

#### DECEMBER 2024



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## FEATURED ARTICLE:



PERSONAL REFLECTIONS ON WORKING WITH The Honourable Murray Sinclair

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The Law Society will be closed for the holidays starting **Wednesday**, December 25, 2024, up to and including **Wednesday**, January 1, 2025. We will reopen again on Thursday, January 2, 2025.





#### CEO'S REPORT LEAH KOSOKOWSKY

### What's New

RECOGNIZING MILESTONES 50 AND 60 YEARS

**REMEMBERING** *THE HONOURABLE RICHARD J. SCOTT* 

PRACTICE MANAGEMENT QUICK TIPS The Law Society is several months into the third year of our threeyear strategic plan and you can expect to hear more about our efforts to connect more meaningfully with the profession regarding the fabulous supports and resources that have been developed and updated to assist the profession in all aspects of practice. At the October 31, 2024 bencher meeting, the benchers learned of a recent program that was focused on small firm and solo practitioners, where the presenters provided excellent, practical advice regarding the many technological aspects of running a practice. The forum also provided meaningful opportunities to collaborate and share resources with fellow practitioners. Most importantly, the Law Society requested and received information regarding the greatest needs of this group which will help to inform the content and delivery of future programs.

At the meeting, the benchers were very pleased to welcome the new articling student bencher, Kalanit Faingold. Kali has completed PREP and is articling with Thompson Dorfman Sweatman LLP.

The benchers approved of the French translation of rule amendments and we are very pleased to report that the Law Society Rules now reflect the more appropriate name of *Barreau du Manitoba*.

The Phase II Report on the National Study on the Psychological Health Determinant of Legal Professionals in Canada was released on October 12, 2024 and the findings relative to Manitoba's legal profession were shared with the benchers. As the benchers are engaged in strategic planning for the 2025–2028 years, and as the well-being of the profession is very likely to be included as a strategic

#### **CEO REPORT** continued...

priority, it was recognized that the recommendations for Manitoba's legal community align well with the benchers' approach. The Phase II report can be found <u>here</u>.

In the spring of 2024, the law societies of the four western provinces and Nova Scotia collaborated on a survey of articling students, recently called lawyers and principals, mentors and supervisors, as a follow-up to a similar survey conducted in 2019. <u>The results of the survey</u> were delivered to the benchers and will be used to support the strategic planning process and the priorities identified therein, such as inequities in compensation for articling students who were educated outside of Canada.

The benchers received a briefing from the Practice and Ethics Committee which is reviewing proposed amendments to the *Federation of Law Societies' Model Code of Professional Conduct* in the area of reconciliation with Indigenous peoples and communities. The next step in this work is to share the report and proposed amendments with the Indigenous Advisory Committee.



#### News

# **RECOGNIZING MILESTONES**

The Law Society congratulates the following lawyers who have celebrated significant career milestones, having practised law in Manitoba for 50 years, with two of our honourees celebrating 60 years at the bar. Congratulations and best wishes to all!



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CELEBRAT

# News

# **REMEMBERING** *The Honourable Richard J. Scott, OC,OM*

The benchers, committee members and staff members of the Law Society are mourning the passing of Richard Scott, a great leader and mentor and a good friend to many. We have had the immense good fortune to work closely with Richard for many years, following his retirement as Chief Justice of the Court of Appeal and his agreement to become the inaugural Independent Chair of the Discipline Committee. Richard not only shaped the work of the committee, he forged strong relationships with his committee members, imparting his wisdom and experience in his usual respectful, collegial and welcoming style.

Upon Richard's retirment as Chief Justice, the Law Society was very pleased to establish the Richard J. Scott Award to recognize an individual who advances the rule of law and contributes to a strong and independent legal profession through advocacy, litigation, teaching, research, writing and mentoring, all qualities that Richard espoused

I think we can all talk about the exceptional lawyer, jurist, chair and leader he was. However, what will always stand out for me was the person who made an effort to get to know everyone he encountered. He was genuinely interested and made personal connections with people from all walks of life. He was a true gentleman in every way.

