingy so you can have a shower, etc. When a ward aide would regale you with stories relevant to you while he changed your sheets it could make your day. You don't need to go the extra mile, just a few feet to make a huge difference.

I have a new found respect and appreciation for the medical profession. I can tell you first hand that whatever challenges may exist in the system, it is not with the people who directly provide you with care. They were

outstanding. In fact, they make the strange and scary labyrinth of hallways and odd looking devices of torture a place of comfort and caring. As I mentioned, there is nothing worse than a client who does not want to be a client but the people in the healing profession succeed in so many ways. We can learn a lot from them. My thanks to all the paramedics, emergency room staff, the rapid assessment unit and especially all in Halifax Infirmary ward 4.1. I will always be grateful.

Love Robert

President's message continued from page 1

time (we don't ask for detailed, time-consuming nominations) to bring those individuals to the Nominating Committee's attention. We have truly inspiring members out there. It is a wonderful thing when we can recognize our colleagues for the exceptional things they do. I cannot stress enough how important it is that we do so. I will thank you all in advance for your anticipated efforts in this regard!

Also on an Oscars-type note, I personally thank all of our CBA-NS members for your participation in our branch. I hope you are taking full advantage of your membership by participating in our online and in-person continuing legal education offerings, our section meetings, our Council meetings, and our social events, not to mention services and offerings by our preferred suppliers including the CBIA and CBAF. For those of you who have volunteered this year as Section and Committee Chairs, speakers at our conferences, and/or dedicated committee members, my sincerest thanks to you all. Our branch has the reputation of being exceptionally engaged on the national level, and this is due to our engagement at the provincial level. If any of you reading this wish to become more involved, please call me or the CBA-NS office – we are waiting to hear from you!

And finally, in true Oscars style, thank you to my family and friends, including my Executive Committee and the CBA-NS staff. Without you I simply wouldn't be here!

Professional Development continued from page 5

31st and February 1st, 2013. Our Professional Development Committee is already working on topics and speakers to ensure this meeting will be an informative and educational experience for all registrants (get your CPD hours in one shot!) as well as providing social opportunities.

Yet to come in this program year is our Advocacy 2012 Conference, taking place on Friday, March 30th at the Atlantica Hotel, 1980 Robie Street (please note this new location for a CBA conference). Hurry to get your registration in as this will no doubt prove to be a popular event at which you can earn 7 CPD hours by attending.

Further along in our calendar is the Labour & Employment Law Conference taking place on Friday, May 4th and our Environmental Law Conference scheduled for June 18th. Watch for details on these important events coming in the near future.

Plan to take part in Section meetings and conferences offered by your Branch – the wealth of information and the networking opportunities offered by these activities is huge.

NOTICE

Next CBA-NS Council Meeting will take place Thursday, April 19th, 3 pm to 6 pm, in the Top Floor Boardroom of the Professional Building, 5991 Spring Garden Rd. Take the elevator to the 11th floor, turn right into the hallway and take the stairs to the top floor.

Please RSVP to cbainfo@cbans.ca

CALL FOR VOLUNTEER WRITERS

If you're interested in writing an article for Nova Voce, please contact Tina Tucker, Executive Director; Tel.: 902-422-1905 or email: tina.tucker@cbans.ca

We also welcome feedback and suggestions on the content and format of the Nova Voce newsletter. Tina would like to hear from you!

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Win 1 of 7 iPads contest: No purchase necessary. Certain conditions apply. Existing policy holders are automatically entered. Contest runs from January 16, 2012 at 12:01 AM to April 30, 2012 at 11:59 PM. Draw date is May 15, 2012. Complete contest rules available at: barinsurance.com/homeauto. iPad is a trademark of Apple Inc.

REPORTS

Activities of the Legislation and Law Reform Committee 2011/2012

by Heather Burchill, LLR Committee Chair

The Mandate of the L&LR Committee is to: promote and facilitate effective efforts towards law reform and fair justice systems. Over the past two years, the Committee has focused on ensuring that our sections and members have the resources they need to advocate effectively. Thanks to the support of the CBA staff, I believe that we have made significant headway towards this important goal. Our Branch now has its own online L&LR resource page. It includes an action plan for the L&LR Committee, setting out measurable objectives and goals. A L&LR handbook takes members step-by-step from identifying issues, to finalizing submissions. Finally, a centralized location for Section and Branch submissions will keep our members up to date, and on the same page.

