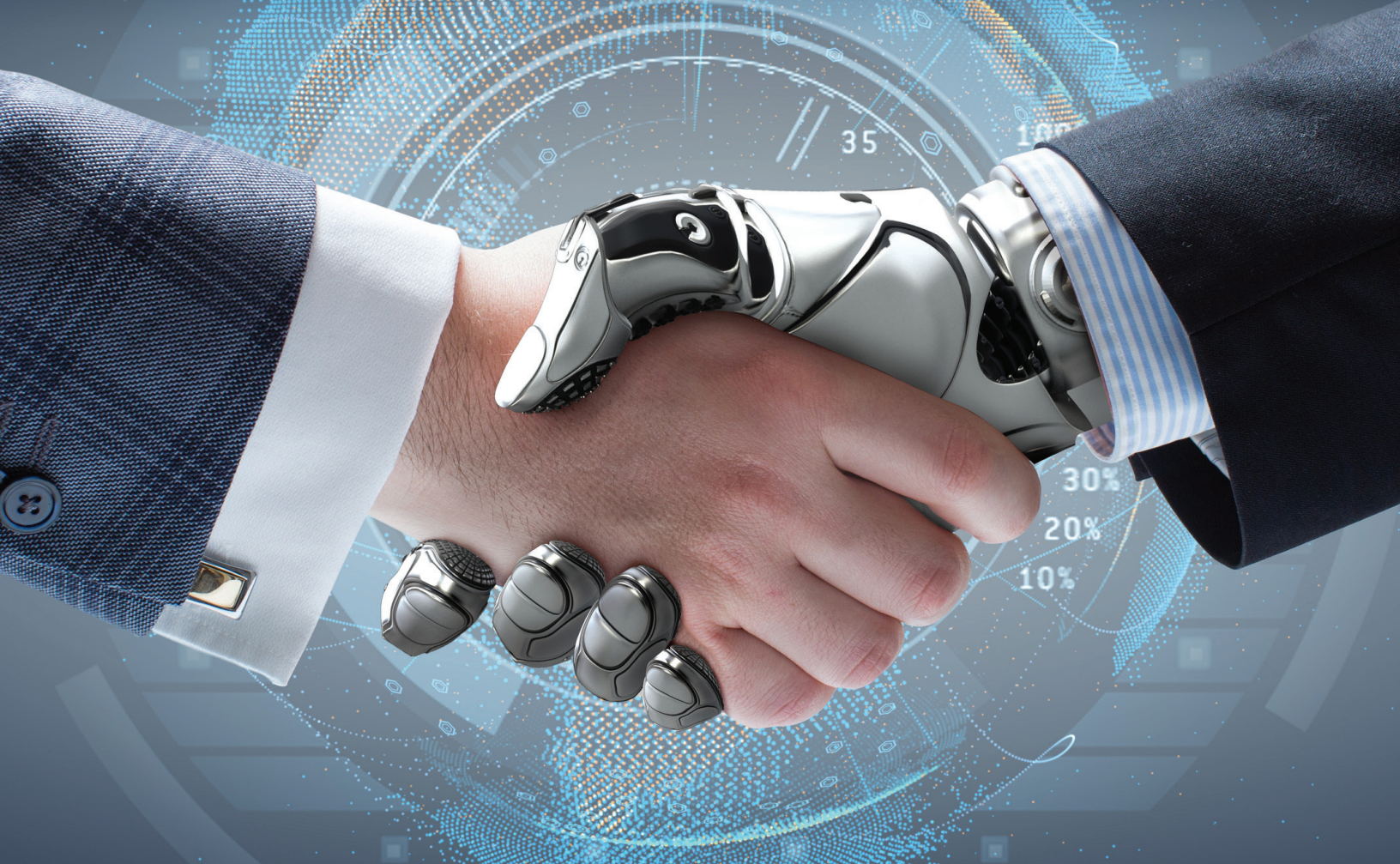


Summer 2018

Benchers' Digest



Volume 31, Issue 2

Spotlight on Technology

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.

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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 Fall Issue: September 15, 2018.

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A great big thank-you to everyone who contributed content to this issue!