A few of us also will remember Richard for his love of cookies. We'd always have an extra cookie for him to take with him following a meeting and we loved his wink and his smile as he tucked it in his pocket and said "Don't tell Mary."

With deepest admiration for his enormous influence on Manitoba's legal community, we will miss him greatly.







In addition to twelve elected benchers, the Law Society appoints four lawyers to serve as appointed benchers for a two-year term. At least one appointed lawyer must be from an electoral district outside of the City of Winnipeg. This position has become vacant for the balance of the 2024-2026 term.

#### How Will Lawyers be Appointed to These Positions?

A nominating committee will recommend to the benchers a candidate based on a skills matrix which takes into account an applicant's knowledge and skills, background and established competencies, such as integrity and sound judgment. Serving as a bencher is an enriching and rewarding experience. If you are interested in becoming a bencher, consider putting your name forward for appointment. To be eligible, you must be a Manitoba practising lawyer and maintain your principal office within Manitoba, outside of the City of Winnipeg.

#### How to Apply

Email your resumé to Pat Bourbonnais at <u>pbourbonnais@lawsociety.mb.ca</u> by no later than **Friday, January 3rd, 2025.** 

To learn more visit the Law Society website, <u>Become a Bencher page</u>.



# **Access to Justice Week**

#### **Record-breaking Registration Numbers in 2024**

Record-breaking numbers of people registered for Manitoba's four Access to Justice Week webinars presented October 28 to 31, 2024. A total of 990 registrations were received from 555 unique individuals. For the fourth year in a row, the Faculty of Law, the Law Society of Manitoba, and the Manitoba Bar Association organized panels designed to bring together stakeholders in the legal community to develop meaningful, public-centred solutions that advance systemic change in the justice system. Read the full article with links to program recordings from this year's event posted by <u>UM News Faculty of Law</u>.



# Porte arrive arr

In Manitoba, **108 articling students** and **new lawyers**, along with **45 principals, recruiters, and mentors**, participated in the surveys.

#### **Key Findings**

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The survey revealed that half of respondents felt prepared to enter practice after completing articling, and that the most valuable aspect for both students and mentors was hands-on legal experience. However, mentors struggled with limited time to provide quality guidance, a challenge consistent with previous surveys.

Concerning equity, diversity, and inclusion, 28% of respondents reported experiencing discrimination or harassment during recruitment or articling, with higher rates among women, racialized individuals, and internationally educated students. Additionally, 47% of internationally trained respondents reported that they were not paid for their articling work, and 19% of these unpaid students identified as part of an equity-deserving group. These findings point to significant disparities in the articling experience, particularly for internationally trained students, who often face different challenges than their Canadian-trained counterparts.

#### **Next Steps**

These results highlight opportunities for the Law Society to raise awareness of available equity resources and consider initiatives to improve the articling experience for all students. Moving forward, a cross-jurisdictional analysis will be conducted to compare articling experiences across the participating provinces.

**Read the FULL REPORT here** 

This initiative is part of an ongoing collaborative effort among the law societies of Manitoba, Alberta, Saskatchewan, British Columbia, and Nova Scotia to enhance the articling process across these jurisdictions.



News

# **POSTAL DISRUPTION**



Due to disruptions in Canada Post services, mail correspondence with the Law Society may be delayed. Members are encouraged to use courier delivery services or visit in-person to drop off items like fee payment cheques. Alternatively, please explore the available LSM electronic payment options.

#### **Payment Methods**



NOVEMBER 2024

REGARDING ONLINE BILL PAYMENTS

PRACTISING FEES AND INSURANCE PAYMENTS CAN BE MADE BY ONLINE BILL PAYMENT THROUGH THE FOLLOWING BANKING INSTUTUTIONS:

BANK OF MONTREAL CIBC (NEW) CREDIT UNIONS RBC (NEW) SCOTIABANK TD CANADA TRUST



We know the needs of individual lawyers vary and no single education provider offers everything.

The good news is you've got plenty of options – including so many that are available on demand – to enhance your professional development.