Our membership covers the map, both literally and figuratively. When our members speak with a single voice, that voice is powerful, credible and respected. This reputation is advanced and defended by cadre of dedicated volunteers and staff. Your section is your conduit for change. Get involved, contribute, and be heard.

This report summarizes the Committee's work over the past term. Those who have explored the L&LR page will recognize the format as being a restatement of our Committee's guiding objectives and goals:

Objective A – Promotion and advancement of public interest

1. Identifying, analyzing and responding to current and proposed legislation and law reform issues by:
 - a. building and maintaining a website resource for sections and members –

The webpage went live earlier this year. This was due almost entirely to the hard work of the CBA –NS staff and the generosity of our National L&LR Committee. It includes a guide to Section Chairs, a re-statement of related Branch policies, a repository for submissions, and a guide to making L&LR proposals.

- b. meeting with key government officials to promote cooperation;
The Chair met with the Director of the Nova Scotia Law Reform Commission. A Memorandum of Understanding is in draft form. The Commission continues to keep our sections abreast of proposed Reviews, and recently, invited the Branch to appoint a member to join an Advisory Group.
- c. formalizing relationships and ongoing communications with stakeholders;
The Chair approached the Department of Justice with a request to be notified when public consultations on legislation and regulations were underway. They agreed and have been communicating with, and seeking submissions from, the CBA–NS on issues of legislative change and reviews. We hope to affirm this arrangement with the current D/Minister, while pursuing similar arrangements with the remaining provincial Departments.
2. Building upon public understanding of the value of CBA–NS public interest advocacy by:
 - a. meeting with stakeholders to discuss the benefits of CBA input:
See above.
 - b. reducing the burden on Sections when providing input and submissions.
In addition to a Guide for Section Chairs, the webpage includes past submissions that will serve as

precedents. Section Chairs also have access to the Executive members and staff who will provide feedback, identify and coordinate section input, and liaise with stakeholders when necessary.

3. Enhancing the Branch's role in the promotion of a fair justice system in Nova Scotia by:
 - a. identifying opportunities for members to make submissions:
Section Chairs and Executive have been notified when the government posts calls for submissions and public consultations. As well, the online Guide explains the process for member- initiated L&LR submissions.
 - b. enhancing and protecting the reputation and credibility of our submissions:
The Guide provides clear direction on the expectations of a Chair when considering whether a submission is appropriate, balanced and credible. The repository of submissions will help Section Chairs ascertain whether their submissions are consistent, or reconciled, with past Branch submissions.

Objective B – Ascertaining and Expressing the Views of the Legal Profession

Strategy– Effectively using the Branch's existing capacity to respond to demands for public interest advocacy by:

- a. guiding external inquiries to the appropriate sections;
- b. assisting inter-section communication;
- c. directing member submission proposals to the appropriate section(s);
- d. eliminating guesswork by providing clear and readily accessible guidance;
- e. coordinating national and provincial efforts where possible;

Continued on page 13...

REPORTS

Law Student Section Report

Submitted by Julie Sobowali Co-Chair

Greetings to the CBA Nova Scotia Executive Board. Alayna Kolodziech, co-chair, and I are unable to attend this meeting but we wanted to share with you the activities of the Student Section.

The Student Section hosted a mixer on Tuesday, February 7 at Victory Arms. About 30 students and 8 practitioners attended the event. The invitation to attend the event extended

to articling students and the Young Lawyers Section.

The purpose of the event was for students to have informal interaction with practicing lawyers outside of the interviewing process. Carrie Ricker gave a humorous short speech about her experiences as a young lawyer.

The event was well attended and we received positive feedback. Many students found the event fun and informative. This event also provided

a good opportunity to discuss the benefits of CBA membership.