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Spotlight on Technology

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Law Society of
Saskatchewan



Legal Sourcery

President's Report

By Craig Zawada, Q.C.



Craig Zawada, Q.C.
Law Society President 2018

Until this year, I had never been to the American Bar Association's Techshow, which is held annually in Chicago. Tim Brown, our Executive Director, suggested we attend to get an understanding of what we might be regulating in the future. He did not have to twist my arm too hard, but even if you are not a computer enthusiast, I recommend you take the opportunity if you ever get a chance. There is a remarkable amount of innovation occurring in the legal community.

I came away with several thoughts about technology for lawyers, and how we are going to be affected. Remember this is the American Bar Association, so it is U.S.-centric. This extends into technology and software, where a large number of the products are either not suitable for Canada, or not available. For example, there are many more legal accounting packages available to American lawyers than in our country. If the software cannot handle GST or Canadian payroll rules, however, it is of little use here.

The relative size of the markets is also a big differentiator. The usual metric for Canada and the U.S. is 10:1, the ratio of their population to ours. Lawyers roughly approximate that – with about 1.3 million attorneys in the U.S. compared to 120,000 lawyers in Canada. That may seem like a lot of Canadian lawyers, but it is 50,000 fewer than just California. However, when you further consider that not all our lawyers are in private practice, and that they are dispersed among 14 Canadian governing bodies with different rules, our lawyers have far fewer potential customers. Many products we saw in Chicago will never be available in Canada.

Size is also an issue within our country. Saskatchewan membership is about 4% of Ontario's. That is not all a downside since it means we can be nimbler and less governed

by tradition than other, larger regulators. But we need to do it on our own terms, for our own reasons, and not because we think the big regulators will follow.

All of that is interesting, but one of the big takeaways from Chicago, for me at least, was that the Law Society as a regulator can and should play a much bigger role in helping our members with technology. One of the ways we can make a difference is to help manage the transition of our members through the biggest technological changes our profession has ever seen.

Here's an example. One of the vendors in Chicago was promoting their app where clients could locate and then talk about their issue with a lawyer over their smartphone. Big deal, I said, it sounds like Skype or Facetime. It turns out there was more, such as the sharing of documents, so it really started looking like a virtual law firm where lawyers were united by electronic tools instead of physical offices.

That got me thinking. As a Law Society in a large, lightly-populated province, we often struggle with things like rural practitioners who are far-flung and disconnected, clients who have issues finding and accessing lawyers,

and most importantly, a membership which is looking for help and guidance in adapting to technological innovation. We no longer have a lawyer referral service, but what if we provided something like a province-wide referral

network, accessible by anyone through their smartphone, where potential clients could identify lawyers by practice area, and then talk to them over video? Whether a lawyer participated or not would be up to them, and we would not be preferring any lawyer over others, but the Law Society would provide the infrastructure for this to happen. Given our small population, it is unlikely anyone would

"It's tough to make predictions, especially about the future."



or could offer that service other than the Law Society.

That is only one example, but there are countless other things we could be doing to help our membership get comfortable with the best new technology, and to fundamentally change the delivery model of law to recognize looming changes. I say it often: the Law Society has traditionally been good at telling lawyers what they cannot do, but not very good at what they

can or should do. We need to change a lot of things, such as how we evaluate and reward competence, but it is something that all of the issues we discuss – be it access, education, discipline and others – depend on.

One of our recent efforts has been to more actively listen to our stakeholders and benefit from their ideas. There are plenty of perspectives and different thoughts. Unanimity may be impossible, but

consensus is achievable. I want to continue to talk to as many of you as possible to hear your views and ideas. The real power will be combining what we learn at the Law Society with the other things you see and think. As Yogi Berra said, “It’s tough to make predictions, especially about the future.” It will remain tough, but amassing all the information and ideas we can will make prediction easier.

Executive Director's Message

The impact of changing technology

By Tim Brown, Q.C.

We live in a world where advancements in technology have reached the mind-bending level of science fiction. When I graduated from Law School in 1991, it would have been impossible to imagine a world on the verge of self-driving cars. Today no one disputes that we will share the roads with driverless vehicles very soon or that those vehicles will be built on automated assembly lines by robots.