In Manitoba, we are fortunate to have a collaborative and collegial relationship amongst the various arms of the legal profession. Each one contributes to and offers educational opportunities. We highly recommend that you have a look around to ensure you are taking advantage of the most relevant CPD for you and your practice.

Here at the Law Society, we offer a variety of live <u>Programs</u> and <u>CPD on Demand</u>.

#### Other places you'll find high quality CPD:



News



#### CPD So Many Options continued...

As you know, practising lawyers must complete 12 hours of <u>Mandatory Continuing Professional Development</u> (MCPD) by December 31 of each calendar year.

Sometimes we hear members say: "I just need to get my hours..."

While there is a concrete requirement measured by hours, professional development is not about hours, it's about the professionals who know that education is essential throughout their career.

The MCPD rules help ensure you maintain and enhance your professional competence. In reality, we all work to deadlines. The real intention is for you to reflect on your skills and identify your needs so you can seek meaningful resources to help meet your goals.

#### Questions? Please contact us. We are here to help.

Programs and CPD on Demand: cpd@lawsociety.mb.ca

MCPD Requirements: mcpd@lawsociety.mb.ca

# **Health and Wellness Resource Library**

Resources from the Law Society, Manitoba Blue Cross and other Partner Organizations

Digital Wellness Platform from Manitoba Blue Cross www.wellness.mb.bluecross.ca

From one central location you can now access:

- Counselling support
- Relationship learning program
- Yoga and meditation program
- Sleep assessment
- · Budgeting and financial self-directed courses
- And much more

For curated content, tips and resources to help YOU, start by taking a quick 10-minute <u>wellness assessment</u>.



Learn More

# Feature



ALISSA SCHACTER Director -Policy and Strategic Initiatives

# PERSONAL REFLECTIONS on working with

The Honourable Murray Sinclair

Over four years ago, the Law Society's benchers approved the creation of an Indigenous Advisory Committee (IAC) to help guide our work on reconciliation. When we thought about who would Chair this important new committee, Senator Sinclair was the first person who came to mind. Our then CEO, Kris Dangerfield reached out to Senator Sinclair to ask him if he would be willing to take on this role, as he had just retired from the Senate. To our delight, he agreed on the condition that he have a hand in setting the parameters for the establishment of the committee and its mandate. We too considered this essential, so we moved forward.

Senator Sinclair made an indelible impression right from the start. At our first meeting with Law Society staff, he introduced himself and insisted we call him Murray. He took the time to ask each of us questions about ourselves and our backgrounds, making a concerted effort to get to know us as best as one could over Zoom (as it was the pandemic). He was light hearted and kibbitzed with us. When we discussed the composition of the committee, he strove to be inclusive in all ways and ensure that different geographic regions, genders, and Indigenous backgrounds were all represented. He also thought it was important to have non-Indigenous voices at the table. Once the committee had been struck, he made the same effort to connect with each member on a personal level. Regardless of the issue being discussed, he ensured each IAC member had an opportunity to share their perspective and concerns. This isn't always the western way, as sometimes it's the people with the loudest voices who are heard.

We tried to limit the requests we made of Murray as we knew he was in high demand. But when we thought something was important and his involvement would be key, we asked him. He never said no. He recorded videos explaining to the profession why Indigenous intercultural awareness and competency education was essential for lawyers and he helped guide the IAC through some challenging issues and discussions as it worked on developing Manitoba content for *The Path*. He walked with one foot in the Indigenous world and the other in the western legal world, able to see a given situation from both perspectives and adept at explaining one world to the other when required.

# Feature

#### PERSONAL REFLECTIONS on working with The Honourable Murray Sinclair continued...

Much has been written about Murray Sinclair and his many illustrious accomplishments, and I will not list them here. Instead, I want to comment on his presence and the way he showed up, which was palpable even over a Zoom screen. There was a wisdom and grace that he brought to the virtual room. Despite the heavy load he carried due to his lived experience with racism and colonialism and because he was the "first" in many of the roles he assumed, he led with unfailing respect for all, a sense of fairness and desire to make space for everyone. In these polarized times where the tenor of public discourse is at a low point, his example shines as a bright light.



