

Communiqué

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CEO Report



LEAH KOSOKOWSKY

Chief Executive Officer

The benchers held their last meeting of 2021 on December 16th, with nearly half of the benchers attending in person and the remainder of the group attending by video conference. The primary item on the agenda was the final version of the 2022–2025 Strategic Plan. For the next three years, the strategic focus of the Law Society will remain on four main objectives, namely, competence, stakeholder confidence, access to justice and equity, diversity and inclusion. Included within those objectives, the benchers directed the Law Society to focus its energies on supporting the competence of newly called lawyers, solo and small firm practitioners, as well members of the bar practising in the northern and rural areas.

Another strategic goal of the Law Society is to see an increase in the number of Indigenous lawyers practising in the province as well as greater diversity in general. You will also find the Law Society pursuing initiatives to increase access to justice and to connect with the more vulnerable segments of Manitoba’s population regarding the Law Society’s public protection mandate.

The benchers also approved of a two year pilot project that will offer part-time practising fees primarily to members of the bar who are primary care-givers to their children and who are practising part-time. The intent of the pilot project is to assess its effect on the primary care-givers of children or family members who require regular, ongoing care. See page 6 for details of the program and how to qualify.

The Federation of Law Societies of Canada is working on the development of a national competency profile for all individuals entering bar admissions programs and for those entering into practice. They have prepared a draft and are seeking feedback from the law societies. The benchers directed

What’s New

PART-TIME FEES PILOT -
Information and Eligibility

JOIN YOUR GOVERNING
BODY - *Get involved!*

MORE PRACTICE
MANAGEMENT TIPS
From Barney Christianson



that the Admissions and Education Committee consider the issue in January and return to the benchers with a recommended response to the Federation.

In response to concerns regarding the impact of the pandemic on lawyers' practices, the Law Society permitted articling students to be granted an abridgement of their articles of up to 16 weeks, until December 31, 2021. Given that not all articling students who are in the December 2021 PREP intake will have begun their articles prior to December 31st, the benchers elected to extend the abridgement option to the entire cohort of students in the December 2021 PREP class.

The decade-long pilot project known as FLAC (the Family Law Access Centre) was officially wound down by the benchers. They agreed to do so due to the success of the project. That is, the original intent of the project was to demonstrate to Legal Aid that it was an economically feasible vehicle to deliver family law legal services to members of the public who exceeded the Legal Aid qualification limits but who could not afford a private practice lawyer. After a number of years of operation, Legal Aid took up the program as a pilot project and it is now part of their operations. Mission accomplished! While the pilot project has ended, the Law Society will continue to administer the last few remaining files to their conclusion.

Finally, the benchers received updates from the ongoing work of the President's Special Committees on Health and Wellness and Regulating Legal Entities. Suffice it to say that they are in the early stages of some excellent work.

Following the meeting, the benchers and staff met with members of the Manitoba Bar Association for the traditional joint holiday meeting. The topic of debate was what the workplace should look like post-pandemic. Three excellent presentations were delivered by MBA President, Ian Scarth, MBA Vice-President, Tanya Keller and Law Society Vice-President, Sacha Paul, highlighting the benefits of working from home, working in the office and doing both.



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For the next three years, the strategic focus of the Law Society will remain on four main objectives...

FRAUD ALERT

TANA CHRISTIANSON, Director - Professional Liability Claims Fund



FRAUD ALERT

Lawyers Indemnity Fund at the Law Society of BC sent out an alert about several BC law firms who had recently fallen victim to cybercrimes. I thought I would share it with you because any of these scenarios could happen to lawyers in Manitoba.

Three Successful Frauds:

1 Malicious emails sent to clients from law firm's email account

At one firm, the criminal spoofed a lawyer's email address and sent a fraudulent invoice to the lawyer's assistant for payment. The assistant asked the lawyer for a file number to process the invoice. They discovered the invoice and email were fraudulent, made no payment, and thought they were in the clear. However, on the same day, the hacker tried again and this time accessed the assistant's email. The hacker caused 1,850 emails to be sent to about 850 people from the assistant's account. The message asked recipients to click on a link. Several people emailed the assistant to check its legitimacy. The hacker intercepted those emails, and emailed them back saying that it was legit and that they should click on the link.

In a similar scam in Manitoba, a lawyer's email account was hacked and the hacker was able to convince some recipients to purchase and send Amazon gift cards to an email address at the direction of the hacker.

2 Compromised email sends fraudulent instructions to law firm's bank

At another firm, an in-house bookkeeper's email was compromised. The hacker sent an email to the firm's bank and requested that funds be sent to another bank. It was fortunate that in this case the bank contacted the firm personally to confirm the transfer to the different bank account and the firm was able to stop the transfer.

3 Lawyer logs into fraudulent email storage account

At a third firm, a lawyer received an email that he thought was from their storage provider stating that the firm's disc space was full and including a log-in link. The email, link and log-in page were convincing but fraudulent, and a hacker gained access to the firm's system because the lawyer clicked and then entered his password.

WHAT DO HACKERS WANT?

Hackers want your money and your clients' money. They also want access to your contacts so they can source new victims, using your name and reputation as bait. They also want access to information you store in your computer systems so they can sell it or use it for their own evil purposes. And some of them just enjoy making your life miserable.

HOW CAN YOU FRUSTRATE HACKERS?

BC's insurer makes the following recommendations:

Hover - If you sense anything unusual, hover over the name of the person sending you the email to ensure that the email address is correct. For example, an email from someone within your office should have the same domain you use.

Verify and confirm - If you unexpectedly receive a link or attachment – even if it is from someone you know – or sense anything unusual, call the sender using the telephone number you have on file (not the number listed in the message) to confirm the message is legitimate. Do not verify an email with an email.

Multi-factor authentication - Ensure two pieces of information are required to access email or your computer network. If a criminal acquires only one, your computer network may still be safe.