Several students expressed their desire to have another mixer in the summer for law students and articling clerks who will be working in Halifax. The Executive is currently exploring options for holding an event in late June. In the meantime, we are planning a mystery night event focused on criminal law that will be held in March.

2012 Mid-Winter Meeting Mayan Riviera, Mexico (February 11 - 12, 2012)

We want to extend a special thank you to Council voting alternates Tim Matthews, Karen Stilwell and Jennifer Kooren. We appreciate your time and effort in arranging to attend the Mid-Winter meeting on relatively short notice. Highlights during the Board of Directors meetings and Council include continued work on the membership fee review, strategic planning, and review of the objectives and format of the annual CLC and other meetings.

Resolutions adopted by Council:

12-01-M Privacy Act Amendment

12-02-M Financial Literacy

12-03-M Reform of Canada Pension Plan

12-05-M Student and Scholar Membership Categories

12-06-M Pro Bono Committee Mandate

12-07-M Small, Solo and General Practice Forum Bylaw Amendments

12-08-M National Labour and Employment Law Section Bylaw Amendment

For more information go to:

<http://www.cba.org/cba/resolutions/2012res/>



Overheard in Mexico CBA Mid-Winter Meeting

by Robyn Elliott

Tim "Bridge" Matthews, Q.C. at dinner: "I can eat like this because I play bridge."

Dan "Swim Trunks" MacRury, Q.C. on the beach after 3 days without luggage: "Trinda, please don't take my picture - I am not wearing pants."



Tina "I care" Tucker after learning that Vice-President Dan and Treasurer Robyn are going for an evening swim in the ocean: "The sharks feed at night! You are not going swimming together - you can swim separately, but you are not going in the ocean together." [Dan reports Tina also stated she had no problem whatsoever with Jessica going swimming.]

Anonymous CBA texter to CBA colleague: "My goal for my free afternoon was to swim in every pool on the resort - but the strawberry daiquiris are slowing me down."

Matthew "Tactful" Moir when asked what he overheard: "I think I probably heard something late one night in the CBA hospitality suite but I don't remember".

Jessica "El Presidente" Lyle: "The grandchildren have the kids!"

Jenny "Radar O'Reilly" Kooren to those enjoying an ocean swim: "I have just ordered drinks delivered to your lounge chairs." [Thank you Radar, I mean Jenny!]

Law Day continued from page 3

museum's exhibits by taking part in a "Charter Challenge" game. This game will have them seeking out answers to questions about the Charter by visiting various Law Day exhibitors' booths and exhibit vehicles. There will be moot court activities. There will be a birthday cake (for the Charter, of course), helium balloons, and likely a few other pleasant surprises as well (or gory surprises, which always seem to be popular, if we have some CSI-type exhibitors). There definitely will be something to appeal to both young and old alike.

Our Law Day organizing committee has been working hard to arrange all the many details that need attention in order to make Law Day and Law Week 2012 a success. But we are going to need reinforcements, especially during our Open House at Pier 21. So if you can volunteer even an hour or two on Saturday, April 21st, sometime between 8 a.m. and 2 p.m. we'll have a job, some inspiration, and some fun to offer you. It's great what CBA-ers can do when we all pull together. And I know that "The Rule of Law" will ROCK during Law Week 2012!

LLR continued from page 14

- f. standardizing and stream-lining the submission process; and
- g. maintaining continuity of message using a database for submissions.

The Committee's work over the past two years has focused on enhancing and supporting the Sections. This is because our current L&LR process works. And the credit for this lies squarely with our Section Chairs, who, at the end of the day, are the driving force when it comes to advocacy by our Branch. In time, as the CBA-NS online repository for submissions grows, the efforts of our Section Chairs will be evident to all, at a glance.