At the same time, not long ago in our history, the hardware necessary to land on the moon was housed in buildings worth millions of today's dollars. Now, that level of computing power is found in cell phones which are virtually given away in exchange for entering a usage contract with a cellular service provider and can be found in the hands of our children.

This de-escalation of the cost of computing power per-dollar is a massively dramatic evolution that has happened very quickly. It is also a measurement that helps to describe how computing technologies have exponentially increased the speed at which humans acquire and implement knowledge, which by some estimates, presently roughly doubles each year.

These estimates also suggest that advancements in computing power occur at this pace. Although widely debated, the information leads many to conclude

that the "singularity" (the point at which technologically-created cognitive capacity surpasses that of humans) will occur sometime in the middle of this century. Against this backdrop, it comes as no surprise that technologies now exist, and will continue to develop to have the potential to transform many traditional processes associated with the delivery not only of legal services, but also services in every sector of the economy.

In June, the Benchers met in Elk Ridge to discuss strategic directions for the Law Society over the next three years. It is fair to say that emerging technologies were high on the list of key drivers of change for the profession in the years to come. (It is impossible to predict what the world might look like 10 years from now, but the technologies of today were reflected upon to better understand the world of tomorrow and what must happen from a regulatory standpoint to prepare our way.) Here are some of the highlights of an environmental scan that was prepared for the Benchers on the impact of emerging technologies.

Online Services

Now, almost any legal form you could want is available online and can be customized based on the user's preferences. Add to this, artificial intelligence platforms are a keystroke away and can create lengthy,

complex documents, including such things as: partnership agreements, confidentiality agreements, prenuptial agreements, etc.¹

There are several such online services available to the public, and there is no reason to believe that this progression will subside. Online services such as Rocket Lawyer, LegalZoom and Avvo are providing a new method for providing traditional legal services directly to consumers. When I wrote my environmental scan for strategic planning in June 2018, I reported that these services had not yet targeted the Canadian market.

A search performed less than one month later reveals that LegalZoom.ca is now open for business in Canada. These service providers do not shy away from expressing that their services represent disruptive innovation in the traditional legal marketplace. They are bold in maintaining that this disruption benefits people who could not otherwise hire a lawyer by expanding access to legal services; in fact, it is their corporate mantra.

Communities of Legal Experience

Instant online communities are available for every subject matter and legal knowledge is no exception. These "communities of legal experience" are online gathering places

¹ See Law Depot, online: <https://www.lawdepot.ca> and Wonder Legal, online: <https://www.wonder.legal/en-ca>

² Data Fox, "Rocket Lawyer," (Date of search: June 14, 2018) online: Data Fox: <https://datafox.com/rocketlawyer>

³ Wikipedia, "Rocket Lawyer," (Retrieved on June 14, 2018), online: Wikipedia https://en.wikipedia.org/wiki/Rocket_Lawyer#Growth

⁴ Wikipedia, "LegalZoom," (Retrieved on June 14, 2018), online: Wikipedia <https://en.wikipedia.org/wiki/LegalZoom>

⁵ Ibid.

⁶ Stanford has an incubator called the Stanford CodeX which is promoting new solutions for old legal problems. At CodeX, researchers, lawyers, entrepreneurs and technologists work side-by-side to advance the frontier of legal technology, bringing new levels of legal efficiency, transparency, and access to legal systems around the world. CodeX's emphasis is on the research and development of computational law — the branch of legal informatics concerned with the automation and mechanization of legal analysis. See: <https://law.stanford.edu/codex-the-stanford-center-for-legal-informatics/>; Ryerson's Legal Innovation Zone (LIZ) is a co-working space and the first legal tech incubator with a focus on building better legal solutions for the consumers of legal services. The LIZ helps support, foster and develop solutions and techniques to improve legal services and the justice system. See: <http://www.legalinnovationzone.ca/>

where non-professionals share practical past legal experiences and crowd-source legal information and opinions. It is essentially a user-built “wiki” approach to the creation of bodies of knowledge intended to augment, or potentially replace traditional forms of legal advice for those who can’t, or choose not to, afford advice from a lawyer.