Routine backups - Regularly back up your systems and information to a location that is not connected in any way to your network.

Email security - Email is the single most-targeted point of entry into an organization for a criminal hacker. Have a competent IT professional on retainer and talk to your IT professional about measures to protect you from Phishing attacks. Most importantly, TRAIN YOUR LAWYERS AND STAFF to spot phishing and fraud.

Wire transfer verification - Do not accept emailed instructions to transfer funds unless your client has confirmed the instructions by phone or in person – and make sure you have an accurate phone number.

Password management - Create strong, unique passwords for each account. Change them regularly and never share passwords with anyone. Encourage employees to use a password manager. Don't use the same password for different websites and programs.

Avoid public Wi-Fi - Avoid using public, unsecured Wi-Fi. The person getting their hair cut to your left may be stealing your passwords.

Be private - Do not access private or confidential information in public spaces.

Think before you click - If you open a link or attachment that you should have avoided, or a box opens that asks for your password or other information, stop. Close out. Immediately: call your IT consultant, inform the people you work with (by phone or in person) and prepare to notify your cyber insurer.

CYBER INSURANCE

Buy cyber insurance for you and your firm, as an add-on either to your professional liability excess insurance or to your general office policy. The Law Society of Manitoba has purchased a small first response policy for Manitoba lawyers which offers limited coverage for Security and Privacy Liability, Data Recovery, Event Management Expenses, Data Extortion and Bricking. Details of the Law Society policy coverage are available on the [Member's Portal](#).

Most cyber insurers require, at the very least:

1. Weekly backups of data, stored offsite, and tested at least annually.
2. Installation of critical patches, anti-virus software, and anti-spyware made within a minimum of two weeks of release.
3. Installation, maintenance and active monitoring of firewalls and endpoint protection.

Be careful. Be aware.

Think about the security of your email and computer systems. You wouldn't leave the door to your office unlocked and unattended so strangers could wander through at will. Take the same care to protect your computer systems and email.

BENCHERS GIVE THE GREEN LIGHT To a Part-Time Practising Fees Pilot Program

The Law Society's benchers recently approved a two-year part-time practising fees pilot program, commencing April 1, 2022. This exciting initiative will help promote equity, diversity and inclusion in Manitoba's legal profession.

How the Pilot Program Will Work

Lawyers who meet the criteria will pay 50% of the full-time practising fees, but will be required to pay the full insurance levy. The Law Society will absorb the lost revenue resulting from members switching from full-time to part-time practice for the duration of the pilot program. The pilot program will provide the Law Society with an opportunity to gauge the level of interest in part-time practice and determine the impact on the Law Society's budget before any final decisions are made with respect to a part-time practising fee structure.

Eligibility for Part-Time Practising Fees

The pilot program is open to lawyers in private practice who work no more than 750 billable hours annually and have maximum gross billings of \$80,000 annually. Lawyers must also be parents or legal guardians who work part-time to accommodate their child care responsibilities, or have care-giving responsibilities for another family member who requires regular, ongoing care or supervision.

More details on the eligibility criteria and how to participate in the pilot program are available [here](#) on the Law Society's website.

Eligible lawyers must certify that they meet the program criteria. Participants are subject to an audit by the Law Society.



Promoting Equity, Diversity and Inclusion

Offering part-time practising fees for lawyers who practice part-time to accommodate their child care or other regular care-giving responsibilities is a way of recognizing that not all lawyers fit the traditional model of full-time practice. The goal of this initiative is to help reduce the rates of attrition of young female lawyers from private practice and provide flexibility to lawyers with significant, ongoing care-giving responsibilities for other family members. Supporting greater diversity and inclusion within the profession also helps increase access to justice for Manitobans.

For more information on the part-time practising fees pilot program, contact Alissa Schacter by email at aschacter@lawsociety.mb.ca or by phone at 204-926-2029.

Join Your Governing Body

Are you interested in providing leadership and input into the Law Society's work to protect the public interest?

Are there initiatives about which you are particularly passionate? Lawyer Health and Wellness? Equity, Diversity and Inclusion?

Are you feeling isolated in your practice and looking for an opportunity to network with and learn from lawyers and public representatives from all different areas of practice and experience?

After nearly two years of uncertainty caused by the pandemic, the practice of law is undergoing significant change and there are many challenges and learning opportunities ahead.

The Law Society bencher election and appointment processes will take place in May 2022, and we encourage you to consider running for election or applying for appointment as you will find the experience to be engaging and rewarding.



Here are what some current benchers have to say about their experience:

One of the things that I've enjoyed most about being a bencher is learning from and working with colleagues and staff who are committed to ensuring that the Law Society grows and evolves as an organization to reflect the changing needs, values and priorities of lawyers and the public.



Kelli Potter
Appointed Bencher

Serving as a bencher has been a great experience - not only to see how the sausage is made, but also because it's been so reassuring to see multiple viewpoints and positions considered before decisions big or small are made. Everyone should seriously consider getting involved.



Ken Mandzuik
Elected Bencher

I have been a lay (non-lawyer) bencher for several years and it has been a rewarding and fascinating experience. Public representatives provide an important perspective on matters before the Law Society. I know we are contributing to a more transparent, equitable and inclusive profession.



Susan Boulter
Lay Bencher

As a self-regulated profession, the bencher table is comprised of 12 elected lawyers, four appointed lawyers and six appointed public representatives. To be eligible for election or appointment, a member of the Law Society must be a practising lawyer on the 1st Monday in March. Each bencher sits for a two year term, for a maximum of four terms (eight years). To learn more, see our website on how to [Become a Bencher](#).

