

OCTOBER 2024



- IN THIS ISSUE —

WELL-BEING

President's Message	2
CEO Message	3
Wellness Challenge Recap	4
Supports	8
Answering the Call	10
Initiatives	12
Resources	14

REGULAR LAW SOCIETY NEWS

NEWS	
Bencher Meeting Highlights	17
EDUCATION	19
NOTICES	20
RESOURCES	23

Welcome to our 4th special edition of the Communiqué dedicated to **Well-Being**.

The theme of World Mental Health Day 2024 is *"It is time to Prioritize Mental Health in the Workplace"*.

Our summer Wellness Challenge nudged us all to take small steps to improve how our workplace and workflow contributes to well-being.

The National Study led by Dr. Cadieux has emphasized that leadership and workplace structures and processes have the BIGGEST impact on lawyers' well-being.

Hmmm, there is a pattern here! Read on for reflections and inspiration as we take next steps.

Revisit <u>past Well-Being editions</u> for further resources.



PRESIDENT'S MESSAGE

GERRI WIEBE, K.C.

When I started practising 20 years ago, the well-being of lawyers wasn't a concern. In fact, the general rule was that if you were sleeping well at night, you clearly weren't working hard enough. The "articling 10" (or if you're me, 20) was a real thing, because there was no expectation that you would have time to exercise during your articling year, nevermind eat nutritious foods at regular intervals. All your calories came from alcohol. The time for taking care of yourself was always later, and of course, later never came.

I'm told that I didn't work as long and as hard as the generation before me, and I am often guilty of telling the "when I was a young lawyer" stories to juniors when I think that their dedication is lacking. But, thankfully, I'm learning to dial that back. Because the reality is that our profession needs to undergo a profound culture shift. We have to stop killing ourselves for this job.

So my challenge to my fellow "senior" lawyers is this: before you shake your head in disgust at the junior who leaves at 4:00 p.m. and doesn't consume alcohol, do your research. Healthy lawyers are more productive, make fewer mistakes, and stay at their workplaces longer. Fostering wellness in the workplace is not only the decent thing to do, it's a smart business decision. There will always be times when we will have to work long hours, and we will never entirely avoid the stress that comes with doing what we do. But we can most certainly make wellness the norm, and chaos the exception.





LEAH KOSOKOWSKY



I am very pleased to participate in the Law Society's fourth annual well-being issue of the *Communiqué* where you will find a theme of prioritizing well-being in the workplace. One component of a healthy workplace is having an environment where we can talk about our mental health challenges and support each other through them with compassion and understanding. As you leaf through this issue, you will find some personal stories shared by a couple of lawyers here at the Law Society who, through the compassion and support of colleagues, family and friends, were able to work through struggles and are stronger for it. You are not alone. Your friends and colleagues are here for you.



A MESSAGE FROM THE WELLNESS CHALLENGE PARTNERS

While the Wellness Challenge has ended, let's continue to make your well-being and that of your colleagues a priority. Thank you Manitoba Bar Association and The Law Society of Manitoba for partnering to make the legal community in Manitoba the best it can be! Together we can improve the well-being of the legal community in Manitoba.



~ Tamara McCaffrey, Program Director, Law(yer) Strong

Members of the Northern Bar hiked The Caves Trail in Clearwater Lake.



The MBA was proud to partner on this year's Summer Wellness Challenge, supporting initiatives that prioritize mental health and well-being within the profession.



As we continue to focus on mental health and wellness in the profession, we're committed to fostering a healthier, more balanced community. Let's keep the momentum going together!

~ Michelle Falk, Executive Director, The Manitoba Bar Association



Law Society staff get together to celebrate the end of the Wellness Challenge with fro-gurt and a group walk to The Forks. The Law Society was grateful to have the support of the Manitoba Bar Association and Law(yer) Strong along with coordination by Amy Tung as we embarked on this first ever Wellness Challenge. We appreciate all of the lawyers who took the time to participate in any part of the challenge. We are committed to continuing to cultivate a healthier profession.