The Law Society is incredibly grateful to Murray for his assistance in establishing our Indigenous Advisory Committee and his role in helping us launch mandatory Indigenous intercultural awareness and competency training for the legal profession. His generosity, sagacity, patience, sense of fairness and respectful approach combined with his playful sense of humour were inspiring for all of us who had the honour of working with him. His spirit will guide us as we continue our journey of reconciliation in the years to come.



# Well-Being

# Law(yer) Strong

#### "Getting through the Winter" Events

#### December 11 - Games Night

Let's get together for games night at Across the Board. We can celebrate "Friendsmas" with a little food and fun. Come roll the dice and get away from the hustle and bustle. Only \$12/person, plus any food or drink.

Wednesday, December 11, 6:15 - 9 pm Across the Board - 211 Bannatyne Ave.



#### February 5 - Paint Night

Time for creative fun! A local artist will guide us step-by-step. No experience necessary, so come join us. Only \$25 per person and you can take home your masterpiece!

Wednesday, February 5, 6 - 9 pm Law(yer) Strong office - 421 Mulvey Ave. E.





#### **January 7- Pickleball**

Start off the new year with the latest craze. Wanna get out and move? Wanna learn something new? Wanna show off your skills?

Tuesday, January 7, 6 -8 pm Riverview School - 253 Maplewood Ave



#### March 26 - Comedy Show

They say "laughter is, and always will be, the best form of therapy". Laughing with friends is even better, so let's head to Rumor's Comedy Club. Fundraiser for Law(yer) Strong - tickets only \$20!!

Wednesday, March 26, 7:45pm Rumor's - 2025 Corydon Ave.

For more information or to sign up, email admin@lawyerstrong-mb.ca



# Law(yer) Strong

#### Holiday Office Closure December 23 – January 3

**204-201-1764** Voicemails will be returned in 24hrs

#### support@lawyerstrong-mb.ca

Emails will be returned once the office reopens on Monday, January 6

#### All contacts are confidential

lawyerstrong-mb.ca

#### 24/7 COUNSELLING SUPPORT SERVICES AVAILABLE OVER THE HOLIDAYS

#### Manitoba Blue Cross Employee Assistance Program

(204) 786-8880) | 1-800-590-5553 Hearing-impaired line (204) 775-0586

#### Klinic Crisis Line (24/7)

(204) 786-8686 | 1-888-322-3019

#### Mental Health and Suicide Prevention Support

Call or text 9-8-8 toll free, any time — lines are open



# Practice

# **PRACTICE MANAGEMENT QUICK TIPS** *To Make Practice (and Life) Easier*

TANA CHRISTIANSON, Director - Insurance

Looking for ideas to improve how you manage your practice? With many years of practice experience in both litigation and solicitors' work, in small firms and in a very large firm, Barney (Bjorn) Christianson, Practice Management Advisor to the Law Society of Manitoba, is uniquely qualified to provide free and confidential practice management advice to all Manitoba lawyers. Barney collects articles and information about all manner of law practice management issues that are worth sharing. Here are some of his recent recommendations:

#### **Improving Weak Cell Phone Service**

If you depend on cellular service for your phone, you know what it's like to encounter an area of weak service. The article <u>8 Ways</u> <u>to Improve Strength</u> will give you some tips on how you might be able to improve your cellular service. I learned you can even buy a device to improve your cellular service while you are in your car. <u>Amazon.ca</u> has them for less than \$300.



#### Al Magic?

Is AI the magic wand the vendors want you to think? Maybe tread carefully:

According to this Bloomberg article by Roy Strom, <u>Big Law is</u> <u>Questioning the 'Magical Thinking' of AI as Savior</u>, Big Law is juggling FOMO (fear of missing out) and FUD (fear, uncertainty, and doubt) when seeking to understand how Generative Artificial Intelligence can fit into practice. The quote from Ryan McClead from Sente Advisors legal tech consultancy - "We're reaching a critical mass where they're using it, finally, and saying: 'But it doesn't do what I thought it was going to do" - says it all. The article <u>AI Researchers Found Why AI Can't Summarize Well... And</u> <u>We Found Out How to Improve It</u> in the <u>Neuron Daily</u> underlines one of the problems.