If you have any questions about becoming a bencher, please contact any one of the following:

Leah Kosokowsky, Chief Executive Officer 204-926-2030

lkosokowsky@lawsociety.mb.ca

Grant Driedger, President 1-204-346-5112

gdriedger@snj.ca

Lynda Troup, Past President 204-934-2337

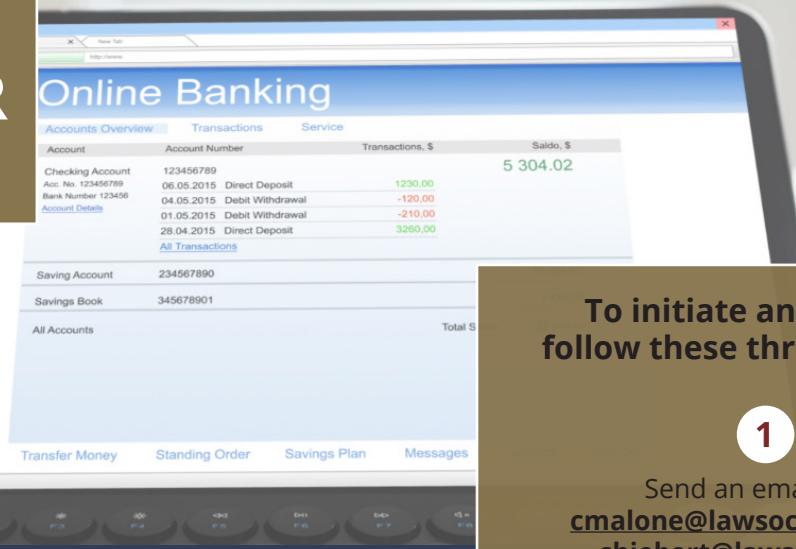
lkt@tdslaw.com

BITS and BYTES

Leah Kosokowsky, CEO

- 1 Law Society staff enjoyed nearly two months of connecting personally as we had implemented a staggered return to office plan on November 1, 2021. Unfortunately, we have returned to remote work, but our dedicated staff members are continuing to deliver services efficiently and effectively.
- 2 Many of us here at the Law Society are looking forward to participating in a February 1, 2022 round table discussion on the retention and advancement of women in the legal profession. This is a project initiated by the Canadian Chapter of the International Association of Women Judges.
- 3 After nearly a decade with the Law Society's audit department, **Deborah Metcalfe** retired at the end of December 2021. Deborah was not only an excellent auditor, she was also an excellent resource to the profession when perplexing trust accounting issues would arise. She will be missed by her colleagues at the Law Society.
- 4 Many members of the legal profession will remember **Ryan Sasaki** who served as the Law Society's controller for over 30 years. Sadly, Ryan passed away in December. He will be missed by many.
- 5 Congratulations to **Michelle Falk** and the Manitoba Bar Association on a terrific Midwinter program. Congratulations as well to all of the award recipients and, in particular, to my colleague and friend, **Anita Southall**, the well-deserved recipient of the Isabel Ross MacLean Hunt Award.

FEATURED PAYMENT METHOD: E-TRANSFER



To initiate an e-transfer, follow these three easy steps:

1

Send an email to both cmalone@lawsociety.mb.ca and chiebert@lawsociety.mb.ca

The email must include:

- a) name of the lawyer to whom the payment relates;
- b) member number
- c) invoice number
- d) dollar amount of the payment;
- e) name of the person or firm from whose account the money will be from
- f) email address of the person listed in (e) above.

2

The Law Society will respond to the email permitting the e-transfer and advising the exact day the e-transfer must be made.

3

On the day advised, initiate the e-transfer through your banking platform, by sending the email request to: cmalone@lawsociety.mb.ca.

The payor will be notified that the funds have been successfully transferred and an official receipt will be available on the Member's Portal in a few days.

**Did you know?
You can conveniently pay for
your practising fees with
online banking!**

Interac e-Transfer

This payment method will permit the electronic transfer of funds from your personal/firm's bank account to the Law Society.

The Law Society is limited to the number of daily e-transfers we can receive. Therefore, it is important to advise us prior to initiating a transaction.

Individuals are also limited to daily amounts that they can transfer from their account, so please check with your financial institution on your daily limit prior to initiating an e-transfer.

For more information and other payment options, check out the [Payment Methods](#) on our website.

CLOUD COMPUTING

TANA CHRISTIANSON, Director - Professional Liability Claims Fund

Lawyers used to ask the Law Society whether they could store their data back-ups 'in the cloud'. Lately, they make inquiries as they plan to invest in a document management system, specialized programs or even 'cloud productivity' systems like Microsoft 365 or Office 365. In many of these systems, the user agreement says that data will be stored with the provider, not with the lawyer and possibly somewhere other than Canada, and the lawyers are concerned.

Ethical Obligations

The Law Society cannot endorse any particular commercial product or service. Lawyers should pick the product that is right for them, but should not forget about their ethical obligations.

The *Code of Professional Conduct* (the *Code*) says lawyers must be competent in the delivery of their legal services (Rule 3.1-2). Knowing the substantive law relating to a client's file is one thing. Knowing about regulatory requirements and legislative provisions that may impact the management of your law practice is another. For example, when collecting, using and disclosing clients' personal information, lawyers must understand and comply with the requirements of applicable privacy legislation such as the [Personal Information and Protection Electronic Documents Act \(PIPEDA\)](#). If lawyers have clients who are living in the European Union and their services are subject to the [General Data Protection Regulation 2016/679](#), they must ensure they are complying with its requirements.



Technologically Competent

In December 2019, Rule 3.1-2 of the *Code* was amended to add specific commentaries requiring lawyers to be "technologically competent" in their law practices. Here are those commentaries:

4[A] To maintain the required level of competence, a lawyer should develop an understanding of, and ability to use, technology relevant to the nature and area of the lawyer's practice and responsibilities. A lawyer should understand the benefits and risks associated with relevant technology, recognizing the lawyer's duty to protect confidential information set out in section 3.3.