~ Eileen Derksen, Director -Continuing Professional Development, The Law Society of Manitoba

WHY INVESTING IN WORKPLACE WELLNESS MATTERS



AMY TUNG, Wellness Challenge Coordinator

Over the summer Wellness Challenge, we've gained valuable insights from surveys, conversations, and our wellness champions. One key takeaway? Wellness means something different to everyone—it's a spectrum that includes our relationships, community, work, mental health, physical health, and finances.

But here's the big picture: investing in wellness at work isn't just about feeling good — it's a smart business strategy. When we prioritize wellness, we're investing in our people and, by extension, our organization. A healthy workplace boosts productivity, reduces errors, lowers costs, and helps us achieve more with the same resources.

"From what I see at my firm, when everyone is in a healthy place, where they are positioned to give the work the attention it needs, then you are doing more meaningful work and you are more efficient at it." - Maria Mitousis

Wellness is more than a perk; it's a strategic investment that drives performance, strengthens your business, and sets you apart in today's competitive landscape.

"Efficiency leads to less time on tasks, so we've invested in that in terms of technology and better systems for home offices." - Tim Fry

By supporting wellness, we're not just creating a better work environment—we're building a foundation for future success. Let's continue to champion this change together!

WELLNESS CHALLENGE CHAMPION STORIES



"The return on investment, of your personal investment, is huge... otherwise, it's easy to get caught up in the hamster wheel of work"

"You have to connect with those (in leadership roles) ... to get buy in."

VIEW Tim's Story

VIEW Stephanie's Story

"I find that my productivity increases across the board once l've slowed things down... it's almost counterintuitive"

VIEW Maria's Story



What is good in your life right now? Jot down a few. Can you find five things that are good? Try to go through them at night, when you are going to sleep, and again on the way to work. Try this every day for three weeks. Then, notice how you feel. Any changes?

People who practice gratitude tend to feel more positively towards themselves and others. To quote a lyric from Trooper "We're here for a good time, not a long time." If we put off appreciating the good things until a time when we have "more time and less stress", we may miss it.

The purpose of the Wellness Challenge was to get us to be more intentional about actions that promote mental health and wellness in the profession. Some of the challenges focused on connection, some on boundaries; all were based on what we know can help to create a sense of balance and well-being. Information and resources from the Wellness Challenge remain available on the Law(yer)Strong website.

We have a lot to be thankful for in our legal community. Our law school friends and peer support volunteers, and law firm supporters. Lawyers who show up for their clients, their families, their co-workers, communities, and friends every day. We appreciate all those who work hard to get it right, to do a good job, to help. We appreciate all those who are are struggling, and feel alone. We appreciate the wonderful teachers who have worked with us to provide courses to the legal community about mental health, burnout, suicide prevention, resilience, and how we can respond constructively to the demands and stress of our profession. We appreciate our online support groups. May the good stuff continue!

Grateful, Thankful and Blessed



Upcoming Events:



Volunteer Training (online) Nov. 15 & 22 9am-12pm To register email <u>admin@lawyerstrong-mb.ca</u>

lawyerstrong-mb.ca

Law(yer) Strong

WELL-BEING



Trina McFadyen,

Director of Professional Development at the University of Manitoba Faculty of Law



LAW(YER) STRONG PARTNERSHIP

Law(yer) Strong volunteers will once again be at Robson Hall throughout the school year, providing an opportunity for law students to engage in meaningful discussions about mental health and wellness in the legal profession. At the first event on October 8, Law(yer) Strong volunteers and students shared tips on how to deal with competing demands for their time.

NOTES OF ENCOURAGEMENT

A new initiative at Robson Hall is the Notes of Encouragement where alumni and members of the profession share advice and words of reassurance with the incoming 1L students, building a community sense of and belonging from Day 1 of law Each new student school. received a card during the first day of orientation in September. Thank you to all members of the Bench and Bar who participated.



