



Fall 2017

Benchers' Digest

Volume 30, Issue 3

Women and the Law

Moving in the Right Direction

Law Society of Saskatchewan

Benchers' Digest

The Benchers' Digest is published quarterly by the Law Society of Saskatchewan Library to update Saskatchewan lawyers on policy and regulatory decisions made by the Benchers at each Convocation, to inform members about Society programs and activities, and to provide news and announcements of interest to the legal profession.

Members are encouraged to send in articles and photos of interest; however, publication rests with the editorial team. Articles and photos can be submitted to publications@lawsociety.sk.ca.

Current and archived issues may be viewed on the Law Society website www.lawsociety.sk.ca. See "Publications/Benchers' Digest."

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The *Benchers' Digest* newsletter and *Legal Sourcery* blog are always looking for contributors to share their knowledge of issues affecting the legal profession in Saskatchewan, or across the country.

Send your comments of **no more than 250 words** to publications@lawsociety.sk.ca or by fax to 306-569-0155.

If you have an idea for a longer article (500 to 1500 words), let us know, and our editorial team will work with you to make the most of your publishing experience!

- Have an upcoming event of interest to our members? **Tell us about it!**
- If you have an idea for an article, **we want to hear it.**
- If **YOU** want to write it, **we're here to help!**

Submission Deadline for Winter Issue: November 15, 2017.

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Women and the Law Moving in the Right Direction

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Legal Sourcery

Presidents' Musings

Erin M.S. Kleisinger, QC, and Brenda Hildebrandt, QC



Erin Kleisinger, QC
Law Society President 2017

The six of us in this sorority have not carried out the duties and responsibilities of Law Society President as women; we are simply women who got the opportunity to be President.

The *Benchers' Digest* often includes a "President's Message". On the topic of this edition, "Women and the Law: Moving in the Right Direction", I have not so much a message, but musings, prompted by the questions that Managing Editor Kelly Laycock posed to the women who have been the President of the Law Society.

Kelly has asked us to reflect on our time as President of the Law Society or in other leadership roles, and how we coped with the pressure of leading full personal and professional lives at the same time. That struggle is certainly not unique to women: several of my male law partners have been President of the Law Society, and they have grappled with many of the same pressures. However, there is no doubt that it can be different for women.

To begin with, we are a rather exclusive club. In the 110 years of the Law Society there have been only six women to hold this position, with the first, Lynn MacDonald, QC (as she then was), being elected less than 20 years ago. She was followed by Alma Wiebe, QC (2006), Eileen Libby, QC (2010), Heather Laing, QC (2013), Brenda Hildebrandt, QC (2015), and then me. Prior to 1982 there was no prospect of a woman being elected president, as there were no female benchers: Gwen Randall, QC, was the first female to be elected as a bencher, in that year.

One of the specific questions Kelly posed was: Do you think things have changed for women in the legal profession since you became a lawyer, and if so, in what ways? From the perspective of leadership in the profession, there has been a significant evolution over my 25-year career:

- The complexion of our bencher table has changed significantly since Ms. Randall took the first seat. Today, over a third of the benchers are female, many of whom are leading the work of the Society by chairing bencher committees (including Discipline Executive, Professional

Standards, Audit, Equity and Diversity, Admissions and Education, Justicia, Conduct Investigation and Executive) as well as many investigation and discipline panels.

- We have seen the first woman appointed as the Dean of the College of Law, Beth Bilson, QC, who has sat as an ex officio bencher for a number of years.
- A majority of the management roles at the Law Society are currently held by women.
- There have been six female Presidents of the Canadian Bar Association.

At the last Federation of Law Societies meeting that I attended, a woman was on the Executive (either as the President or Vice-President / President-elect) of the Law Societies of all but three jurisdictions. This November, Sheila MacPherson will become the President of the Federation (the 8th woman to hold that post). On many fronts, things are "Moving in the Right Direction".

That said, there have been times over my legal career and in other professional settings when I have been the only woman in the room. That reality exists for many women. At my alma mater's (Queen's University) Homecoming last year, the Faculty of Law held a forum among a group of women from the graduating class of 1991 (who were then 25 years at the bar). One of them, a senior federal Crown counsel, noted that she was still surprised and disappointed to find that every time she appeared before the Supreme Court of Canada she was almost always the only female "first chair", and often was the only female lawyer in the courtroom. Clearly we are not there yet.

This circumstance is something that most of my male colleagues will not ever experience. When it has happened, I remind myself that I have earned my place in the room, or at the table, and that my role is no different than that of anyone else: show up, be prepared and work hard. That attitude and perspective has served me well. It has also allowed me to gain the trust

and respect of my (mostly male) colleagues, and consequently rise through the ranks.

I was asked by Kelly “What was the proudest moment in your career?” There are several for me that are obvious ones: being made a partner at my firm, being awarded my QC, being appointed and subsequently elected as a bencher, and becoming President of the Law Society. But one other moment springs to mind. For many years I was the only woman on the board of directors of a company. With the imminent retirement of one of our board members (a man who had served on the board for over 20 years), we were discussing succession planning and the type of individual needed to fill his soon-



“I remind myself that I have earned my place in the room, or at the table, and that my role is no different than that of anyone else: show up, be prepared and work hard. That attitude and perspective has served me well.”

to-be-vacant seat. His response was “we need more Erins”. He clarified that by that comment he did not simply mean “we need more women” (although he recognized that our board had a long way to go to reach gender parity). He said that he was referring to my contributions at the board table (which had included chairing that board for two years), which had nothing to do with my gender. That acknowledgment was purely professional to professional and resonates for that very reason.

I understand that my experience is not universal. I was struck by the results of the survey conducted by the Data Collection Working Group of the Saskatchewan Justicia Project, released in October 2016 relating to retention and advancement of women in private practice. While the survey was not focused on leadership in the profession, it provided some insights into barriers that may still exist, as follows:

- Only 5% of responding firms reported having a female managing partner in their firm.
- Only 13% of responding firms reported having at least one female practice group leader.
- 80% of responding firms do not have any initiatives specifically designed to assist female lawyers with professional development.

- 13% of all individual respondents (all women) indicated that they left private practice because it was not welcoming to women, either due to discrimination or lack of support, mentorship and career opportunities.
- When asked how equitability in the workplace could be improved, the most common response was “a need to increase female leadership and overall presence in the workplace”.

Those results are disconcerting when one considers that law firms are often (although not exclusively) the breeding ground for professional leadership capital. That hypothesis was explored by Mona Harrington in her 1994 book *Women Lawyers: Rewriting the Rules*, as follows:

...Legislators pass laws and judges interpret them, but practicing lawyers apply them in hundreds of daily decisions so that the working shape of the law in many fields reflects their judgments, and behind their judgments, their perspectives and values. That is what their authority means.

Lawyers who gain substantial authority elsewhere, such as judges or high government officials or

members of special community boards or commissions, generally move into such positions from partnerships in major firms. The partnership is the credential that testifies to their ability and responsibility. In other words, the authority that is built up within a large firm may spread out into other areas of lawyerly activity, but the important point is that it starts in the law firm. Therefore, it is the structure of the large firms, and the processes by which they admit some and not others to the inner circles, that are crucial to the question of women’s status in the profession.

This suggests, in part, that if we want to advance the inclusion of women in places where the law and policy are made, and to ensure that they continue to gain meaningful influence in the profession, we need to consider whether their “training grounds”, be they law firms, legal departments or the government, are helping or hindering (perhaps unintentionally), the attainment of that goal.

I have been fortunate throughout my career to have role models, mentors and colleagues that I trust, and who have provided me with friendship, leadership,

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advice and perspective. Some of them have been women (including several on that exclusive "Women President's" list above), but many have been men. They have been fellow benchers, partners, lawyers, judges, clients and business colleagues who have sponsored, counselled, endorsed, promoted, believed in and cheered for me. They have provided me with responsibility, opportunity, strategic direction and guidance. They have dropped everything when I needed to work through a problem on a file, or in my personal life. They have also helped me vent, lick my wounds, and then get on with the business of analyzing and learning from setbacks, disappointments and defeats.

No one who reaches a position of leadership does so alone. Women who aspire to be the President of the Law Society, or the managing partner of their firm, or the general counsel of their company, need to cultivate and sustain these kinds of relationships as they move through their careers. And those of us further down the path (both men and women) need to be that person for someone else.