4[B] The required level of technological competence will depend upon whether the use or understanding of technology is necessary to the nature and area of the lawyer's practice and responsibilities and whether the relevant technology is reasonably available to the lawyer. In determining whether technology is reasonably available, consideration should be given to factors including:

- (a) the lawyer's or law firm's practice areas;*
- (b) the geographic locations of the lawyer's or firm's practice; and*
- (c) the requirements of clients.*

Lawyers are not expected to become "tech experts." They are expected, however, to keep abreast of changing technologies and use technology appropriately. Lawyers should understand the benefits as well as the risks associated with the use of technology. And lawyers should understand how technology impacts their professional ethical obligations.

Confidentiality and Technology

A critical part of the *Code* is the obligation of confidentiality. Rule 3.3-1 sets out that, subject to certain conditions: *"A lawyer at all times must hold in strict confidence all information concerning the business and affairs of the client acquired in the course of the professional relationship..."* Lawyers must retain control and ownership of data and safeguard information obtained from clients. When considering prospective service providers, regardless of storage location, assess whether you retain control and ownership of data. Will you still be able to produce records on demand? Will your clients' information be released to others, including law enforcement, without your knowledge or consent? What is the provider's cyber safety experience? Can the provider you select be trusted? Carefully consider the terms of any proposed user agreement with cloud storage providers and also consider whether the cyber insurance you purchase as part of your office insurance or excess insurance will respond if something goes wrong at your cloud storage provider.



Storage Outside Canada

PIPEDA does not prohibit outsourcing storage of personal information (client or otherwise) inside or outside Canada, but see [PIPEDA Report of Findings #2020-001](#) for an interesting analysis of how to do so appropriately.

If you decide to use a cloud service provider to store personal information that will be transferred or stored outside of Canada, think about whether the cloud is private, public or some combination. You will want to know whether your client's information is more likely to be caught in foreign law enforcement access requests. Privacy best practice is to provide notification to clients of the use of a foreign service provider. In Alberta, such notification is actually required. It has been suggested that, at a minimum, disclosure of a firm's practices should be set out in its privacy policy.

Resources

There are some excellent resources on due diligence on cloud computing. See:

- [Cloud Computing Checklist v.3.0 \(updated April 2020\)](#)
- [Cloud Computing Guide, Law Society of Saskatchewan \(November 2018\)](#)

Questions?

Please contact [Darcia Senft](#) if you have questions about your professional ethical obligations and remember that the Law Society's Practice Management Advisor, [Barney Christianson](#), is also available to provide practice management guidance.

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

TANA CHRISTIANSON, Director - Insurance

Barney Christianson is the Law Society's Practice Management Advisor. Barney provides free, confidential advice to lawyers on a wide range of practice issues. He also collects useful tips on making practice less painful.

Barney has practised in small and large firms, as both a litigator and a solicitor, and he is plugged in to a network of practice management advisors in Canada and the United States.

If you are looking for advice on how to make your practice more efficient and less aggravating, contact Barney.

Email

Have you ever wondered about that Cleanup button on Outlook (in the Home tab, grouped with Delete/ignore)? This is what it does: [Cleaning your Microsoft Outlook Inbox](#) - it can be helpful.

Take two minutes to read these [40 one-sentence potentially life/practice-altering tips](#). Adopting some of them may change your ideas about email.

DocuSign Fraud

Bad guys are always coming up with new ways to scam you and your clients. It was only a matter of time before the Bad Guys looked to DocuSign to do Bad Things. Well, time is up: get in the know about [Phishing Attacks using DocuSign](#).

Here are some more quick tips from Barney:

Time Management

Managing your time and your calendar is important. If you don't plan your work days, someone else will.

Consider the concept of [defensive calendaring](#).

Commas

So near and dear to Barney's heart – commas. (Remember [the missing comma that cost Rogers millions?](#))

Read on if you need some [comma guidance](#).

Why We Need Commas

Because

"I like cooking, dogs, and kids,"
is not the same as
"I like cooking dogs and kids."

Templates

[Templates](#) make you more productive; at least those that are easy to create and use quickly do.

iPhone and iPad

Did you know you can use a drag-and-drop feature on your iPhone and iPad? Here is how: [Drag and Drop Feature](#)

While we are on topic of iPhones, here are a bunch of the [hidden tricks](#). Some old, some new and somewhat ironically, they are in PCMag.



If you would like to contact Barney Christianson, Q.C., the Law Society of Manitoba's [Practice Management Advisor](#), for free confidential advice about practice management issues, call him directly at 204-857-7851 or by email at barney.christianson@gmail.com.



Manitoba Articling Recruitment Guidelines *For the 2023-2024 Articling Year*

The following guidelines are intended to complement the rules, and contain the procedures for the recruitment of articling students in Winnipeg within the context of the rules. These guidelines were developed by representatives of the Manitoba Bar Association (MBA), the Law Society of Manitoba, the Manitoba Law Students Association and the University of Manitoba, Faculty of Law. All Winnipeg firms and organizations engaged in the recruitment of articling students for the 2023-2024 articling year, and all candidates applying to such employers, are expected to adhere to the guidelines and dates set out below.