COUNSELLING SERVICES

The Faculty of Law provides enhanced mental health supports for all law students. Two counsellors from the University of Manitoba's Student Counselling Centre are available on-site at Robson Hall two days a week.



Workplace Wellness Resources



Downloadable resources with advice and tools tailored to both the needs of leaders and employees



Curated Collection of Digital Articles related to health and wellness in the workplace, including "<u>Battling job burnout</u>" and "<u>Constructive criticism</u>".



Available workshops and seminars on a range of topics that support interactive learning and practice in the workplace

Explore Workplace Well-being

A comprehensive overview of services available through your EAP Coverage

Organizational Wellness Assessment How effective is your current Workplace Wellness Strategy?

By focusing equally on the well-being of employees and key performance indicators, we can help you rank, compare, contrast and correlate individual variables to quantifiable business outcomes.



Benefits of Fostering Workplace Wellness

- stronger ability to recruit and retain talent.
- improved employee engagement.
- enhanced productivity.
- more creativity and innovation.
- reduction of many workplace issues.
- higher profit levels.

Request an assessment on a fee-for-service basis



ANSWERING THE CALL

The Honourable George R. Strathy, former Chief Justice of Ontario, delivered the keynote address at the Canadian Bar Association Conference on Well-Being, *Answering the Call: Creating Healthy Legal Workplaces*, in November 2023.

His recommendations on how we go about Creating Healthy Organizations were directed specifically to those in leadership roles at firms and organizations and started with this:

Leaders should foster an environment that encourages open and candid discussions about mental health... including their own mental health.

WHEN IN DOUBT... REACH OUT



Leah Kosokowsky Chief Executive Officer

Many years ago, I had considerable difficulty coping with the tragic death of a lawyer who had been under investigation by the Law Society. While I didn't miss any work and I continued to carry my file load and all of my other daily responsibilities, I would break down every time that this lawyer's matters were discussed.

I carried on, however, thinking this would pass, until two close colleagues gently reached out to suggest that I seek out some help to process these feelings. I did so. I called the Lawyers Assistance Program (as it was called in those days) at Blue Cross and was immediately connected with a therapist.

I got the help that I needed because of the kindness of those colleagues who saw someone in need and who were not afraid to reach out. If you observe someone who may be in pain or struggling, don't be afraid to ask if they need some help. They may just need a nudge.

FINDING STRENGTH THROUGH STRUGGLE: My Wellness Journey

Noelia Bernardo

Practice, Ethics and Equity Advisor

Last year, I faced a significant challenge. It came to a point where I had to make a difficult decision – to step away from work and focus on my mental well-being. I never imagined I would need to take this kind of break, but in hindsight, it was one of the most important decisions I've ever made.



The experience was humbling. At first, everything felt overwhelming and isolating. But I knew I needed support, so I turned to counseling and sought medical help. I began reading books on self-improvement and mental health, and started practising meditation. Slowly, those small steps made a world of difference. Within a couple of months, I could see the light at the end of the tunnel, and I felt more like myself again. Now, a year later, I look back on that time with an entirely different perspective.

When you're in the thick of it, it's hard to see anything beyond the challenge at hand. It can feel impossible to find the good in what you're going through. But with the benefit of time, I've come to appreciate the positives that came from that difficult period. I've grown stronger, more resilient, and more confident in my ability to face whatever life throws my way.

A key part of my recovery was the understanding and support I received from my employer and coworkers. They gave me the space to focus on my health without added pressure, and knowing they had my back made all the difference. Their support not only allowed me to prioritize my well-being but also made the process of returning to work feel manageable and welcoming.

This experience also gave me the opportunity to strengthen my relationships with family, friends, and coworkers. It helped me refocus on what truly matters and to prioritize self-care and connection. It's a lesson I carry with me every day, both personally and professionally, in my role as Practice, Ethics, and Equity Advisor. I've learned that we all face challenges, and there is no shame in that. What matters is how we respond to those challenges and use them as opportunities to grow.