Upon being appointed to the United States Supreme Court Sandra Day O'Connor said, "I think the important thing about my appointment is not that I will decide cases as a woman, but that I am a woman who will get to decide cases". The six of us in this sorority have not carried out the duties and

responsibilities of Law Society President as women; we are simply women who got the opportunity to be the President.

Being the President of the Law Society of Saskatchewan is an immense honour, and places one in rare and special company. After my election many former Presidents of the Law Society of Saskatchewan, as well as other law societies, reached out to me to offer congratulations and support. The majority of those were men, who welcomed me into their "fraternity" without reservation. I look forward to doing the same to the women, and men, that follow me, but with one necessary adjustment: I will be welcoming them into the "Club".



Brenda Hildebrandt, QC
Law Society President 2015

In my early years of practice, it was sometimes hard to convince clients that I was a lawyer. A young woman did not fit the stereotype.

one stage of life does not necessarily hold true for the other stages. Thus, it requires being flexible, adapting one's schedule and, above all, recognizing that law is what I do, not who I am. Then, of course, hard work and sometimes less sleep than is optimal are also required.

Do you think things have changed for women in the legal profession since you became a lawyer? In what ways?

I believe things have definitely changed. In my early years of practice, it was sometimes hard to convince clients that I was a lawyer. A young woman did not fit the stereotype. The assumption was that I had to be the administrative assistant for the senior partner. I couldn't possibly be a lawyer. It took a while for that perception to change.

Also, the few senior women lawyers at that time were (with a few notable exceptions) sometimes not inclined to provide mentorship or support to younger women. Perhaps because they had encountered "trial by fire," they thought we should as well. That has definitely changed. As the entire profession has adapted to women lawyers being a permanent part of the work force, my observation is that the women are more supportive of one another.

What are some of the particular stresses of being a woman in a leadership position? How do you cope with those stresses?

Women often approach leadership in a different way than men do. Initially I felt some pressure to conform to the styles of my male predecessors. However, I was far more successful when I relaxed and realized I had to be myself and bring my own personality to whatever leadership role I may be in.

What was the proudest moment in your career?

There have been many highlights over the years, ranging from seeing the relief on clients' faces when a complex litigation matter is settled to the awarding of a successful non-suit application mid-trial. However, two experiences certainly stand out: studying for my LLM and serving as President of the LSS. They are highlights for similar reasons. Often times in practice we focus on what the state of the law is and how it applies to our particular client's need at the time. We don't take the time to think about where the law and/or the legal profession might be going. Those two experiences gave me the opportunity to consider the larger picture, which has been both challenging and very rewarding. ♡

Why did you become a lawyer?

That is a wee bit of a mystery. I announced to my parents when I was 7 years old that I wanted to be a lawyer. Although there were the usual business dealings with lawyers, related to real estate and the like, we did not have any lawyers in our family or within our close circle of friends. So, my parents were a bit surprised. But, somehow, the profession sounded interesting to me, and I did not waiver from the plan made at that early age.

Have you found a work-life balance that works for you? How did you figure it out?

The balance changes as one walks through various stages of life. Family needs change. New opportunities arise. So, what works in



Federation News

Anti-Money Laundering and Terrorist Financing Issues

Greg Walen, QC, Council of the Federation

We now take for granted our obligation to obtain client identification and refuse taking cash from clients over \$7,500. This topic has occupied the business of the Federation and Law Societies for the past 15 years or more. Recent developments have shown that, once again, we should be refocusing on efforts to tighten the model no-cash rule and client verification rules (the Model Rules). Perhaps a bit of background would be in order.

The Model Rules were developed against the backdrop of the attempt by the federal government to subject members of the legal profession to the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*, SC 2000, c 17, and accompanying regulations. The government first sought to apply its anti-money laundering and terrorist financing legislation to lawyers and Quebec notaries in 2001 with the introduction of “suspicious transaction” reporting requirements. The Federation and several law societies launched a challenge to these provisions on the grounds that they would interfere with the representation of clients and would force legal counsel to breach solicitor-client privilege. The initial proceedings ultimately resulted in interlocutory injunctions precluding the application of the Act and regulations to members of the legal profession.

Recognizing the importance of fighting money laundering and terrorist financing activities, the Federation worked with the law societies to develop the Model Rules. Subsequent to their adoption, the Rules were recognized by the government as an effective alternative to the suspicious transaction reporting requirement. In 2006, the government enacted an amendment to the Act exempting members of the legal profession from this requirement. Despite this amendment, as I will explain later,

the government insisted, at a later date, to push on with the litigation started by the Federation.

The client identification and verification rules were developed in part in response to new government regulations purporting to impose client identification requirements on members of the legal profession. The rules require lawyers and Quebec notaries to undertake a number of client verification steps that are very similar to those in the federal regulations.

Although there have been amendments to the regulations in recent years, and further amendments have recently been proposed, there has been no review of the content of the rules since they were implemented by all law societies.

In spite of the adoption and implementation of comprehensive client identification and verification rules and regulations by the law societies, the federal government persisted in its attempt to apply similar obligations in the legislation and regulations to lawyers and Quebec notaries. This led to renewal in 2011 of the legal proceedings between the Federation and the government. The Federation’s constitutional challenge was upheld by both the British Columbia Supreme Court and the British Columbia Court of Appeal, leading the government to appeal to the Supreme Court of Canada. In February 2015, the Supreme Court upheld the Federation’s challenge, finding that the Act and regulations, as applied to members of the legal profession, breached both sections 7 and 8 of the *Charter* and undermined the lawyer’s duty of commitment to the client’s cause.

In reaching its decision, the court recognized the regulatory scheme put in place by law societies to prevent lawyers and Quebec notaries from unwittingly assisting in money laundering and terrorist

Recognizing the importance of fighting money laundering and terrorist financing activities, the Federation worked with the law societies to develop the Model Rules.

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financing activities. While the court noted that law society rules and regulations are not determinative of what should be in the federal regulations, they do support a finding that the regulations imposed obligations beyond what is required for ethical and effective client representation.

The decision of the court did not preclude the possibility that the government could impose obligations on members of the legal profession that would be constitutionally compliant, and the government has recently indicated that it plans to do so.

In a report of the Department of Finance Canada in 2015 entitled “Assessment of Inherent Risks of Money Laundering and Terrorist Financing in Canada”, the department singled out the legal profession, among others, that are particularly vulnerable to being dupes in money laundering activities. Presumably, the department indirectly or directly puts the blame on the lack of reporting of client’s names and money

transactions through trust accounts, thus creating fertile ground for money laundering activities. Hence, the government’s renewed interest in opening up the no-cash/client identification issue once again.

The Federation of Law Societies has taken this very seriously and recently struck a group of Law Society administrators and Federation staff entitled the Anti-Money Laundering and Terrorist Financing (AML) Working Group, which has been tasked with the responsibility of reviewing the Model No-Cash and Client Identification Rules. One of the goals of this committee is to develop guidelines for monitoring compliance with and enforcement of the Model Rules. The ultimate goal of the group is to create an effective regime to address the inherent risks of money laundering and terrorist financing as they may relate to the legal profession. Don’t be surprised to see some developments in the next year. ➔

Resources

Department of Finance Canada. “Assessment of Inherent Risks of Money Laundering and Terrorist Financing in Canada” (2015) Online: <https://www.fin.gc.ca/pub/mltf-rpcfat/mltf-rpcfat-eng.pdf>.

Federation of Law Societies. “Model Rule of Cash Transactions” (July 2004) Online: <http://flsc.ca/wp-content/uploads/2014/10/terror1.pdf>.

Federation of Law Societies. “Model Rule on Client Identification and Verification Requirements” (March 2008, revised December 2008) Online: <http://flsc.ca/wp-content/uploads/2014/10/terror2.pdf>.

Greg was a Bencher of the Law Society from 2005 to 2012 and was President in 2012. He has been a Council member with the Federation of Law Societies of Canada representing the Law Society of Saskatchewan since 2013.

Highlights of the Meeting of the Benchers

June 14, 15 and 16, 2017

We welcomed two new Benchers to the table: Foluke Laosebikan, North East Division and Glenn Hepp, Public Representative.

The Benchers appointed a Queen’s Counsel Selection Committee. The Committee consists of the past President, a Bencher, a Public Representative and a member-at-large. The Benchers appointed:

- Perry Erhardt, QC, Chair
- Ian Wagner, Bencher
- Judy McCuskee, Public Representative Bencher
- Leslie Sullivan, QC, member-at-large.

The Legal Services Task Team has commenced its work and will report to the Benchers this winter.