Guidelines & Important Dates to Remember for Firms, Organizations and Students

Firm Profiles

Employers are to provide profiles containing information about the firm's practice, office facilities, the number of articling positions available, the documents required for the application (resume, cover letter, copies of transcripts), the contact person, address to which applications must be sent, and all other pertinent information to both:

1. The Faculty of Law, Career Development Office, via email: lisa.griffin@umanitoba.ca (phone: 204-474-7932); and
2. The Law Society of Manitoba, via email: lehnes@lawsociety.mb.ca (phone: 204-926-2042)

no later than 4:00 p.m., Monday, March 21st, 2022. All postings received by this date will be accessible to Robson Hall students through the Faculty of Law Career Development website on Friday, March 25th, 2022, by noon and to all others from the Law Society of Manitoba by emailing a request to lehnes@lawsociety.mb.ca. *Profiles received after Monday, March 21st, 2022, will be posted as soon as possible.*

Application Deadline

The application deadline for students to submit resumes, cover letters and transcripts directly to the employers for 2023-2024 articling positions shall be **12:00 (noon), Friday, May 13th, 2022.**

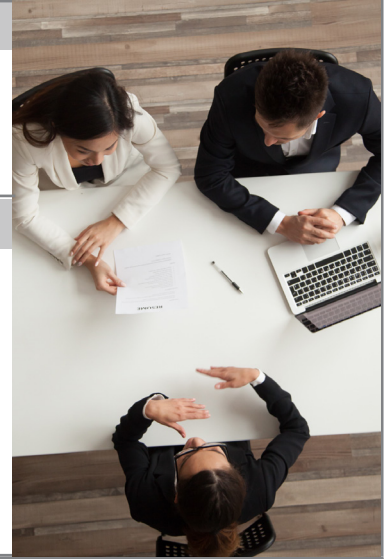
Interview Call Day

Interview offers may only be made between the hours of **10:00 a.m. to 2:00 p.m., Friday, May 27th, 2022**. No communication regarding interviews may be made prior to this time.

Interview Period

8:00 a.m., Monday, June 6th, 2022, to 5:00 p.m., Tuesday, June 14th, 2022.

Interviews shall not be conducted prior to 8:00 a.m. on Monday, June 6th, 2022. Firms and organizations may interview students at a location of their choosing. Both the Law Society of Manitoba and the Faculty of Law may provide space upon request. Please contact lehnes@lawsociety.mb.ca or lisa.griffin@umanitoba.ca if you require either. Firms cannot communicate with students between this **Interview Period** and the **Earliest Offer Date** described herein.



Eligible Students

Approved principals or their delegates may make an offer of an articling position only to students who have, at a minimum, completed their second year of law studies. Only students who have, or will have obtained an LL.B., J.D. or CQ from the National Committee of Accreditation on or prior to June 30, 2023 will be eligible to apply for 2023- 2024 articling positions

Earliest Offer Date

Approved principals or their delegates may **not** make an offer of an articling position in Winnipeg for the 2023-2024 articling term **before 2:00 p.m. on Wednesday, June 15th, 2022**. Offers made on June 15, 2022 must remain open until 10:00 a.m. of the following morning. Offers made on June 15, 2022 can be accepted or rejected by students anytime before 10:00 a.m. on June 16th, but must be responded to by that time. *Offers made **after** June 16th, 2022 must be responded to no later than 10:00 a.m. the following morning.*

Content of Offers

At the time the offer is made, firms must provide students with the name and contact information of the person to whom the student should communicate acceptance or rejection of the offer. Firms are also encouraged to include pertinent information with the offer, such as the proposed start date, salary and benefits.

Communication of Acceptance/Rejection

As a courtesy to firms and fellow students, students shall deal with offers received as soon as reasonably possible. Once a student has accepted an offer from one firm, the student must promptly communicate his/her rejection to any other firm that has extended an offer to the student. Failure to promptly communicate rejection of an offer prejudices the offering firm, as well as fellow students to whom subsequent offers may be made.

These [recruitment guidelines](#) for workplaces looking to hire articling students to start in the spring/summer of 2023 are also posted on our website.

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Accepted Offers

Once an offer has been accepted, neither the employer nor the student may withdraw from the agreement without the permission of the Chief Executive Officer of the Law Society of Manitoba.

Offer of Articling Positions after June 16th, 2022

Firms and organizations may contact students directly to fill any unfilled articling positions. Offers made after June 16th, 2022 must remain open until 10:00 a.m. the following day, unless accepted or rejected by the student.



Communication of Results

Once an offer has been accepted, the student and the employer must immediately advise both:

1. Lisa Griffin; Career Development, University of Manitoba, Faculty of Law by email: lisa.griffin@umanitoba.ca or phone: 204-474-7932); and
2. Lisa Ehnes, The Law Society of Manitoba, by email: lehnes@lawsociety.mb.ca or phone: 204-926-2042)

Timeline

Employer profiles/postings due at both Robson Hall and the Law Society of Manitoba	4:00 pm CDT, Monday, March 21st, 2022
Profiles/postings available to students	12:00 pm (noon) CDT, Friday, March 25th, 2022
Application deadline for students	12:00 pm (noon) CDT, Friday, May 13th, 2022
Interview offers	Between 10:00 am and 2:00 pm CDT, Friday, May 27th, 2022
Interview period	8:00 am, Monday, June 6th, 2022 to 5:00 pm CDT, Tuesday June 14th, 2022
Earliest offer date	No earlier than Wednesday, June 15th, 2022 at 2:00 pm CDT

PREP and ARTICLING - *Important Dates*

With more than one offering of the bar admission program provided each year, please refer to the following table which highlights the important dates for articling students according to the relevant program, depending on which offering of PREP is being taken.

	June 2021 Intake	December 2021 Intake
February 2022	- Family Law and Real Estate Virtual Firm (January 30 to March 10)	- Last day to register for the December 2021 intake is February 24
March 2022	- Phase Four: Capstone Assessment takes place online: March 14 to 17 or March 21 to 24 or 28 to 31 <i>Students will be completing assessment assignments online for 4 full days.</i> <i>Workplaces are reminded to not assign any work to students during their assigned Capstone week.</i>	- Complete work on Phase One: Foundation Modules by April 3
April 2022		- Foundation Workshops pre-work to be completed
May 2022	- Phase Four: Capstone Results released May 12	- Phase Two: Foundation Workshops <i>Students attend week long workshops.</i> <i>Workplaces are reminded to not assign any work to students during their assigned Workshop Week.</i> - Phase Three: Virtual Firms open on May 20 with the Business Law rotation
June 2022	- Call to the Bar Ceremony - Capstone Re-Assessments	- Phase Three: Virtual Firm Business Law rotation continues



**The Law Society
of Manitoba**

INCORPORATED 1877 | INCORPORÉ EN 1877

NOTICE OF INTERIM SUSPENSION Caroline Cramer

CAROLINE CRAMER is suspended from the practice of law effective immediately.