Why I'm Sharing This

I decided to share my experience because I know how isolating it can be to struggle silently. I'll admit, it's scary to open up about something so personal and expose myself in front of everyone. But in my role, I often hear from those facing their own challenges, and I believe that being open about mine can help break down the stigma around mental health. It's okay to need help, to step back, and to take the time to heal. If even one person reads this and feels more comfortable reaching out for support, then sharing my story was worth it. We're all human, and we all need a little help sometimes.

National Wellness Study Phase II Report

Key Insights & Recommendations

Earlier this month we shared the final report for Phase II of the National Study on the *Psychological Health Determinants of Legal Professionals in Canada*, led by Dr. Nathalie Cadieux. The study reveals significant mental health challenges for lawyers in Manitoba, including high levels of stress, burnout, anxiety, and depression, particularly highlighting issues like work-life balance and cognitive demands as well as coping strategies and lifestyle.

Key recommendations include:

- Implementing systemic changes to improve work culture.
- Enhancing support systems.
- Promoting work-life balance.

The Law Society of Manitoba is committed to reviewing these findings and recommendations to foster a healthier work environment for legal professionals. The report emphasizes the need for action at all levels—individual, organizational, and regulatory to cultivate a culture of wellness within the legal profession.

For further details, the Manitoba report is available in both <u>English</u> and <u>French</u>.

Part-Time Practising Fee Pilot Program

Recognizing not all lawyers can meet the demands of a full time practice

This pilot program offers a part-time practising fee for lawyers who practice part-time to accommodate their child care or other regular family care-giving responsibilities. The initiative aims to enhance equity, diversity, and inclusion in the profession.



Lawyers who due to their own serious, chronic illness or disability, are required to reduce their hours of practice, and otherwise meet the eligibility criteria may now apply to participate in the pilot.



Update on the **Health Recovery Program**



<u>The Health Recovery Program</u> is coming up on its two-year anniversary since it first launched in December 2022.

Over the last two years several lawyers have participated in the program and have undergone treatment for a variety of issues – from addiction, to anxiety, to other mental health disorders. Here are a few notable highlights so far:

- Our "on call" psychiatrist usually books an initial assessment for the lawyer within DAYS of our request. This is remarkable considering how long the waiting periods are to see most healthcare specialists. Any prescribed treatment program typically begins shortly after the assessment is complete.
- To date, Manitoba Health has covered the cost of the assessments and treatment for our members – meaning that getting treatment through this process is not only timely, but is also typically free of charge.

What we commonly hear from those participating in *The Health Recovery Program* is that treatment not only improved their professional situation, but also improved many aspects of their personal life and relationships. It is still early days, but so far, the program's holistic and remedial objectives – to protect the public by providing health support to lawyers – appears to be working.

Questions about The Health Recovery Program can be directed to: Rennie Stonyk <u>rstonyk@lawsociety.mb.ca</u>

The Health Recovery Program offers an alternative to the traditional complaints and discipline process where a member's health issues are directly related to their conduct or competency issues. Under appropriate circumstances, a lawyer can choose to undergo healthcare treatment for their underlying health issues in lieu of going through the discipline process. Of course, lawyers don't need to be facing discipline in order to use the resources of the program – we have a direct connection to a psychiatrist specializing in addiction and co-occurring disorders, who is willing to see any lawyer referred to their clinic.

CPD Supporting Well-Being

Well-being is a key step towards maximizing competence and success.We strive to incorporate aspects of well-being into all of our CPD programs.These well-being focused CPD on Demand options are also available.



Where Does the Practice of Law Fit Into Your Life?

Financial Fitness for a wHealthy Retirement





Manitoba Law Library Can Assist With:

- Retrieving difficult to find cases, journal articles and commentary.
- Locating case law that closely resembles your fact-pattern.
- Tracing historic legislation and regulations.
- Recommending leading texts and online resources.