CBA Online Offered at Other Branches

British Columbia

"Undertakings – Avoiding the Pitfalls"

Thursday, April 5, 2012 at 11:00am (PST)

To register online: http://www.cba.org/pd/details_en.aspx?id=BC_und0412r

"Lawyers Advising their Clients in the Cloud"

Wednesday, May 2, 2012 at 11:30am (PST)

To register online: http://www.cba.org/pd/details_en.aspx?id=BC_cc0512r

"The Top Ten Causes of Claims: Bumps, Potholes and Flats on the Road to an Accident-Free Practice"

Wednesday, May 16, 2012 at 11:30am (PST)

To register online: http://www.cba.org/pd/details_en.aspx?id=BC_rm0512r

CCCA

"Mediating Justice: Legal Dispute Negotiations"

Wednesday, March 28, 2012 at 12:00pm (EST)

To register online: <http://www.cch.ca/tr/ipwebinar.aspx?tab=1&smid=1270>

Quebec

Ongoing Web Video Recordings

To register online: http://www.cba.org/quebec/quebec_calendrier/calendrier/Default.aspx



World Summit - April 13-15, 2012

National Spring Conference - April 15-17, 2012

National and global issues that matter to Canada's in-house counsel community. Take your seat at the table.

The Canadian Corporate Counsel Association (CCCA) is the voice of Canada's In-house counsel community. For over 20 years, we have gathered our community together to explore the most compelling issues of the day. We were the first to do so and are proud to continue this tradition into 2012.

From April 13-17, 2012, Montreal will serve as the venue for the CCCA 2012 National Spring Conference and the CCCA 2012 World Summit. These events represent an unparalleled opportunity to learn how global legal issues will influence domestic cases, and vice-versa. From the future of the America's, post financial crisis, to the new challenges of doing business in the E.U., from exploring the new ethical issues for corporate counsel in today's high-tech environment, to Canada's new product liability legislation, our program will deliver the information and perspectives that you need in order to succeed.

Join your peers from across Canada as we gather together in beautiful Montreal. Your participation makes us all stronger.

Register today.

<http://www.ccca-accje.org/En/events/main/world-summit.aspx>



Benefits of Membership with the CBA

The CBA is the voice of the legal profession and, as such, we offer our members benefits in the following areas:

- Advocacy on Your Behalf
- A Voice to Improve the Justice System
- Professional Development Opportunities
- Services to Improve Your Bottom Line (Preferred Supplier Network)

Advocacy on Your Behalf

Through strategic lobbying efforts, we make your voice heard on the issues that affect your personal and professional lives—issues such as the independence of the legal system, legal aid funding, multidisciplinary practices, paralegals, and the threats and opportunities inherent in a global marketplace. We speak on behalf of the legal profession. And with your involvement, our voice becomes that much stronger.

A Voice to Improve the Justice System

CBA members and professional staff are actively involved in the development of government policy and law reform, lobbying on matters identified by members or responding to government initiatives. We make our views known in the corridors of Parliament through written submissions, appearances before Parliamentary Committees, informal meetings between the President and the Minister of Justice, or regular consultations between National Sections and the Department of Justice or other government officials.

Law reform initiatives are developed through in-depth studies by National Sections, Conferences or Committees, by specially mandated task forces or in debate by CBA Council. Implementa-

tion teams ensure that reports such as the recent Task Force on Systems of Civil Justice or Gender Equality in the Legal Profession don't just gather dust on a shelf. The CBA also intervenes at the Supreme Court of Canada on matters of compelling public interest or of special significance to the profession.

Professional Development Opportunities

Gain insight into today's issues via our Professional Development programs. Our PDs are now even more convenient and current, thanks to high-tech developments in such media as the Internet and video-conferencing. Plus, you'll benefit from our annual seminars on Aboriginal, Environmental, Immigration, Tax, Competition and Administrative/Labour Law.

Sections and Conferences

The CBA offers a full range of Sections and Conferences as the entry point for members to become active. They provide a valuable skills-improvement forum and an opportunity to exchange ideas with colleagues and Bar leaders from across Canada and around the world. Members may join the Branch Sections relevant to their practice areas, and are then automatically enrolled in the corresponding National Sections. With your Section/Conference membership, you'll enjoy many advantages:

- Meet colleagues: Share concerns and hear from experts on current issues at the Branch and National levels. The CBA Annual Conference is a one-of-a-kind opportunity to hear high-profile speakers and an ideal environment for national networking.
- Improve your skills: Participating in Section activities brings valuable

opportunities for networking and mentoring relations.