# Practice

#### **Client Relationship Skills**



Has anybody told you that building personal relationships is critical to building a successful practice (at least for those practices that don't pivot on a court room). Jordan Furlong explains why and how, especially for those in the early stages of their career in his article <u>New Lawyers:</u> <u>Start Building Your Client Relationships Now</u>.

#### **Improving Your Cyber Defence - Two Lessons**

A goal of achieving cyber security is a moving target. All you can do is to take every opportunity to review what defences you have today and see if there is an improvement to make. BUT be warned (lesson #2) – do not click on a link unless you are using an ad blocker! <u>How-To Geek</u> is a reputable tech site but a Black Hat managed to add some suspicious links in ads on the webpage. Always use an ad blocker. If the site asks you to turn it off, you don't want to go there.

There are "free" websites that are fun or even useful that depend on ad revenue to stay afloat. They won't let you in unless you disable the ad blocker. That is fine on your home computer or any device that is not linked to your office network, but I would encourage you not to do that on office equipment. One bad link and you are toast. Besides, who said you need a webpage to have fun at the office? If it's a truly useful webpage, pay for a subscription.





If you are looking for advice on how to make your practice more efficient and less aggravating, contact Barney directly at 204-857-7851 or by email at <u>barney.christianson@gmail.com</u>. And remember, Barney's practice management advice is free and confidential.

# **Education**

# **PREP** IMPORTANT DATES

	Accelerated PREP 2024 (students not to be actively articling during coursework and Capstone)	June 2024 Intake (Traditional PREP)
November 29, 2024 to January 16, 2025		Phase Three: Virtual Firm Criminal Law Rotation
January 17, 2025 to March 7, 2025		Phase Three: Virtual Firm Business Law Rotation
March 2025	Students can re-attempt the Capstone if uncessessful in September 2024	Students participate in one of three Capstone Assessment weeks: Monday, March 10 to Thursday, March 13 Monday, March 17 to Thursday, March 20 OR Monday, March 24 to Thursday, March 27 No work to be assigned during your student's Capstone Week.
Spring 2025	Registration Opens for 2025	Registration Opens for 2025
Friday, June 20, 2025 9:00 a.m.	Mass Call to the Bar Ceremony RBC Winnipeg Convention Centre	

For more information about PREP, check out the <u>CPLED website</u>.

Questions? Contact Joan Holmstrom, Director - Competence 204-926-2017 or by email at <u>jholmstrom@lawsociety.mb.ca</u>

# Notices

# **IN MEMORIAM**

**Roman Duncan Kozak**, who passed away on August 16, 2024 at the age of 72. Mr. Kozak received his call to the Bar on June 22, 1995. He practised as an associate with Wilder, Wilder & Langtry for four years before joining Lowen & Martens where he continued to practice for an additional 12 years.

**William Richard Stovel**, who passed away on August 26, 2024 at the age of 77. Mr. Stovel received his call to the Bar on June 25, 1974. He served as in-house counsel to the City of Winnipeg – Law Department for 33 years, retiring from practice in 2007.

**Harold (Bud) Kemp Irving**, who passed away on September 7, 2024 at the age of 98. Mr. Irving received his call to the Bar on September 14, 1951. He practised for 63 years as a founding member of the firm known today as D'Arcy & Deacon LLP. Mr. Irving retired from practice in 2015.

**Barbara Ruth Hochman**, who passed away on September 16, 2024 at the age of 72. Ms Hochman received her call to the on June 28, 1984. She practised with Aikins, MacAulay & Thorvaldson for 14 years, retiring in 1998. Ms Hochman resided in Kelowna, BC at the time of her death.

**Edward Ross Yarnell, KC**, who passed away on September 29, 2024 at the age of 92. Mr. Yarnell received his call to the Bar on October 23, 1956. He articled and practised with Fillmore Riley LLP for 53 years, retiring in 2005. Mr. Yarnell was appointed King's Counsel in 1977.