The Access Committee approved the final materials to be used in the outreach, operation and assessment of the Law Firm Practice Management Pilot Project at this Convocation. The Pilot Project is now underway, with 25 firms of varying sizes from around the province participating, and the Benchers will receive an interim report at September Convocation.

Amendments to Rule 605(4)(b) were approved to exempt government lawyers from payment of the annual assessment, in accordance with the definition of “government institution” in *The Freedom of Information and Protection of Privacy Act*, SS 1990-91, c F-22.01. ➔

The Saskatchewan Justicia Project, a partnership between Saskatchewan law firms and the Law Society, is committed to promoting the retention and advancement of women lawyers in private practice. Model policies and guidelines for Saskatchewan firms have been developed through the Project on the following topics:

- Flexible Work Arrangements;
- Parental Leave; and
- Mentorship.

These resources are available for use by all Saskatchewan law firms and other legal workplaces. To access them, please visit www.lawsociety.sk.ca and go to the “Equity Office” heading under the “For Lawyers and Students” tab.

If you would like to promote your workplace up as a Justicia Firm to indicate that you support the principles of the Saskatchewan Justicia Project, please contact Barbra Bailey at barbra.bailey@lawsociety.sk.ca to sign up.

The Female Perspective

CPLED Students Share Their Thoughts

The *Bencher's Digest* asked current and former CPLED students to share their unique perspectives on the importance of having more women in the legal profession, and why they chose to follow a career in the legal profession. Thanks to all who contributed to this issue!



Lightpoet/Dreamstime

Why is it so important for women to enter the legal profession?

The legal profession is one of the most respected professions in the world. While the participation of women in this profession has gradually increased over the years, women remain underrepresented in the profession. Even though the need for female participation cuts across all levels and branches of government, female representation is particularly essential in the legal profession because there are certain questions that need to be asked or answered for legal and policy reforms which are more impactful when women are well represented in the decision-making process. For example, in *Symes v Canada*, [1993] 4 SCR 695, and *Thibaudeau v Canada*, [1995] 2 SCR 627, two women—Symes and Thibaudeau—unsuccessfully argued at the Supreme Court of Canada that certain provisions in the tax code unfairly burdened women. The majority of the Supreme Court of Canada held that the code imposed no such burden while the only two female justices of the Supreme Court of Canada dissented and provided an alternative perspective, which indicated that the impugned provisions did negatively impact female taxpayers. The unique experiences of these two dissenting judges as women likely influenced their diversity of approach to the issues before the court. Perhaps, the outcome of these decisions could have been different if the two (dissenting) female justices had not been outnumbered by the (majority) male justices. About two years later,

the dissenting opinion in Thibaudeau initiated discussions that ultimately led to favourable tax changes that eliminated tax deduction and taxation on maintenance payments, which had, prior to that time, impacted more women than it did men. The cumulative effect of these decisions is symbolic of the potential influence that females have in shaping future policy reforms in diverse areas through the legal profession.

—Mobolanle (Mo’) Depo-Fajumo



I am a third-generation Chinese-Canadian, recent graduate of the University of Saskatchewan, and an articling student in Melville, Saskatchewan. I pursued law because I wanted to gain skills for protecting the environment and supporting vulnerable people in the community. It is important for women to enter the legal profession for many reasons, but two come to mind. One: mentorship. I am one of the first people in my family to enter the legal profession, and as a result, was never exposed much to lawyers and the law. All of this was new to me, and at first, I often felt like I was on my own. I was extremely fortunate to get to know other lawyers like Linh Lê (prosecutor in Prince Albert) and Brenda Yuen (supervising lawyer at CLASSIC, the poverty law clinic in Saskatoon). Seeing other female Asian lawyers with a heart

for community service and social justice helped me keep motivated, confident, and hopeful. If I ever need help or guidance, I know where to go. Two: meeting diverse needs. The legal profession must grow to meet the diversifying emotional, spiritual, and cultural needs of society. If more women enter and stay in the field, the more the legal profession remains diverse and capable of meeting those needs. We must also not forget, however, that we cannot simply increase the number of women in the legal profession—we also need more women who are visible minorities, women of all sexual orientations, women from different cultures, and women from poverty. We have made a lot of progress—let’s keep moving in the right direction.

—Taylor-Anne Yee



Gender inequality continues to persist in several professions. The legal profession is by no means immune to this. While the profession has made great strides in addressing gender issues, there is still more to be done. A key factor in putting to rest issues of gender inequality in the legal profession is for more women to enter into the profession. As more and more women enter the legal profession and successfully engage in the practice of law, the stereotypes that exist around women in the legal profession become less credible. More

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women in the profession also creates an environment of support and mentorship, where those who have experienced the challenges for women engaged in the legal profession can lend their knowledge and experience to those beginning their career. What comes to mind is the old adage “there is strength in numbers”.

—Meagan Ward

During my undergrad in political studies, I would have been quick to say why I did not want to become a lawyer. It seemed as though everyone was saying they were going to law school (as if it was only their choice and not the admission committee’s!). The other common choice was grad school. I was not interested in either. I did not want to be like everyone else. Unfortunately, the job market was not looking great either.

Having already had one identity crisis a few years prior when I realized that my destiny was not necessarily to run my family’s farm, I was not prepared to have another one. I began to take a hard look at the available options. It was at this point where I realized something interesting about my colleagues. Those who were saying they were going to law school were men, and those contemplating grad school were women. This stopped me in my tracks. What was going on here?

It turned out that I did not see law as a feasible option. Few of my female colleagues were choosing to pursue law, and I did not know any female lawyers or legal professionals. As a result, I had been telling myself that I did not want to study law because I did not think I was good enough to get in the program. But the study and practice is exactly what I wanted to do. The balance of theoretical and analytical thinking, problem solving, and serving others appealed to me.

The realization that I had lowered my expectations because of my gender was a huge kick in the behind. Almost embarrassed, I shifted my approach and got organized. After an internship with CLASSIC, I knew I was on the right path. There I met people I could identify with, and they did not fit the lawyer stereotype I had always heard in jokes. They were passionate about their work serving marginalized clients. This motivated me to get into law school. Although the process was not easy, it was the challenge that I needed.

As I finish my first few weeks practicing as a lawyer, I am grateful to be on my chosen path. At risk of sounding campy, every woman entering the profession can inspire other lost young women to find their path to success.

—Alanna Carlson, BA, JD

It is a sad truth that, historically, the legal system has been used to oppress many demographics, including women. While we have come a long way since the days when the letter of law was relied on to keep women from living as equals, there is still work to be done. The legacies of sexist institutions have a real impact on the lives of Canadian women, and women all around the world. Women still face sexism in the workplace, in their personal lives, and in their encounters with the legal system. This problem cannot be meaningfully addressed or reconciled unless women are included as contributing members of the legal community.

Young girls deserve to view pursuing a career in the legal profession as a realistic and fulfilling career choice. Clients deserve the ability to choose representation from a profession that is diverse and intersectional. Young female lawyers deserve the opportunity to turn to experienced female partners for guidance and mentorship. Women in our communities deserve a legal system where the law is interpreted and made by those who understand their experiences and needs.

Encouraging women to enter the legal profession is only one step toward achieving these goals, but it is a step in the right direction.

—Zina Scott

Why do you want to be a legal professional?

“This was first brought to my attention during high school, where I was heartily involved in debates and discussions, and continued until I was a law graduate and was involved in moot courts and parliamentary debates at the national and international level. Being a lawyer means being greatly responsible and disciplined. It comes with certain obligations to adhere to a strict code of ethics, time commitments and a lot of hard work. For centuries, lawyers have stood at the center of society: they write the laws, rule the courts and the work they do is intellectual and they get to resolve problems. **Working as a lawyer is one of the most intellectually rewarding jobs on the planet.** This is what I have seen since childhood.

I aspire to become a lawyer, not only for the prestige or income of the profession, but also because I believe that a hardworking person with a certain brain can change the world, and I have that potential and heart to become one. I am a person who has that courage and ability to change the society with the change in law, because law changes with the needs of the society.”

—Monika Goyal

Whether you believe that a lawyer or a legal professional has a rather unique position in society. A lawyer is entrusted with the responsibility of bridging the gap between the lawmaker and the layman, of unravelling the web of innumerable laws, rules and regulations, and breaking them down into easily understandable dos and don'ts, in such a way so as to ensure that compliance is monitored and encouraged, non-compliance or violation is punished, wrongful punishment is avoided or reversed and society keeps functioning seamlessly. **Being engaged in the practice of law is to possess a specialized skill which makes its presence felt in all sections of society, be it personal, professional or commercial.** It is arguably the only profession in the world which has such a wide reach. This unique characteristic is what has always attracted me to the profession and motivated me to learn the law. As lawyers, we provide solutions, and that is what gives me the impetus to be a part of this wonderful profession.”