Online Reputation Systems

We are growing accustomed to providing instant feedback about our online experiences. For lawyers and firms this can include price comparisons and information about the availability of different fee arrangements. These services provide venues for “shopping” that both provide opportunities for lawyers to, in effect, lease space in the “online mall” and put consumers of legal services in touch with lawyers on terms that are appropriate for them. This is likely to place downward pressure on fees and cause innovation in traditional practices and modes of delivery for lawyers competing for visibility in that space.

Legal Tech Start-ups

There is a rapidly growing number of start-up technology companies at various stages of development. These new ventures can quickly offer, create or beta-test new products and services targeting the legal services market. Many of these “start-ups” are receiving venture capital injections from established companies in the legal tech space and others.

At the same time, we’ve witnessed the emergence of innovation zones and incubators at legal educational institutions⁶. Many such start-ups will target lawyers as customers with the hook being increased return on investment (ROI) through efficiencies and profitability.

Others are developing applications directly aimed at the provision of services to the public — including those who are currently receiving these services from lawyers, under-served segments of the population, and unable or unwilling to afford traditional forms of legal assistance.

Rocket Lawyer

Rocket Lawyer was launched in the early 2000s. It provides individuals and small to medium-sized businesses with online legal services — including incorporation, estate plans, legal health diagnostics, and legal document review. The site also provides a network of attorneys with whom consumers and small businesses can connect.

To indicate the interest that this business model has generated from venture capitalists, in 2011, Google Ventures invested \$18.5 million, and as of 2016 Rocket Lawyer has received reported total publicly funding of \$56.94 million². While current usage statistics are difficult to find, as of 2011 Rocket Lawyer had 70,000 visits a day and an annual income of \$20 million³. It attracted Google’s attention because both their usership and revenues doubled each year from 2007 to 2011. Rocket Lawyer and other online service providers have undoubtedly grown since that time.

In 2015, after being sued by LegalZoom for violating U.S. anti-trust laws, the North Carolina State Bar Association settled years of litigation by agreeing that services provided by companies like LegalZoom did not violate the State’s prohibition against unauthorized practice, so long as they registered with the state and complied with certain consumer protection procedures⁴. Following this settlement, the U.S. Federal Trade Commission and the U.S. Department of Justice warned the North Carolina State Legislature against placing overly broad restrictions on companies offering computer-facilitated legal services, writing:

[I]nteractive software for generating legal forms may be more cost-effective for some consumers, may exert downward price pressure on licensed lawyer services, and may promote the more efficient and convenient provision of legal services. Such products may also help increase access to legal services...⁵

Artificial Intelligence or “A.I.”

According to *Merriam-Webster*, A.I. means “the capability of a machine to imitate intelligent human behavior”. It becomes possible for computers to imitate human cognitive functionality when different component processes of A.I. work together.

While the ultimate potential of A.I. is debated, extrapolations based on its current capabilities are mind-boggling. For example, A.I. is currently being used in the creation of “expert systems”—systems which mimic some level of human expertise designed to perform tasks normally done by people. There are several illustrations of expert systems now in law:

- **eDiscovery tools** have already demonstrated the ability to outperform junior lawyers and paralegals at identifying relevant and privileged documents⁷;
- **Contract review tools** can, within moments, sift through contracts identifying types of clauses, preparing summaries of key terms and heat maps which identify which party to the transaction enjoys the better end of the bargain;
- **Some legal research** applications are outperforming lawyers. Treating written judgements as data, A.I. applications drawing on entire bodies of case law (a much larger body of knowledge than human lawyers would be capable of reading in a year) can analyze and draw meaningful correlations in a matter of seconds. Blue J Legal uses an A.I. platform which scans case law and can provide tax law opinions and notice periods in employment law and produce a brief which categorizes all relevant case law according to high and low outcomes and those that are of the most tactical significance in under a minute.
- **Online dispute resolution platforms**, an example of which is the eBay Resolution Center which resolves over 60 million

disputes a year – without human intervention; and

- **Litigation strategy software** “...like Lex Machina can analyze a set of facts against a collection of past decisions and give a prediction of the likely timing and outcome that is more accurate than an experienced counsel can give”⁸.