The next regular meeting of the benchers of the Law Society of Manitoba will be held on:

💼 Thursday, December 12, 2024

**Notices** 

• The Law Society offices and via videoconference

12:30 p.m.

Members of the Law Society are encouraged to attend and participate in the deliberations of the governing body.

If you wish to attend a meeting via videoconference, please contact Pat Bourbonnais at <u>pbourbonnais@lawsociety.mb.ca</u>.

#### Dates for the next meetings of the benchers are as follows:

- February 6, 2025
- March 20, 2025
- May 15, 2025
- June 26, 2025

Agenda and meeting minutes are published on the website <u>here</u>.



# **Notices**

# **Membership Changes**

#### **Non-Practising to Practising:**

Jocelyne R.M. Ritc
Hilary M.M. Taylor
Tatiyana S. Bubno
Patricia G. Benhar
Chad R. Sutherlan
Gurpreet S. Kensr
Stephanie C.P. Ha
Stephen A. Porco

#### **New Admissions:**

October 28, 2024	Ram C. Sankaran
October 28, 2024	Justin W. Lafferty
November 5, 2024	Gurpreet S. Kensray
November 20, 2024	Jordan M. Kreml
November 22, 2024	Jeremy P. Rankin

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#### **Practising to Non-Practising:**

October 24, 2024	Timothy W. Chudy
October 25, 2024	Jenna E. Goderis
October 30, 2024	James P. O'Brien
October 30, 2024	Arthur J. Platt
October 31, 2024	Michael D. Kay
November 2, 2024	Stephanie T. Chan
November 2, 2024	Iriny Shenoda
November 7, 2024	K. Mark Lafreniere
November 8, 2024	Robert P. Maertens
November 13, 2024	Selimat A. Olamideji
November 18, 2024	Catherine E. Skinner
Novmeber 22, 2024	Stewart J. Pierce
November 22, 2024	Taylor A. Antonchuk
Novmeber 22, 2024	Michael Petrini
Novmeber 25, 2024	Christopher J. Abtosway
November 25, 2024	Ebo Dadzie
November 27, 2024	Matthew D. Bolton
November 27, 2024	John K.Y. Ham
November 28, 2024	O. Caroline Shoneyin
	-

Update your membership information by using the Member Forms located in the For Lawyers, Membership Services section of the Law Society's website.

# Notices



# NOTICE OF SUSPENSION Paolo Giuseppe Antonio Aquila

Pursuant to a resolution of a Panel of the Discipline Committee of The Law Society of Manitoba, **PAOLO GIUSEPPE ANTONIO AQUILA** was found guilty of professional misconduct and is suspended from the practice of law for a period of thirty (30) days, commencing on December 1, 2024 through to and including December 30, 2024.

November 18, 2024

**Leah Kosokowsky** Chief Executive Officer

Issued: November 18, 2024

# **CPD Education Centre**





# **CPD Education Centre**





# Upcoming IMPORTANT DATES At a Glance



2024

DECEMBER 12 BENCHER MEETING 12:30 p.m.

#### DECEMBER 31 DUE DATE MCPD Hours to be completed (PLEASE NOTE: This is NOT the reporting deadline. The deadline to report these hours is April 1<sup>st</sup>.)

#### 2025

#### JANUARY 2 PAYMENT DUE

2024-2025 Practising Fee and Insurance (3<sup>rd</sup> Instalment) for lawyers called to the Bar on June 20, 2024





**PRESIDENT** Gerri Wiebe, K.C.

VICE PRESIDENT Christian Monnin

CHIEF EXECUTIVE OFFICER Leah Kosokowsky

**DEPUTY CEO** Rennie Stonyk

#### **Mailing Address**

200 - 260 St. Mary Ave Winnipeg, Manitoba R3C 0M6 - MAP

Telephone: 204-942-5571 Facsimile: 204-956-0624 Toll-free: 1-855-942-5571

#### **Office Hours**

Monday to Friday 8:30 a.m. - 4:30 p.m.

#### lawsociety.mb.ca

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