—Titli Datta

Will like to first of all say here that, the ideas I am about to express come from an individual perspective based on my specific orientation as a unique person with cogent beliefs. Lawyering is an interesting and challenging profession, and it takes ambition and determination to get these perspectives calibrated. I do have that natural passion and inclination to defend or advocate for the rights of people in the society. This has always been at the forefront of my thoughts or position of prominence. In this regard, **I want to help people and be able to provide some level of assistance to those in conflict with the law.** In other words, I want to provide assistance to the people who are faced with legal issues, and those situations that require the help of someone who is knowledgeable enough, in a bid to help them navigate through the complex labyrinth of the law. Law is versatile and connected to all walks of life. We can today, assertively acknowledge that, three quarters (3/4) of the world leaders have a legal background. In the same vein, becoming a leader, say in the political arena, is not an ideal too remote in my subconscious, and this is the profession to push this ideal to reality, come the right moment. This is why I want to be a lawyer.”

—Elizabeth Salley

“After immigrating to Canada, we encountered numerous situations when we felt like we were blind, deaf and mute in a dark room, not knowing where to go and how to protect ourselves from being exploited by employers. **Canadian society offered lots of opportunities, yet we were not able to protect even our basic rights to fair salary, overtime rates, statutory holidays,** etc. Getting into legal proceedings and being represented by a lawyer whose language could not be properly understood posed even worse fear. For grown adults to feel helpless like blind kittens is a humbling and humiliating experience. Here you are, an immigrant who knows your own rights and entitlements on one side, and on the other side, an employer who knows your rights and entitlements even better than you but is ignorant due to very low risk of getting in trouble with the government and the law; he “allows” himself to use gaps in law and lack of effective government control. All you can do is rely on the advice of other fellow immigrants, which results in even more insecurity. You clearly realize that pumping money using cheap labour takes priority over clear conscience toward human beings who struggle to provide their families with basic living necessities. And you decide that it is time to get into law school again.”

—Maryna Kostovska, JBComm (Ukraine), LLB (Ukraine), JD

“Growing up in a middle-class family, I experienced various barriers to legal education and a general lack of awareness in people. I always wanted to study law so that I can help people in need as well as educate them about their legal rights. Besides, **I wanted to make a difference in my community by bringing up the feminist voice in the profession.** I have always felt that it is important for women to enter the legal profession so that they can lead the profession by representing the community at large and by setting a positive example in society.”

—Jaspal Gill

Moving Equality in the Right Direction

Landmark Legislation and Case Law in Canadian History

Research by Christine Muldoon

► **October 18, 1929**—In *Edwards v Canada (Attorney General)*, [1930] 1 DLR 98, [1929] 3 WWR 479, the Judicial Committee of the Privy Council overturns the SCC's decision: women are declared "persons" under Canadian law.



In June 1938, Prime Minister William Lyon Mackenzie King unveils a plaque dedicated to the Valiant Five.

[Front, L-R]: Mrs. Muir Edwards; Mrs. J.C. Kenwood; Hon. W.L. Mackenzie King; Mrs. Nellie McClung. [Rear, L-R]: Senators Iva Campbell Fallis, Cairine Wilson.

(Library and Archives Canada/PA-195432)

► **April 24, 1928**—In *Reference re meaning of the word "Persons" in s. 24 of British North America Act*, [1928] SCR 276, [1928] 4 DLR 98, the Supreme Court of Canada decides that the word "Persons" in s. 24 of the *British North America Act, 1867* may not be interpreted to include female persons, reasoning that women are "not qualified" to be admitted into the Canadian Senate. The so-called "Famous Five" or "Valiant Five" who brought the application (Emily Murphy, Nellie McClung, Louise McKinney, Henrietta Edwards and Irene Parlby) appeal to the Judicial Committee of the Privy Council, Canada's highest court at the time.

► **1918**—Mary Ellen Smith is the first woman to be elected to the British Columbia legislature, will become the first female cabinet minister in the British Empire (in 1921) and the first female Speaker in the British Empire (in 1928).³

► **February 2, 1897**—Clara Martin becomes the first female lawyer in the British Empire and the first female member of the Law Society of Upper Canada.

► **1907**—*The University Act*, SS 1907, c 24, s 93, includes a provision that states: "The senate shall make full provision for the education of women in the university in such manner as it shall deem most fitting: Provided, however, that no woman shall by reason of her sex be deprived of any advantage or privilege accorded to male students of the university." *The Alberta University Act, 1906* had the same provision. Although some universities in North America admitted women as early as the 1870s, not many allowed co-education or offered women the opportunity to obtain the same degrees as men. The Universities of Saskatchewan and Alberta were among the first to formally recognize the rights of female students in their founding Acts.¹

► **1930**—Four months after the decision of the Privy Council, Cairine Wilson is appointed Canada's first female senator.

► **1948 (Sask)**—Dorothy E. Greensmith, KC, becomes the first female lawyer in Saskatchewan to be appointed King's Counsel. At the time, Greensmith was one of only four female lawyers practicing in the province.

► **1950**—Ellen Fairclough becomes the first female Federal Cabinet Minister.

► **1921**—Irene Parlby is elected to the Alberta legislature for the riding of Lacombe, a position she would hold for 14 years, eventually becoming Alberta's first female cabinet minister (and the second female cabinet minister in the British Empire).⁴

► **1917**—Louise McKinney is elected to the Legislative Assembly of Alberta, making her the first woman to be elected to a legislature in the British Empire.

• **(Sask)**—Mary Cathcart becomes the first woman admitted to the Law Society of Saskatchewan on April 18, 1917. She articulated with John E. Chisholm of Moose Jaw from 1913 to 1916. After becoming a member of the LSS, Ms. Cathcart practiced for one year with the firm Chisholm & Company before leaving Saskatchewan.

► **1916**—Emily Murphy becomes the first female magistrate in the British Empire and institutes a Women's Court in Edmonton. She is inspired to challenge the legal definition of "persons" when lawyers appearing before her in court question her jurisdiction.²

• **(Sask)**—Saskatchewan passes *The Statute Amendment Act*, SS 1916, c 37, amending, among other statutes, *The Saskatchewan Election Act*, RSS 1909, c 3, to allow women to vote and hold office. Saskatchewan was the second jurisdiction to do so after Manitoba (where a similar Act had been passed in January of the same year).

► **1952**—Equal pay legislation is passed in Saskatchewan with *The Equal Pay Act*, SS 1952, c 104. Ontario had passed similar legislation in 1951 with the *Ontario Female Employees' Fair Remuneration Act*, SO 1951, c 26. Other jurisdictions would follow:

• **1953**—British Columbia's *Equal Pay Act*, SBC 1953 (2nd Sess), c 6;

• **1956**—Nova Scotia's *Equal Pay Act*, SNS 1956, c 5; Manitoba's *Equal Pay Act*, SM 1953 (2nd Sess), c 18; and the federal *Female Employees Equal Pay Act*, SC 1956, c 38;

• **1957**—Alberta's *Act to amend The Alberta Labour Act*, SA 1957, c 38;

• **1959**—Prince Edward Island's *The Equal Pay Act*;

• **1960**—New Brunswick's *Female Employees Fair Remuneration Act*.⁵

► **1963**—Judy LaMarsh becomes the second woman to serve as a federal cabinet minister.

► **1960**—Canada's Indigenous peoples (including women) are finally granted a "no-strings-attached" right to vote, meaning they would no longer have to give up their treaty rights and renounce their status under the *Indian Act* in order to obtain the franchise.

► **1958**—Prime Minister John Diefenbaker introduces the *Canadian Bill of Rights*, SC 1960, c 44.



(D. Cameron/National Archives of Canada/PA-112659)

► 2004—Rosalie (Silberman) Abella is the first Jewish woman appointed to the Supreme Court of Canada. In 1976, when she was appointed to the Ontario Family Court, she had become Canada's first female Jewish judge and, at 29 years of age, the youngest judge in the country.

► 2002 (Sask)—In 2001, the Law Society of Saskatchewan's Equity/Diversity Committee proposes the position of an equity/diversity ombudsperson. In 2002, Norma Farkvam is hired to provide neutral and confidential assistance to lawyers, articling students, and support staff to help resolve complaints about discrimination and harassment.