As a result, **CAROLINE CRAMER** may not practise law in any capacity, either in her own name or through any entity, including:

- Caroline B. Cramer Law Corporation
- Brotman & Cramer
- Estate Attorneys of Manitoba
- Central Canadian Will Bank & Registry
- Hart Investment Ltd.
- Hart Agencies
- Value Notary Manitoba

This suspension was directed by resolution of the Complaints Investigation Committee of The Law Society of Manitoba made on November 24, 2021, pursuant to Section 68 of *The Legal Profession Act*.

November 24, 2021

Leah Kosokowsky
Chief Executive Officer

Issued: November 24, 2021



**The Law Society
of Manitoba**

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NOTICE OF SUSPENSION Gregory Lloyd Bauman

Pursuant to the resolution of a Panel of the Discipline Committee of The Law Society of Manitoba made on November 25, 2021, **GREGORY LLOYD BAUMAN** of **GINNELL BAUMAN WATT LAW CORPORATION** was found guilty of professional misconduct and is suspended from the practice of law for a period of six (6) months, commencing on December 20, 2021 through to and including June 19, 2022.

December 16, 2021

Leah Kosokowsky
Chief Executive Officer

Issued: December 16, 2021



Annual Member Report

Complete Online

This year's Annual Member Report is now available in the [Member's Portal](#) and is due April 1, 2022. It combines your annual report on your continuing professional development activities in 2021 and your Law Corporation renewal (for those that have them). For trust account supervisors, there are additional reporting requirements. This report must be filed by every lawyer who had practising status in Manitoba at any time in 2021.

Completing and submitting this report is mandatory. If you have provided us with your business email address, then you should have already received notification by email that your personalized online report is ready for completion. The email notification would also have contained your user ID and login instructions on how to access the Member's Portal for easy completion and filing of the report. If you have not received your email notification but believe you should have, first check your spam or junk mail folder. To avoid Law Society emails mistakenly being flagged as spam, add the email address no_reply@lawsociety.mb.ca to your contacts/safe sender list.

If you are still unable to locate this notice in your inbox, then please contact Donna Mihalick at dmihalick@lawsociety.mb.ca or by phone at 204-926-2050. If you have not provided the Law Society with your business email address, please do so immediately.

Due April 1, 2022

IN MEMORIAM

Serge Radchuk, Q.C., who passed away on September 22, 2021 at the age of 94. Mr. Radchuk received his call to the Bar on September 30, 1955. He practised as an associate and partner in several small firms for the first 12 years of his career and then, for 47 years, Mr. Radchuk practised as a sole practitioner. He retired from practice in 2014. Mr. Radchuk was appointed Queen's Counsel in 1980, was invested into the Order of Canada in 1994, and was recognized by the Law Society in 2007 for having practised law for 50 years.

Stephen Martin Kendall Hope, who passed away on October 18, 2021 at the age of 66. Mr. Hope received his call to the Bar in Manitoba on June 25, 1981 but did not practice in this jurisdiction.

Ian Reid Anderson Macmillan, who passed away on October 19, 2021 at the age of 82. Mr. Macmillan received his call to the Bar on June 26, 1969. He practised as an associate and partner with several Winnipeg firms until 1994 and then as a sole practitioner for five years. Mr. Macmillan resided in Ontario at the time of his death.

Scott Gordon Paler, who passed away on October 24, 2021 at the age of 54. Mr. Paler received his call to the Bar on June 19, 1997. He began his career in private practice and then in 2000 joined Legal Aid Manitoba as counsel. He continued to serve in this position up to the date of his death.

John Elmer Hodges, Q.C., who passed away on November 2, 2021 at the age of 94. Mr. Hodges received his call to the Bar in Manitoba on October 17, 1955. He was a practising member of the Law Society for 37 years, serving as crown counsel for the Department of Justice of Canada. He was appointed Queen's Counsel in 1975. Mr. Hodges resided in Ontario at the time of his death.

David Grant Frayer, Q.C., who passed away on November 8, 2021 at the age of 80. Mr. Frayer received his call to the Bar on June 26, 1968. He began his career serving as a crown attorney for the Attorney General of Manitoba. In 1992 he joined the Department of Justice of Canada. There he served as a crown attorney, as Regional Director, and later as General Counsel and Senior Practitioner of the Winnipeg Regional office. From 2009 until his retirement in 2014, Mr. Frayer continued in practice as a sole practitioner. Between 1983 and 1993 he also served as a military trial judge, presiding over hearings held in Canada as well as overseas. Mr. Frayer served as a bencher of the Law Society from 1978 to 1988 and was subsequently appointed a Life Bencher. In 1982 he was appointed Queen's Counsel by both the federal and provincial governments.

Grant Nerbas, who passed away on November 14, 2021 at the age of 89. Mr. Nerbas received his call to the Bar on May 27, 1958. He served as in house counsel for CN Railway for 34 years. From 1996 until his retirement in 2002, Mr. Nerbas practised as a partner and an associate with Dobrowalski & Nerbas and Tacium Vincent Orlikow.

Marilyn Walder Billinkoff, who passed away on November 16, 2021 at the age of 67. Ms Billinkoff received her call to the Bar on June 26, 1980. For two years she practised as an associate with Walsh Micay & Company and Arpin & Co. In 1984 Ms Billinkoff joined the Manitoba Real Estate Association where she served as in house counsel for eight years. In 1992 she joined the Law Society of Manitoba, where she served as Director of Insurance for three years and then as Deputy Chief Executive Officer for 20 years. Ms Billinkoff retired from the Law Society in 2015.