Technology has the potential to fundamentally change the ways in which common law will be interpreted to generate opinions and, from an objective standpoint, weighed against the heuristics of lawyers or teams of lawyers, produce products that are quite clearly faster and more comprehensive.

Blockchain

Blockchain is a revolutionary way to structure data, and the heartbeat of cryptocurrencies like Bitcoin, though

its transformative potential as a discreet technology beyond cryptocurrency, is proving to be revolutionary. This coding breakthrough consists of connected blocks of transactions and has a public digital ledger which allows information to be shared without need for a central authority. No single party has the authority to tamper with the records and cryptography authenticates the entries. It is immutable, unforgeable and can execute smart-contracts.

Blockchain technology is receiving a lot of interest from big business. It has the potential to provide many new solutions for old problems in the market. Large consortiums are working to examine the various use-cases and permissions for blockchain applications in almost every area of human endeavor. This technology is also leading the way for patent applications in the U.S. There are many practical

The case for blockchain

New use cases for blockchain are emerging every day. The progress of this technology is simply stunning. It has the potential to replace registries of every kind and to create closed, self-executing expert systems. You can begin your own journey to understand this emerging technology by populating your newsfeed with coindest.com. The advancements are undeniable and stunning. Dan Pinnington, CEO of LawPRO, Ontario’s E & O insurer comments (conservatively) that:

Lawyers can expect to see blockchain systems become part of some of the transactions they handle today, and in some instances, lawyers may find themselves replaced as transactions will be completed entirely within a blockchain system. There are Canadian law firms currently building blockchain systems to better serve their clients.¹⁰

⁷ Richard Susskind and Daniel Susskind, *The Future of the Professions: How Technology will Transform the Work of Human Experts*, (Oxford University Press, 1st ed.), 2015) at p. 23 (quoting Andrew Abbott, *The System of Professions: An essay on the division of expert labor* (Chicago, IL, US: University of Chicago Press, 1988) @ p. 69.

⁸ Dan Pinnington, *Perspectives on the Future of Law: How the Profession Should Respond to Major Disruptions*, (Toronto: LawPro Magazine, Vol. 17.1, February 2018) online: SLAW <http://www.slw.ca/2018/02/26/perspectives-on-the-future-of-law-how-the-professional-should-respond-to-major-disruptions/>

⁹ Law Made is focused on the legal space with a particular emphasis on supporting entrepreneurship and intrapreneurship, online: <https://lawmade.com/about-us/>

¹⁰ Ibid. @ p. 8.

examples of how blockchain might be used to replace traditional processes, facilitate transactions in a secure and independent way, while structuring data to create immutable, searchable, public registries in almost any context.

Recently, at the Law Society of Alberta annual retreat in Jasper, Jason Moyse, CEO of Law Made⁹ provided a simple example of smart, or self-executing contracts at work in the context of supply chains. His example was of a shipping container of avocados. Using a self-executing blockchain contract, two parties can agree the avocados will arrive at a specified time and temperature.

A failure of either of these conditions automatically triggers a default and causes a previously agreed-upon abatement of price to occur automatically within a chosen cybocurrency environment – all without the time or cost associated with traditional dispute-resolution methods since there is no human intervention. Supply chain management now has an effective real-time method for disputes to be resolved. Simply put, it is revolutionary.

Blockchain provides a very concrete example of the types of new competencies we should be focussing on as regulators of the profession. We will provide ongoing commentary with respect to the progress of this technology in our twitter feed and our blog, Legal Sourcery.

Our Path Forward

Some technology will augment and assist traditional processes, while others will transform. There are many sophisticated entrepreneurs working in the legal-tech space and interested venture-capital to fund the effort. In fact, Canadian technology firms are currently regarded as world-leaders in the legal-tech space. Although the focus may initially be on larger potential profits in the U.S. market, Canada isn't immune to global shifts. Afterall, our profession is a \$25 billion domestic industry. We need to be at the forefront of leading change in service delivery.