► 1970-71—In December 1970, the Royal Commission on the Status of Women tables its report, which includes 167 recommendations for the government to advance women's equality in Canada. In January 1971, the coalition led by Laura Sabia adopted the name of the National Action Committee on the Status of Women, a lobbying group made up of women across the country. The NAC would expand and continue until the late 2000s, when funding for the committee was canceled.⁷

► 1979—M.A. Delia Opekokew of the Canoe Lake reserve becomes the first Aboriginal woman admitted to the Law Society of Upper Canada and later to the LSS in 1982.

► 1982—The *Constitution Act, 1982* is passed and with it the *Canadian Charter of Rights and Freedoms*, superseding the *Canadian Bill of Rights* and enshrining benefits and protections to every Canadian citizen regardless of "race, national or ethnic origin, colour, religion, sex, age or mental or physical disability".

• Justice Bertha Wilson, who had been the first woman to be appointed to the Ontario Court of Appeal in 1975, is the first woman to be appointed to the Supreme Court of Canada.

► January 4, 1983—Bill C-127 comes into effect, making sexual assault against one's wife an offence in the *Criminal Code*. This effectively overturned a common law exemption that had been in force for centuries. The introduction of the bill was due in large part to the efforts of MP Margaret Mitchell, who persevered even though most MPs in the House of Commons initially laughed off her concerns about domestic violence.¹⁰

► 1984—Jeanne Sauvé becomes the first woman to be appointed Governor General of Canada.

► 1983 (Sask)—M.J. Batten appointed first woman Chief Justice of the Court of Queen's Bench for Saskatchewan, June 30.

► 1980—Alexa McDonough is elected the Leader of the Nova Scotia New Democratic Party, becoming the first woman to lead a major political party in Canada.

► 1976—Roberta Louise Jamieson is the first Indigenous woman to earn a law degree in Canada (she would not be called to the bar until 1981).⁸

Marion Ironquill Meadmore becomes the first Indigenous woman called to the bar in Canada in 1977.⁹

► 1967—Acting on the advice of Judy LaMarsh, then secretary of state, Prime Minister Lester Pearson establishes a Royal Commission on the Status of Women. This follows months of campaigning by a coalition of 32 different women's groups led by Ontario activist Laura Sabia, then President of the Canadian Federation of University Women. The Commission's mandate would be to inquire into, study and report on the status of women in Canada.⁶

► 2013—The Justicia Project, a voluntary organization started in Ontario to help improve working conditions for women, receives support from the Law Society of Saskatchewan benchers. A pilot project of the Saskatchewan Justicia Project is approved by benchers.

► In October 2016, the LSS releases its Report of the Data Collection Working Group of the Saskatchewan Justicia Project, entitled "Workplace Policies and Practices for Lawyer Retention and Advancement."

► 2015—Newly elected Prime Minister Justin Trudeau, who promised gender parity in his Cabinet during the election, follows through by appointing 15 men and 15 women to serve as his council of ministers. "It's an incredible pleasure to present to Canada a Cabinet that looks like Canada." When asked why it was important to him, he famously responded, "Because it's 2015."

► 1998 (Sask)—Lynn MacDonald, QC, becomes the first woman to hold the office of President of the Law Society of Saskatchewan.

• Beth Bilson becomes the first female appointed to the position of Dean of the College of Law, which she held until 2002.

► 1997 (Sask)—C. Willy Hodgson, the Law Society of Saskatchewan's first female Aboriginal bencher, is appointed Lay Bencher on February 11.

► 1993—Kim Campbell succeeds Brian Mulroney, becoming Canada's first female prime minister. Earlier that same year, she had been appointed Minister of National Defence and Minister of Veterans' Affairs, the first woman to hold either of those posts.

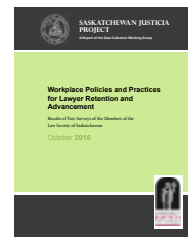
► November 1991—Nellie Cournoyea is selected (under the consensus government system) as premier of the Northwest Territories, becoming the first Aboriginal woman premier and second female premier in Canada.

► April 1991—Rita Johnston is appointed premier of British Columbia following Bill Vander Zalm's resignation, making her the first female premier in Canada.

► 1987—A Supreme Court decision recognizes that systemic discrimination contributed to excluding women from the workplace (*Canadian National Railway Co. v Canada (Canadian Human Rights Commission)*), [1987] 1 SCR 1114, 40 DLR (4th) 193.

► 1985—Canada amends the *Indian Act* to remove the section that strips Aboriginal women of their status upon marrying a non-Aboriginal man.

► 1988—In *R v Morgentaler*, [1988] 1 SCR 30, 44 DLR (4th) 385, the Supreme Court of Canada decides that the provisions in the *Criminal Code* with respect to terminating pregnancy are unconstitutional. The *Charter* guarantees "life, liberty, and security of the person", and in this judgment, the court confirmed that those rights apply not only to men, but also to women, even if they happen to be pregnant.



Wikimedia Commons

Notes

- Chambers, Jennifer, ed. *Diversity and Change in Early Canadian Women's Writing*. (Newcastle upon Tyne: Cambridge Scholars Publishing, 2008).
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- https://en.wikipedia.org/wiki/Mary_Ellen_Smith.
- <http://www.thecanadianencyclopedia.ca/en/article/mary-irene-parlby>.
- <http://historyofrights.ca/history/human-rights-law>.
- <http://www.thecanadianencyclopedia.ca/en/article/royal-commission-on-the-status-of-women-in-canada>.
- <http://www.thecanadianencyclopedia.ca/en/article/national-action-committee-on-the-status-of-women>.
- Soloway & Costante at pp. 97-99; <http://indspire.ca/president-ceo/>; <http://www.trudeaufoundation.ca/en/community/roberta-jamieson>.
- Soloway & Costante at pp. 39-41; <http://indspire.ca/president-ceo/>; <http://www.cbc.ca/news/canada/manitoba/what-is-the-use-in-spending-so-much-time-studying-failure-indigenous-leader-1.3075163>; <https://www.therecord.com/news-story/2623994-laurier-student-uncovers-canadian-female-aboriginal-leaders>.
- <https://www.theglobeandmail.com/news/world/canadian-law-only-changed-26-years-ago/article1150644>.

Women and the Law

Resources

Looking for more information? Here are some great resources to start with...

ASSOCIATIONS

- **Canadian Bar Association (CBA)** hosts a page called CBA Sections that has 41 specialty groups that focus on substantive areas of the law and the legal profession. Their Women Lawyers forum hosts articles, resources and awards available to women lawyers.
- **National Association of Women and the Law (NAWL)** is an incorporated not-for-profit feminist organization that promotes the equality rights of Canadian women through legal education, research, and law reform advocacy. <http://nawl.ca/en/>
NAWL also provides a free online course with a “toolkit for pursuing systemic legislative remedies”. <http://nawl.ca/en/feministlawreform>
- **Women’s Human Rights Resources Programme** through The Bora Laskin Library at the University of Toronto’s Faculty of Law hosts links to a database of women’s human rights resources, research guides and bibliographies, and teaching resources.
- **Women’s Legal Education and Action Fund (LEAF)** is a national, charitable, non-profit organization, founded in 1985. LEAF works to advance the substantive equality rights of women and girls in Canada through litigation, law reform and public education using the Canadian Charter of Rights and Freedoms. <http://www.leaf.ca/>
- **Young Women in Law (YWL)** is a not-for-profit organization for women lawyers in their early stages of practice. YWL acts as a central forum for women to connect, enhance their skills, and give back to their community. <http://youngwomeninlaw.com/>

BOOKS

- Leiper, Jean MacKenzie. *Bar Codes: Women in the Legal Profession* (Vancouver: UBC Press, 2007)—A study of the first wave of female practitioners in the field of law, the barriers that have been overcome, and the struggle that continues.
- Marsden, Lorna R. *Canadian Women and the Struggle for Equality* (Toronto: Oxford University Press, 2016)—This book celebrates the advances women have made towards equality with men in Canada since 1867 with chapters on the law, war and social change, demographics, the workplace, and current challenges.
- Soloway, Julie, & Emma Costante. *Leading the Way: Canadian Women in the Law* (Toronto: LexisNexis Canada, 2015)—This book is a compilation of biographies of 50 Canadian women who paved the way for other women in the legal profession.