- Receive regular communication: Members are kept current through notices of meetings, summaries of law reform developments and newsletters containing the latest professional information.

Trends Forecasting

The CBA helps prepare you for the future of the practice of law by tracking trends in the profession. Our Emerging Professional Issues Initiative (EPII) is designed to assist lawyers to deal with economic and social trends that have an impact on the practice of law. The objective is to keep lawyers in business and to ensure that the legal profession remains a good business to be in.

Publications and Websites

You'll also enhance your reference base with subscriptions to our practice-oriented publications and websites: National magazine; Canadian Bar Review; Newsletters; and CBA PracticeLink

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INTERN PLACEMENTS 2012-2013

THE CBA YOUNG LAWYERS INTERNATIONAL PROGRAM

We are pleased to announce that the CBA will again be placing up to sixteen young lawyers (30 and under) in internships with human rights organizations and legal professional organizations in 2012-2013. This program, funded by the Canadian International Development Agency, is designed to provide work experience for young lawyers interested in careers in international human rights and international development. The program runs from August 1 2012 to March 31, 2013, which includes a six-seven month overseas placement. Travel, accommodation and basic living expenses are covered. The closing date for applications this year is April 12, 2012. For more information on the program and the application procedure, visit our website: <http://www.cba.org/CBA/IDP/yiip/>

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STAGE À L'ÉTRANGER POUR L'ANNÉE 2012-2013

PROGRAMME INTERNATIONAL DES JEUNES JURISTES DE L'ABC

C'est avec plaisir que nous annonçons qu'en 2012-2013, l'ABC offrira encore une fois jusqu'à 16 stages à l'étranger à de jeunes avocats et avocates (âgés de 30 ans et moins) auprès d'organisations de défense des droits de la personne et d'organismes de professionnels du droit. Le programme, subventionné par l'Agence canadienne de développement international, a été conçu pour fournir de l'expérience de travail à de jeunes juristes qui désirent faire carrière dans le domaine des droits de la personne et du développement du droit à l'échelle internationale. Le programme, qui commence le 1er août 2012 et se termine le 31 mars 2013, comprend un stage à l'étranger d'une durée de six à sept mois. Le programme couvre les indemnités d'hébergement et de subsistance, ainsi que les frais de voyage jusqu'au lieu du stage. La date limite pour soumettre les candidatures est le 12 avril 2012. Pour plus amples renseignements sur le programme et les critères de candidature, veuillez visiter notre site Web.

EDITOR'S PICKS

www.cba.org

Field notes for the suddenly solo

Newcomers to the world of solo practice are confronted with a myriad of issues from developing business and maintaining profitability to building a brand, all at once. Here are tips from three veterans on becoming 'suddenly solo.'

By Bev Cline

David Westwood remembers what it was like to be "suddenly solo." In 1993, he was a corporate counsel at a major mid-size real estate company in Toronto. During a recession, he and 80 fellow employees were downsized.

Not only "were we shown the door five weeks before Christmas, it was without severance pay," he recalls. You can still hear the anger in his voice.

Westwood – who today runs a thriving sole practice as David V. Westwood (Commercial Lease Law) Professional Corporation – always had an entrepreneurial edge.

He was the kind of kid who subcontracted out his paper route ...

To read more go to...

http://www.cba.org/cba/practicelink/solosmall_people/PrintHTML.aspx?DocId=45872

CBA-NS 2011 - 2012 Programs



Conferences

Advocacy 2012 Conference

• **March 30, 2012** at the Atlantica Hotel

Labour & Employment Conference

• **May 4, 2012** at the Casino Nova Scotia

Environmental Conference 1/2 Day

• **June 15, 2012** at the Schulich School of Law, Dalhousie

CBA-NS Online CLE

"Family Law in Nova Scotia Family Provincial Court"

with Judge Jean Dewolfe & Lynn Connors, QC

• **April 27, 2012**

"Criminal Law - Trial Sexual Offense Cases" with

Judge Frank Hoskins • **May 18, 2012**

"Family Law for Non-Family Law Lawyers" with

C. LouAnn Chiasson • **June 8, 2012**



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www.cba.org/Vancouver2012