204.945.1958

library@lawysociety.mb.ca

331-408 York Ave., Winnipeg



Read on for Your Regular Law Society Notices





BENCHER MEETING HIGHLIGHTS

LEAH KOSOKOWSKY, Chief Executive Officer

The benchers held their annual meeting in beautiful Clear Lake on September 12, 2024. Prior to the bencher meeting, the group, along with senior staff, participated in an information gathering session for several hours to help formulate the Law Society's 2025-2028 Strategic Plan. It was an engaging and informative session to kick off the strategic planning work which will continue over the next several months. Early indications are that lawyer competence, health and wellness, access to justice, stakeholder confidence and matters of equity, diversity and inclusion remain priorities at the bencher table.

Immediately following the strategic planning session, the benchers moved into their regular meeting where they received monitoring reports on the financial statements as well as investment compliance. Both the Law Society's financial and investment position are in good shape.

As we are approaching the two-year anniversary of the launch of the Health Recovery (diversion) Program, the benchers received a progress report that outlined positive developments. That is, participation in the program has been positive both in terms of the numbers of participants and the nature of their engagement. While some lawyers have been referred to the program from the Complaints Resolution Department, others have accessed its services voluntarily to address a health issue. Notable elements of the program are the high level of responsiveness of the on-call psychiatrist and the fact that the cost of the treatment, to date, has been covered by Manitoba Health. While the long-term success of the program has yet to be determined, early indications are that the program is providing valuable treatment to lawyers seeking assistance.

On the access to justice front, the benchers also received a report on the progress of the Prison Libraries Project that has the goal of increasing access to legal information and legal resources to incarcerated Manitobans. The project leaders are well on their way to developing a pretty comprehensive library catalogue and they have been meeting with community organizations to build awareness of the resources.

News



Access to Justice Week

October 28 - November 1, 2024

The Law Society of Manitoba is once again excited to partner with the Manitoba Bar Association and the University of Manitoba for annual National Access to Justice Week. Together, Manitoba will offer four **free** engaging virtual events open to the public.

On **Tuesday, October 29**, the Law Society will host a session on <u>Educating and Advocating in</u> <u>Manitoba Prisons.</u> This is a 90-minute seminar on Prison Law in Manitoba.

LEARN MORE

Education

PREP IMPORTANT DATES

With more than one offering of the bar admission program now provided each year, and to assist with managing schedules, below you will find an overview of some of the important dates for articling students according to the applicable PREP offering.

	Accelerated PREP 2024 (students not to be actively articling during coursework and Capstone)	June 2024 Intake (Traditional PREP)
October 12, 2024 o November 28, 2024		Phase Three: Virtual Firm Family Law Rotation
Early November	Capstone results are issued	
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

Students registered in Accelerated PREP will be eligible to participate in the Mass Call to the Bar ceremony in June 2025 provided their articles started no later than September 26, 2024. This will allow for the completion of the required 38 weeks of articles for those participating in Accelerated PREP. Students cannot article while participating in the Accelerated PREP Program.

Students participating in Traditional PREP usually article on a full-time basis while participating in PREP, with their workplace allowing sufficient time over the work week to attend to PREP course work.

For further information, please contact Joan Holmstrom by phone at 204-926-2017 or by email at <u>jholmstrom@lawsociety.mb.ca</u>.



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

💼 Thursday, October 31, 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.

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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:

- December 12, 2024
- February 6, 2025
- March 20, 2025
- May 15, 2025
- June 26, 2025

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

IN MEMORIAM

Diane Dzydz, who passed away on June 17, 2024 at the age of 75. Ms Dzydz received her call to the Bar on June 23, 1983. She practised with Legal Aid Manitoba for 33 years, retiring in 2016.

Frank Lawrence, who passed away on July 3, 2024 at the age of 95. Mr. Lawrence received his call to the Bar on January 19, 1962. He practised primarily as a sole practitioner during his 53 years of practice, retiring in 2015.