SCHOLARSHIPS

- **Alison Dewar Scholarship in Women’s Equality, Labour and Human Rights Law** at the University of Ottawa.
- The CFUW **Aboriginal Women’s Award** is granted to indigenous women in law, medicine, or any field leading to a Master’s degree in a field dealing with Aboriginal issues.
- Dalhousie University offers the **Eliza Ritchie Doctoral Entrance Scholarship** for women entering PhD programs, including in law.
- Osgoode Hall Law School offers the **Class of 1992 and Family of Michele de Pass Lund Bursary** for female students (preference given to mature students).
- Available to both male and female students, the University of Toronto Faculty of Law offers **The Judy LaMarsh Prize in Feminist Analysis of Law** and **The Nancy Park Book Prize in International Women’s Rights**.
- The **Soroptimist Foundation** instituted a \$7,500 award to assist female students in Canada who are pursuing graduate studies which will lead to a career which will help other women in various fields, including law. ☺

Quietly Dispelling the Myth of Spinsters and Shushers

Women and the Law Society Library

Alan Kilpatrick, Reference Librarian

The Law Society of Saskatchewan Library has been an innovator and a leader among Canadian law libraries since the 1970s. No history of our library is complete without acknowledging the vital role women played in leading the library and pioneering the state-of-the-art information services that have made the Law Society of Saskatchewan Library a model to be emulated.

Prior to the mid-1970s, the Law Society Library had never employed a professional librarian or library staff. In the early 1970s, the Freeman Report recognized that members desperately needed modern legal information services and urged investment and professional staff for the library. In 1975, the library's first ever professional librarian, Judy Brennan, MLS, was hired in Regina. This was followed a few years later in 1978 when Sheila Ann Lidster, MLS, was hired to run the Saskatoon Law Society Library.

Throughout the 1970s and 1980s, the library assertively tackled the challenge of developing and providing modern information services to a disparate and rural province with limited funding and support. Thinking outside of the box,

the library staff extended information services to rural areas by telephone and a fax machine network. Notably, the Regina Law Society Library became the first computerized courthouse library in North America. Peta Bates, MLS, a professional legal librarian from Toronto, took over the Saskatoon Branch in 1979, staying for more than thirty years. Pat Kelly, a trained library technician, soon joined her in 1982. Pat remains with the library to this day.

In the 1990s, online library databases were provided to members for a subscription fee through a toll-free dial-up line, a technological feat described by Iain Mentiplay in *A Century of Integrity: The Law Society of Saskatchewan 1907 to 2007* as state of the art and a first among law society libraries in Canada.

Susan Baer, BPHE, MLS, took on the directorship of the Law Society Library in 1998 and desktop access to online legal resources became a major focus. In 2004, Saskatchewan became the first jurisdiction in Canada to provide members with desktop access to Westlaw. The library was one of the first proponents of open access to the law,

access to justice, and CanLII, and decided to give free and open access to its in-house databases on the Internet for members of the public and lawyers alike in 1999.

Melanie Hodges Neufeld, BA, LLB, LLM, refocused the direction of the Law Society Library when she became the first Director of Legal Resources in 2012. Under Melanie's management, the number of online resources available to members on their desktops through the Members' Section has skyrocketed. CanLII's free coverage of Saskatchewan case law nearly doubled as a result of a library-led digitization project in 2014. The library's long-standing publishing program has expanded its scope beyond the *Queen's Bench Rules of Saskatchewan: Annotated* to include more titles and formats, now including electronic formats. To provide meaningful information services, law libraries must continually evolve to reflect the needs of their members, and the Law Society Library remains committed to offering high-quality services that meet those needs.

Librarianship, largely a female-dominated profession, has been and continues to be undervalued. Librarians and library staff continue to be associated with inaccurate and sexist stereotypes disconnected from the bustling reality of librarianship. It's time to recognize the innovative and revolutionary services forged by the staff of the Law Society of Saskatchewan Library over the last four decades, and its time to acknowledge the important leadership that talented, forward-thinking women have contributed to make the Library the success that it continues to be. ➔



Nancy Pearl Librarian Action Figure

Female Library Directors

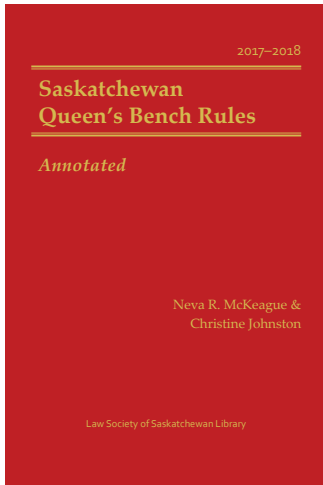
Judy Brennan	1975-1977
Suzanne Gumprich	1998-1998
Susan Baer	1998-2008
Toby Willis-Camp	2008-2012
Melanie Hodges Neufeld	2012-Present

Female Librarians and Library Techs since 1977

Peta Bates	Amanda Nagyl
Kelly Chiu	Leila Olfert
Lorelie DeRoose	Norma Power
Laura Hague	Sarah Roussel-Lewis
Shirley Hunard	Audrey Salter
Pat Kelly	Maxine Seeley
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Law Society of Saskatchewan Library



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Hot Topic

Law Grad Receives Scholarship

The 2017 E.M. Culliton Scholarship has been awarded to Michael Adams of Regina in the amount of \$15,000.

Mr. Adams is currently working as Crown Counsel at the Ministry of Justice, but will begin studies at Queen's University beginning in September 2017. His thesis will involve research on the dangerous offender regime under the *Criminal Code*. When Mr. Adams was a clerk for the Court of Appeal Saskatchewan, he gained significant experience with the dangerous offender regime, which ultimately led to his doubts about its constitutionality in light of *R v Gladue*, [1999] 1 SCR 688. It is an important topic deserving of greater study and attention. Mr. Adams also plans to research freedom of religion. Debates continue around subjects such as religious education, religiously-motivated terrorism, as well as religion within the regulation of immigration. It has been a goal of his to

explore the natural limits of the freedom of religion and aid the courts as they continue to navigate through this controversial and important area.

The E.M. Culliton Scholarship was established in 1981 in honour of the former Chief Justice of Saskatchewan. It is awarded to graduates of the College of Law at the University of Saskatchewan for the pursuit of graduate studies in criminal law.

Recipients are selected on the basis of exceptional academic record, research potential and exceptional service to the practice of law in Saskatchewan. ➔

Important Practice Skills Acquired While Articling

Making the Most of Your Articling Experience

Jaspal Gill, CPLED Student

Mentorship makes a difference in a student's learning attitude

A mentor can provide a student an opportunity to explore the endless possibilities of a legal career and the approach they take will have a big impact on how a student learns. Starting with a personal example, my parents each had a different style of teaching. My mother taught me cooking, but I had to do things her way. If I didn't follow her instructions, then she would send me out of the kitchen. So, I lost my curiosity of trying to learn new recipes. On the other side, my father would let me study my way and was open for suggestions and encouraged me to ask questions. I excelled in studies. I have now learned the required skills for CPLED program during my articles because of the approach my mentor took.

Empowerment is an essential component of the training

I am privileged to work and stay in a small community like Unity, Saskatchewan. My articling principal appreciates the fact that I speak four languages: Punjabi, Hindi, Urdu and English. I am given the timeline to start and finish working on a file, but I am always encouraged to ask questions, no matter how busy he is. Due to that fact, I am not afraid to ask. Even when I come up with a different legal analysis, I am learning skills in a positive way. Nonetheless, the empowerment leads any individual to do more than required!

Learning oral and written advocacy

Preparing documents for the first time on family law file and appearing in the court for the client is not an easy task for anyone. Like many other students, I was nervous. My principal guided me throughout my

work on the files and advised me to explore the alternatives. My articling principal introduced me to the staff at the court. I had a great time representing my law firm while learning new skills. One of the most important things I learned is that you **MUST** know your file, even if you are assigned to go to the court for adjournment only. For example, I went for an adjournment only and I had read the material and thought I was fully prepared for the three-year-old file. The judge asked me when the child was first apprehended—and I had no clue. I flipped through my material but I could not locate it, although it was there. I did not expect to be asked something that far back on the file. Lesson learned.

Developing practical skills while working on assignments

Every Thursday after submitting my assignment for CPLED, I would like to see what was coming up in the next assignment, but I would lose focus on what I should be working on. Well, that taught me to prioritize my tasks by not looking too far ahead. I learned how to schedule my time. If I am working on important and time-sensitive file, I will be focused on that file.