Membership Changes

Practising to Non-Practising:

December 10, 2021	Heather A. Dixon
December 31, 2021	Lesley C. Tough
December 31, 2021	Catherine M. Hamilton
January 3, 2022	Sydney C. Pilek
January 4, 2022	Derek J. Duncan
January 13, 2022	Matthew T. Balkwill
January 13, 2022	Thomas W. Turner
January 15, 2022	Leonardo N. Aniceto
January 19, 2022	Nicole A. Evans

Inactive to Practising:

December 15, 2021	David A. Grohmueller
January 1, 2022	Barry C. Effler
January 17, 2022	Tatiana S. Bubnowicz
January 19, 2022	Janelle R. Hammond

Non-Practising to Practising:

December 6, 2021	Kristal Bayes-McDonald
January 10, 2022	Philip H. Sieklicki
January 14, 2022	Emily Sanchez Salcedo
January 17, 2022	Alanna S. Hall

Practising to Inactive:

November 17, 2021	Michael J. Clark
December 3, 2021	John W. Barber
December 13, 2021	Sharad K. Verma
December 30, 2021	W. Terrence Wright, Q.C.
December 31, 2021	Marni L. Karpiak
December 31, 2021	David G. Newman
January 1, 2022	Shelly L. McFadyen
January 1, 2022	Leslie D. Gergely
January 1, 2022	Cynthia M. Hiebert-Simkin
January 19, 2022	Gregory W. Edmond

New Admissions:

December 3, 2021	Amandeep K. Dhillon
December 15, 2021	Funmilayo E. Taiwo
December 23, 2021	Lucas C.S. Sader
January 3, 2022	Kendra L. d'Eon
January 7, 2022	Rebecca M. Jaremko Bromwich
January 13, 2022	Muhammad R. Nadeen
January 14, 2022	Michael E. Duboff

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

Notice of Benchers' Meeting

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

Thursday, February 3, 2022
at 12:30 p.m. via
videoconference.

The dates of future meetings of the benchers are as follows:

- Thursday, March 24, 2022
- Thursday, May 19, 2022
- Thursday, June 23, 2022

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

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

Agenda and meeting minutes are published on the website [here](#).

MCPD - A Friendly Reminder

HAVE YOU MET YOUR 2021 MCPD REQUIREMENTS?

If you are short hours, you can still catch up by visiting our website at [CPD on Demand](#) to access a variety of options (including a number of free recordings) that are available through [CPDonline](#) and [Member Only Resources](#).

To learn more about the requirements, visit [MCPD Requirements and Eligible Activities](#).

If you have questions or special circumstances, please let us know at mcpd@lawsociety.mb.ca.





Law(yer) Strong

Manitoba's Peer Support
Program for Lawyers

Announces

New Peer Support
Program Coordinator

Tamara McCaffrey



The Law(yer) Strong Board of Directors is pleased to welcome Tamara McCaffrey as our new Peer Support Program Coordinator! Tamara's experience and enthusiasm will be invaluable as she helps us to launch Law(yer) Strong. Stay tuned!

Education Centre Calendar of Events

Upcoming Programs

Tech Advice and Tips with Barron Henley	February 16, 2022	Register
Joint Family Law Program	March 4, 2022	Register
Update on Medical Assistance in Dying	March 16, 2022	Register
The New <i>Limitations Act</i>	April 28, 2022	Save the Date!

CPDonline

Welcome to your virtual classroom

If you missed them the first time around, check out the recordings available to you on-demand at [CPDonline](#).

[Trauma Informed Lawyering](#) Available until March 16 [Enrol](#)

[Jordan's Principle](#) presented by Dr. Cindy Blackstock **(FREE)** [Enrol](#)

[Remote Witnessing of Documents](#) [Enrol](#)

Paul Unger's [Get Organized / Get Focused / Get Ready!](#) series [Enrol](#)

- [Time and Distraction Management](#)
- [Email Management](#)
- [Task, Goal, and Deadline Management](#)
- [Fight the Paper - Organize your Digital Matter File!](#)

[L'immigration francophone en milieu minoritaire](#) [Enrol](#)

[Forms of Address and Pronouns](#) [Enrol](#)

[Access to Justice: Indigenous Perspectives](#) **(FREE)** [Enrol](#)

[Commemorating 150 Years of Treaty 1 and Treaty 2: What You Need to Know](#) [Enrol](#)

Questions about CPDonline?

Please reference the [FAQs](#) and if you still have questions contact CPDonline@lawsociety.mb.ca or Kirsty Hyduk at 204-926-2035



GREAT LEXPECTATIONS

KAREN SAWATZKY AND GEORGE ROY

Here we go again! As the infection rate rises, the library closes to visitors. We are still available to support all your legal research needs. Please call 204-945-1958 or email (library@lawsociety.mb.ca) so we can help. We have a new crop of print and e-editions available for you to borrow.

There's a new face at the library. **John Bryans** will be filling in for George while George is on parental leave. John is a library student at Western University.

The [2021 Clawbies](#) have just been awarded. This is a great source of peer recommended legal reading, writing and listening material. Not just blogs anymore, the Clawbies also includes podcasts and newsletters. Browse through the winners for new sources of legal information in a variety of practice areas.

Legal Research Tip

Are you familiar with [Slawtips](#)? Each Tuesday, Wednesday and Thursday short tips are published in the areas of technology, legal research and practice. In December they published our tip on [plain language summaries](#) published by the Supreme Court of Canada. Apparently, I wasn't the only one not aware of this feature. Another really useful tip from September is about [Finding Black's Law Dictionary](#) online. Hat tip to my colleague, Susannah Tredwell at DLA Piper in Vancouver, for this one. You can subscribe to Slawtips by email or RSS.

CLOSED TO VISITORS BUT OPEN FOR PHONE CALLS AND EMAIL

Great Library Hours

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

For assistance, please continue to contact us
by phone 204-945-1958
or email at library@lawsociety.mb.ca
as much as possible.