John David Malcolm George, who passed away on July 8, 2024 at the age of 79. Mr. George received his call to the Bar on June 26, 1973. He practised as a partner with several firms in Transcona, most recently with Abrams George Tweed Wawrykow. Mr. George retired in 2011 after 38 years in practice.

Brian John Kelsch, who passed away on July 19, 2024 at the age of 74. Mr. Kelsch received his call to the Bar on June 25, 1976. He practised as a partner with Yanofsky Kelsch & Associates for 15 years before joining the firm then known as Booth Dennehy Ernst & Kelsch in 1992. Mr. Kelsch retired in 2016 after 39 years in practice.



NOTICE OF SUSPENSION David H. Davis

Pursuant to a resolution of a Panel of the Discipline Committee of The Law Society of Manitoba, **DAVID H. DAVIS** was found guilty of professional misconduct and is suspended from the practice of law for a period of six (6) months, commencing on September 30, 2024 through to and including March 30, 2025.

September 23, 2024

Leah Kosokowsky Chief Executive Officer

Issued: September 23, 2024



Membership Changes

Non-Practising to Practising:

August 6, 2024	Furyal Sadi
August 7, 2024	David M. C
August 14, 2024	Hardeep Su
August 19, 2024	Mark A.P. F
August 26, 2024	Natasha A.
September 3, 2024	Jodi B. Plen
September 3, 2024	Leticia A.N.
September 4, 2024	Kelsey M. E
September 9, 2024	Sarah R.S. I
September 9, 2024	Renae A. B
September 11, 2024	Jacqueline
September 15, 2024	Tanin Refal

Cordingley uri Pulak Ellis hert . Wabash Brooks McKinnon Baker F.G.C. Boily hi

September 23, 2024 September 27, 2024 October 7, 2024 October 7, 2024 October 11, 2024 October 14, 2024 October 14, 2024 October 15, 2024 October 15, 2024

Andrew G. Clark Chelsey E. Morgado Patrick O. Durham Hayden R. Anning Megan L. Roberts Rebecca M. Thomson Alexander Barnes Melissa D. Ewasko Marla A.P. Bettencourt

Suspended to Practising:

October 1, 2024 Manu Batish

Practising to Non-Practising:

August 3, 2024	Julie B. Winter
August 12, 2024	David M. Carrick
August 16, 2024	Monica U. Turner
August 20, 2024	Megan A. Filyk
August 26, 2024	Hardeep Suri
August 29, 2024	Tiffani J. Sawatzky
August 29, 2024	Waldemar A. Redekopp, K.C.
August 30, 2024	Nancy K. Isenor
September 1, 2024	Alexander J. MacKenzie

September 9, 2024 September 13, 2024 September 15, 2024 September 23, 2024 October 5, 2024 October 8, 2024 October 14, 2024 October 15, 2024 October 16, 2024 October 17, 2024

Mira F. Bokhaut Carlyn L. Sarna David R. Sellen, K.C. Rohith C. Mascarenhas Karen A. Diggins **Cleyton Ruckl** Anna K. Solmundson-Birch Kelli L. Potter Stefanie J. Reece Chad R. Sutherland

New Admissions:

August 2, 2024 September 3, 2024 October 1, 2024 October 1, 2024

Carter T. Bezugly Eric S. Fleming Rahool P. Agarwal Simran K. Joura

October 1, 2024 October 2, 2024 October 7, 2024

Jaswinder A.K. Kumar Kevin R.S. Mehi Jaspreet K. Gill

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

CPD Education Centre



Audience participation is welcome in French, English or both

Upcoming IMPORTANT DATES At a Glance



OCTOBER 31 BENCHER MEETING 12:30 p.m.

DECEMBER 2 PAYMENT DUE 2024-2025 Professional Liability Claims Fund (2nd Installment) for lawyers paying by instalment

> 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 1st.)

2025 —

JANUARY 2 PAYMENT DUE 2024-2025 Practising Fee and Insurance (3rd 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

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lawsociety.mb.ca

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