Create your own interview style

You can not copy someone else's style to interview a client, though you can learn gradually from others. But you have to paint your own picture. Having a checklist ready will make your life easier so you can write down the necessary information. The moment a potential client calls your law office, that client is secure in the thought that help will be available. I google the name of the client and that gives me an opportunity to learn about the client's ethnic background. This homework provides me extra information, such as how to pronounce their name, and I feel more



Photo courtesy of Jaspal Gill

*Live as if you were to die tomorrow.
Learn as if you were to live forever.*

—Mahatma Gandhi

connected to the person. When you meet the client make sure to smile. It is important to listen before giving any advice. I learned that every client is important and deserves the services paid for.

Articling is an opportunity for skill development

I was encouraged to do volunteer work, and I had an amazing opportunity to volunteer at the Trial Advocacy workshop offered by the Law Society in Saskatoon last year. I drove down from Unity to Saskatoon to help out at this event. I spent the entire day at the workshop in addition to four hours on the road to and from. It was worth the time because the skills I learned are lifelong and I met so many legal professionals.

Attending webinars is a great idea

Some webinars are not more than an hour, so consider attending those that interest you. I have attended a few webinars during my lunch time. The information you learn is priceless and the skills you acquire are worth the time spent.

continued on page 18

Learn from support staff

Your support staff members can be great mentors as well. They have the first-hand information on the basics of the file, and probably years of experience that an articling student doesn't have yet. You just have to approach and ask them. If you are good to them, they will be more than happy to help you.

Be honest and do your best

Keep motivating yourself to do your best at work and you will be fine. Be open and honest to your articling principal, associates and co-workers. "Communication is the

key to success." This saying is your best tool in your legal career path. Always go above and beyond.

Working in small community is an advantage

I was fortunate enough to attend circuit court in Unity, across the street every third Monday of the month. Even if I wasn't representing my client, I learned many advocacy skills by just watching other lawyers, police officials and witnesses. I felt more connected to my community and it was a great experience living and working in a small town.

There is a hope at the end of the tunnel

It's a challenging but rewarding career that I am privileged to be in. Not an easy life, especially from a mature student's perspective, and it makes even harder when you are away from your family. I am so thankful to the Law Society of Saskatchewan staff who helped me in making my dreams come true and who were always available during my transition from Ontario to Saskatchewan and throughout the CPLED program. ☺



Upcoming CPD Activities

- **TRC Workshop: Gladue Reports and FASD Training** (CPD-170)
Presenters: Glen Luther, QC, Shana Mohr and Tanya Beauchamp
Tuesday, September 19, 2017 (Saskatoon)
- **Televised Seminar: Corporate and Commercial Hot Topics** (CPD-176)
Friday, October 6, 2017
Registration Deadline: Friday, September 29, 2017
- **Ready to Laugh Your Way to Ethics? Featuring Sean Carter (Humorist at Law)** (CPD-174)
Presenter: Sean Carter
Tuesday, October 17, 2017 (Saskatoon)
Wednesday, October 18, 2017 (Regina)
- **Select Dinner: Mentoring Within and Without the Legal Profession** (CPD-177)
Presenter: Aaron Fox, QC
Thursday, October 26, 2017 (Saskatoon)
Wednesday, November 1, 2017 (Regina)
- **Webinar: Primo—An Introduction to Our New Library Catalogue** (CPD-178)
Presenters: Ken Fox and Alan Kilpatrick
Thursday, November 2, 2017—12pm to 1pm
- **Sidebar Social: Ethics in Everyday Practice—Dealing With Your Client** (CPD-175)
Panel: Justice N.W. Caldwell, Justice M.T. Megaw, Judge H.M. Harradence and Micheal Tocher, QC
Wednesday November 15, 2017—5:00pm to 7:30pm (Weyburn)
- **Trial Advocacy Workshop** (CPD-166)
November 16-18, 2017 (Regina)
Registration Deadline: Friday, September 22, 2017

For the most current information of CPD activities, visit www.lawsociety.sk.ca/continuing-professional-development.

Saskatchewan Order of Merit Recipients Announced July 6, 2017

"The 150th Anniversary of Canadian Confederation is a year to give thanks for our many blessings, including the remarkable people who call Canada home," Lieutenant Governor Vaughn Solomon Schofield said. "Those who will receive the Saskatchewan Order of Merit this year exemplify the very best of what it means to be a Canadian; they exemplify excellence, generosity, and leadership. I congratulate and thank them, most sincerely, for their impressive contributions to our province and to our nation."

The Government of Saskatchewan has announced this year's recipients of the Order of Merit. Established in 1985, the Saskatchewan Order of Merit recognizes excellence, achievement and contributions to the social, cultural and economic well-being of the province and its people. Congratulations to the ten extraordinary individuals being honoured during Canada's sesquicentennial year and who will be invested into the Saskatchewan Order of Merit, the province's highest honour. The Saskatchewan Order of Merit ceremony will take place in Regina this fall with the Lieutenant Governor presiding.

Of Particular Note

The Honourable Robert Laing of Saskatoon

The Honourable Robert Laing, former Chief Justice of the Court of Queen's Bench, is recognized for his many contributions to the justice system in the province of Saskatchewan. A former member of the RCMP following graduation from the University of Saskatchewan, College of Law, he quickly rose to the top of the legal profession where he was known as a "lawyers' lawyer". During his years of practice, he was one of the most well-respected litigation lawyers in the province.

As Chief Justice, Mr. Laing played a leadership role in promoting access to justice, including spearheading a total overhaul of the Queen's Bench Rules of Court to make court proceedings more efficient and understandable. He is a former Bencher and served as the President of the Law Society of Saskatchewan.

Robert Mitchell, QC (Posthumous)

Mr. Robert Mitchell, former Attorney General of Saskatchewan, was one of the province's most distinguished citizens. He served the people of Saskatchewan as a member of the Legislative Assembly and a member of Cabinet. Mr. Mitchell served as a labour arbitrator and a negotiator of First Nations Self-Government agreements. Prior to his retirement, he served as Chair of the Province's Public Complaints Commission. He was highly regarded for his thoughtful, respectful approaches to governance, as well as understanding the needs of the people of Saskatchewan.

His leadership style, which emphasized collaboration and a "cross departmental" approach on Indigenous issues, was recognized nationally. Mr. Mitchell's work with the Public Complaints Commission was recognized by the Canadian Association for Civilian Oversight of Law Enforcement, naming its national award in his honour and making him its inaugural recipient. Robert Mitchell worked tirelessly throughout his career, with civility and consideration of others and with patience and humility, to build a better province. ➔



The 2017 recipients are:

- **Murad Al-Katib**, Business Owner and Exporter, Regina
- **June Avivi**, Retired Educator, Saskatoon
- **Martha Cole**, Artist, Lumsden
- **Roland Crowe**, Retired First Nations Leader, Regina
- **Rod Gantefoer**, Businessman and Former Politician, Melfort
- **Paul J. Hill, CM**, Businessman and Philanthropist, Regina
- **Robert Laing**, Former Chief Justice, Court of Queen's Bench, Saskatoon
- **Dr. Roberta McKay**, Physician and Philanthropist, Regina
- **Robert Mitchell, QC**, Former Attorney General and Lawyer, Regina (Posthumous)
- **Brigadier General (Ret'd) Clifford Walker, CD**, Retired Canadian Forces and Educator, Regina

Queen's Counsel Designation

Tony Gerein is being recognized with the honorary Queen's Counsel (QC) designation for his outstanding contributions to the legal profession and public service.

Gerein, Director of Prosecutors for the Public Prosecutions Division, Saskatchewan Ministry of Justice in Regina, obtained his Bachelor of Law from the University of Saskatchewan in 1989. Tony joined the Ministry in 1995 as a Crown Prosecutor in North Battleford, Meadow Lake and Saskatoon. In 2001 he joined Public Prosecutions Head Office as Senior Appellate Prosecutor. In 2014 he was appointed Director of Prosecutors for the Public Prosecutions Division. Since February 2017 he has been Assistant Deputy Attorney General, Prosecutions.

Queen's Counsel appointments are based on recommendations from a selection committee consisting of Saskatchewan's Minister of Justice and Attorney General, the Chief Justice of the Court of Appeal for Saskatchewan or the Chief Justice of the Court of Queen's Bench and the past presidents of the Saskatchewan branch of the Canadian Bar Association and the Law Society of Saskatchewan. Individuals must live in Saskatchewan and must have practiced law for at least ten years in the superior courts of any province or territory of Canada, the United Kingdom or Ireland.