NEW BOOKS

Emond's Criminal Law Series



Digital Evidence, 2nd ed. – “This is the first comprehensive text on this facet of law. It is designed to clarify the nuances of the authentication and admissibility of digital evidence, privacy rights, the uses and limits of social media evidence, and the search and seizure of electronic devices. This text also explores the ways in which law enforcement can access digital data in the hands of third parties, including the various powers created by [Bill C-13 \(S.C. 2014, c. 31](#) Protecting Canadians from Online Crime Act).”

Search and Seizure – “Search and Seizure provides a practical examination of the evolving body of legal rules and principles that govern how reasonable searches and seizures are conducted. In particular, it considers the increased complexity of assessing a person’s reasonable expectation of privacy in the digital age. This handbook addresses central concerns and relevant topics such as Section 487 Search Warrants, computer device searches, warrantless searches, and exclusion of evidence.”

Modern Criminal Evidence – “The first major treatise to provide a truly practical and comprehensive guide to criminal evidence law in Canada. Unlike other texts in this area, this book’s practical approach guides readers through evidentiary issues in all components of criminal law, providing indispensable insight from Crown, defence, and judicial perspectives.”

Prosecuting and Defending Fraud Cases, 2nd ed. – “Prepares readers to properly litigate fraud cases, examining both prosecutorial and defence perspectives. Guiding readers step by step throughout the process of a fraud case, this practical resource weaves strategic information with case law analysis and relevant provisions of the *Criminal Code*. This edition features up-to-date legislation, additional content, updated charts, and a new chapter on cyber fraud in Canada.”

continued...

NEW BOOKS

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Regulatory Law & Practice, 3rd ed. – “While legal professionals are no strangers to regulations, the perplexity of the mechanisms to challenge the validity of regulations and rules makes regulatory law an area of specialized knowledge beyond the reach of most lawyers and government officials. The process by which regulations are made, and the controls imposed by legislatures on the law-making powers of regulators, are also a ‘black box’ little understood by government officials and legislators themselves. *Regulatory Law and Practice, 3rd Edition* takes a multi-jurisdictional approach to regulatory law principles and regulatory processes, describing case law and regulatory processes in jurisdictions across the Commonwealth and beyond.”

The Doctrine of Res Judicata in Canada, 5th ed. – “The definitive resource on an important legal doctrine: why a person can only sue or be sued once for each case.

The book’s analysis, terminology and description of the law have been adopted by the Supreme Court of Canada, and have been cited on numerous occasions by provincial trial and appellate courts and by tribunals across Canada. The text provides a comprehensive distillation of the res judicata doctrine that has evolved in 200 years of Canadian jurisprudence.”

The Encyclopedic Dictionary of Canadian Law – “From the very first entry (“A or a”) to the last (“ZZZZ”), it is clear that this new publication is the most comprehensive Canadian legal dictionary available. It is a thoroughly contemporary, truly essential resource that even includes definitions of common acronyms now used in text slang – a useful addition given the extent to which text messages are now used as evidence in criminal proceedings.”

The Law of Privacy in Canada, 3rd ed. – “Author Michael Power is a leading authority on Canadian privacy law and issues concerning the protection of personal information. *The Law of Privacy, 3rd Edition* is a comprehensive treatise providing a thorough overview of Canadian privacy law and includes two main sections:

- **Personal Information Protection in Canada** – Legislation and statutes; the meaning of “personal information”; the collection, use and management of personal information in the public, private and health sectors; security and breach notification; borders and boundaries; and enforcement
- **Privacy** – Common law and arbitral decisions; privacy and the *Charter*; privacy in Canadian tort law; criminal law; and employment

This book also features a helpful annex that provides guidance on how to manage personal information, including how to build privacy management frameworks and the privacy issues that must be addressed in outsourcing and procurement.”

Drafting Wills in Canada, 3rd ed. - “Includes helpful examples of good and bad drafting, along with dozens of practical tips both for drafting and for managing a wills practice.”

What’s New In This Edition?

- New chapter on First Nations Estates under the *Indian Act*
- Comprehensive tax matters section in the Business Interests chapter providing an overview of common income tax planning issues for business owners in the context of estate planning
- Recent case law, as well as key changes to federal tax law and wills and attorney legislation in several provinces
- Updated content on dealing with digital assets, charitable giving and graduated rate estates

Dangerous Offender Law – “This new publication is a comprehensive, yet accessible, overview of dangerous offender law in Canada. Written by three experts in the field, including defence counsel and intervenor from the landmark *R. v. Boutilier* case at the Supreme Court of Canada, *Dangerous Offender Law* presents criminal justice participants and the Canadian public with a long overdue guide to understanding the complex sentencing regime set out in Part XXIV of Canada’s *Criminal Code*.”



The Manitoba Law Library is on Twitter!
Follow us [@MBLawLibrary](https://twitter.com/MBLawLibrary) for the latest updates on essential legal information and resources.

Upcoming IMPORTANT DATES At a Glance



FEBRUARY 4
BENCHER MEETING
12:30 p.m.

MARCH 4
**ANNUAL JOINT
FAMILY LAW PROGRAM**

MARCH 21
FIRM PROFILE DEADLINE
by 4:00 p.m.
for 2023-2024 Articling Recruitment

MARCH 24
BENCHER MEETING
12:30 p.m.

APRIL 1
FILING DEADLINE
2021 Annual Member Report

APRIL 1
FILING DEADLINE
2021 Mandatory Continuing
Prof. Development (MCPD) Report

APRIL 1
RENEWAL DEADLINE
Law Corporation Permit

APRIL 1
PAYMENT DUE
2022-2023 Practising Fees



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Grant Driedger

VICE PRESIDENT
Sacha Paul

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Office Hours

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Law Society staff working
remotely remain available
by either email or phone
during core office hours.

lawsociety.mb.ca