Released on June 2, 2017

What's New

Judicial Appointments

The Honourable Michelle Baldwin has been appointed a judge to the Provincial Court in Meadow Lake.

Judge Baldwin received a Law Degree from the University of Saskatchewan in 2006. She began her career as a lawyer with the civil litigation branch of the Department of Justice Canada and also spent time as a federal prosecutor with the Public Prosecution Service of Canada in Nunavut. She is currently a provincial Crown Prosecutor in Meadow Lake and a member of the High Risk Violent Offender Program.

Judge Baldwin's experience in the North and predominately northern Indigenous communities has provided her with a unique perspective on the issues facing indigenous people in the justice system.

Judge Baldwin replaces Judge Don Bird, who is retiring.

Released June 9, 2017



The Honourable Robert Mackenzie has been appointed a judge to the Provincial Court in La Ronge.

Judge Mackenzie received a Law Degree from the University of Saskatchewan in 1985 and a Master of Laws in 2005. He began his career as a lawyer with Sandstrom and Scott in Saskatoon. He went on to work as a lawyer and Legal Director with the Saskatchewan Legal Aid Commission in Meadow Lake and La Ronge. Judge Mackenzie has spent the last 11 years with Public Prosecutions in La Ronge and most recently served as the Regional Crown Prosecutor.

Judge Mackenzie has been very active in his community, having served as President of the Lac La Ronge Conservancy Inc. and as a board member and Chair of North Sask Special Needs Housing, Employment, Recreation Inc. He is a member of the La Ronge ski and canoe clubs and has a passion for long distance sports, including running, skiing and cycling.

Judge Mackenzie replaces Judge R. Lane, who is relocating to the Provincial Court in Prince Albert.

Released June 23, 2017

Senior Life Members

The Law Society awarded Senior Life Memberships to three long-time members at the 2017 Annual General Meeting held in June. Benchers may choose to confer this honour on active or retired members who have belonged to the Law Society for at least 50 years, and have contributed significant public or legal service to the people of Saskatchewan.

Delbert Maurice Dynna

Delbert articulated in Prince Albert at the law office of Cuelenaere & Eggum in 1966 to 1967 and was admitted to the bar on August 1, 1967. He stayed with Cuelenaere & Eggum in general practice until 1974. At that time, he started his own law practice in Prince Albert, and since then has focussed mostly on wills, estates and real estate.



Terrence Anthony Leier, QC

Terrence obtained his Bachelor of Arts and Bachelor of Law from the University of Saskatchewan, and completed the Executive Program at Stanford University's Graduate School of Business. He was awarded the Queen's Counsel designation in 1993.

He currently works as a Legal Advisor and Governance Consultant for Hanford Group Holding Corporation, specializing in government relations, business formation and organization, financial capital assembly, land development for Regina and Saskatoon, and professional disciplinary matters, among other things. He currently serves as Regina Bar Association's Secretary of Legal Aid Committee, and has a long history of commitment to numerous planning and development boards and committees for both government and the Regina Solicitor's Office.



Paul John Lewans, QC

Paul graduated grade 12 from St. Thomas College in North Battleford in 1958. In 1962, he obtained his Bachelor of Arts from the University of Ottawa, and in 1966 received his Bachelor of Law at the University of Saskatchewan in Saskatoon. He articulated in Swift Current with the law firm of Donnelly, Polley and Kruger in 1966 to 1967.

In 1967, he moved to Gravelbourg to join Ronald A. MacLean Sr. The following year, he and his law school classmate, Guy Dauphinais, took over the law office. Paul served as town councillor for six years, was a member of the church council, directed the church choir and was chairman of St. Joseph's Hospital Board.

Paul moved to Assiniboia in 1975, purchasing an interest in the law firm of Frost MacLean and Jack. In 1981, he purchased the interest of Ross Jack and had three law students articling for the next two years. In 1983, Kim Ford joined him as a partner.

Paul was a member and eventually chairman of the Saskatchewan Trial Lawyers Association, a member of the Canadian Bar Association, was on the Board of Directors for St. Angela's Academy of Prelate, which included 11 years of handling the fundraiser Cow 50 Lottery.

In 2006 Paul was appointed Queen's Counsel for the Province of Saskatchewan, and he retired from the law practice on December 31, 2010. As a father of 8 and grandfather of 14, he enjoys visiting family, playing bridge and volunteering in his community of Assiniboia. 🍀



President of the Law Society, Erin Kleisinger, QC, awarding the Senior Life Memberships to honorees at the 2017 AGM in June.

Photos by Natalie Tomczak.

Who's Who New Faces at the Law Society

Christine Johnston • CPLED Program Director

The Law Society of Saskatchewan is pleased to announce the addition of Christine Johnston, BEd, LLB, in the role of CPLED Program Director for the duration of Kiran Mand's maternity leave.

Christine attended the University of Saskatchewan and was called to the Saskatchewan Bar in 2002. After practicing as an articling student and associate at McDougall Gauley LLP, she was Legal Counsel and subsequently Senior Legal Counsel at Phenomenome Discoveries Inc., a Saskatchewan biotechnology company. She has acted previously as a Competency Evaluator for the CPLED Bar Admissions Course since 2013 and has also been the sole annotator for both the *Limitations Manual* and the *Saskatchewan Queen's Bench Rules Annotated*, published by the Law Society of Saskatchewan Library. Christine currently resides in Saskatoon. ➤



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In Memory

William Zion (Bill) Brown

passed away June 9, 2017, at the age of 86

Bill graduated Technical Collegiate in Saskatoon in 1948 and enrolled in general arts and then law at the University of Saskatchewan. He spent a 56-year legal career in Alberta and Saskatchewan, including Brooks, Medicine Hat, Calgary, North Battleford, and La Ronge. Much of his career involved general private practice, but included legal aid services in northern Saskatchewan. Bill took great pleasure in helping clients to navigate some of the most difficult and stressful moments of their lives.

As a boy in Saskatchewan during the dirty thirties, Bill whittled whistles out of willow twigs in the spring. Later, Bill became “The Whistle Man” to children in La Ronge, spending spring days in local parks carving whistles and eventually giving away over 5,000 to children and adults. In 2013, Bill shut his law practice in La Ronge and moved to Nelson to live close to family.

Excerpt from *Saskatoon Star-Phoenix* obituary.

Garrett Wilson, QC

passed away August 15, 2017, at the age of 85

Wilson was born on May 19, 1932 in Limerick and attended Luther College in Regina. He would earn bachelor of arts and bachelor of laws degrees from the University of Saskatchewan in 1954. In 1955, he was called to the bar and admitted into the Law Society of Saskatchewan. Exactly 50 years later, he was made an honorary life member of the society.

A partner in several law firms during his life, he was appointed to the Queen's Counsel in 1968 and served as the chair of the Saskatchewan Public Service Commission and the Regina Rail Relocation Commission. Highly active in provincial and federal politics, Wilson was involved in provincial Liberal leader Ross Thatcher's campaign in 1964, and he served as the campaign

manager of the Liberal Party in 1967. Wilson was also the president of the Saskatchewan Liberal Association from 1971 to 1975, and vice-president of the Liberal Party of Canada from 1978 to 1980.

A noted author, Wilson co-wrote *Deny, Deny, Deny: The Rise and Fall of Colin Thatcher*, with his daughter Lesley. The 2000 edition of the book was short-listed for a Saskatchewan Book Award. Wilson also wrote a book on the legal career of John Diefenbaker, as well as a crime mystery book titled *Guilty Addictions*. In 2016, he released his memoir *Outlier: Life, Law and Politics in the West*.

Excerpt from *Regina Leader-Post* article by Craig Baird, August 17, 2017.

Regulatory

Equity Office

The Equity Office at the Law Society of Saskatchewan is committed to both eliminating discrimination and harassment and promoting equity in the legal profession. The services of the Equity Office are available to articling students, lawyers and their support staff for advice, information or assistance.

If you have a question or concern about discrimination or harassment, or if you would like to improve equity and diversity in your workplace, please contact the Equity Office. A call to the Equity Office is not a complaint to the Law Society. Except for information about the misappropriation of funds, the Equity Office reports only anonymous statistics to the Law Society.

This office is not a lawyer referral service and cannot provide legal advice. For more information, please visit “For Lawyers and Students” on the Law Society [website](#).

Toll free: 1-866-444-4885

Email: equity@lawsociety.sk.ca

All information is confidential.

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