At the same time, the regulation of the profession must keep pace to support this unprecedented evolution. While conversations about change may feel unfamiliar, the Law Society of Saskatchewan is committed to the process of providing information in a timely way.

- We are making efforts to re-examine the basics: from the competencies and supporting education which will be required to support the mission of the profession to sustain relevant, high-quality and accessible services; to the liberalization of regulation which will be required to match our collective imagination as we seek new opportunities and new horizons to serve the public interest in the years ahead.

- We are launching a renewed website this fall to provide updated, relevant information and enhance usability to support your practice and the public we serve. It is a necessary shift.

You can be assured that as the profession evolves, our team continues to listen carefully so we can be quick to respond to what you may need. We want to ensure our delivery model is aligned with your preference for communications whether that be through e-newsletters, webinars, online dialogue forums, onsite workshops or other.

We are at an important historical junction for our path ahead. Our profession is ultimately responsible for some basic fundamentals in a free and democratic society: the flow of commerce and the enforcement of society's constitutional guarantees, to name a couple. We serve society's most vulnerable citizens and sometimes in their most vulnerable moments. Serving the public interest makes us the honourable profession that we are. Advancements in technology will bring change, but it won't change any of that.

...Stay tuned!

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

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Law Society Library Technology Timeline

The Law Society of Saskatchewan Library is a leader among Canadian Law Society libraries for its ability to take advantage of the latest technological developments in the legal information world and provide members with an ever-increasing amount of digital resources and online services.

Despite the seemingly insurmountable challenges, the Law Society Library has excelled at providing its geographically disparate members with instant access to online resources. This is telling in light of the fact that much of Saskatchewan did not have access to electricity until well into the 1950s.

This is a selected timeline of the Library's technological feats over the last 40 years.

1979 Library services are extended to rural areas of the province by telephone and the introduction of a province-wide fax machine network - likely one of the first in Canada.

1980 The Law Society Library becomes the first computerized courthouse library in North America. With access to Quicklaw and its fax machine network, the library was able to complete instantaneous computer research and rapidly send detailed materials to rural members.

1982 Saskatchewan's law librarians create This Week's Law (TWL). TWL, a Saskatchewan judgement rapid digesting service, was the precursor of today's popular Case Mail newsletter and searchable case law databases.

1985 The Saskatchewan Law Information Committee is formed. Its creation ensures that all lawyers in the province, regardless of location or practice size, have access to low-cost computerized research services.

1990 Members' access to legal databases and the library collection is expanded due to the ground breaking Legal Information Network (LINE), a toll-free telephone dial up line. LINE was a first among law society libraries in Canada.

1998 The Law Society of Saskatchewan's first website is officially launched in June at the annual general meeting in Moose Jaw. Developed, created, and built by library staff, the website thrusts the Law Society into the internet age.

2001 Library staff bring technology training to rural Saskatchewan, reaching over 30 percent of rural members in 12 rural centres.

2003 The TWL print service is discontinued. As a result, members are provided with free online access to the library's comprehensive suite of research databases and our online Case Mail newsletter replaces TWL as Saskatchewan's rapid digesting service.

2004 Saskatchewan becomes the first jurisdiction in Canada to provide desktop access to commercial online services. Westlaw LawSource became accessible in 2004 and HeinOnline became accessible in 2005.

2009 In the interests of open access to the law and access to justice, the library's in-house databases were made openly accessible on the internet for members of the public.

2015 Coverage of Saskatchewan case law on CanLII is doubled. Identifying serious gaps in coverage, library staff digitized over 16,000 historical cases. CanLII now features a nearly complete record of reported Saskatchewan case law from 1907 to the present.

2016 The Library becomes a major supporter of CanLII Connects, CanLII's commentary platform. To date, the library has submitted almost 25,000 digests of Saskatchewan court decisions to CanLII Connects and is one of the largest CanLII Connects contributors.

2017 The Library takes a big step toward the future of modern legal information services by launching a new catalogue and Integrated Library System: Primo.

Future As the Law Society Library moves toward a brave new world of online legal resources, we remain fully committed to providing all members with access to legal resources, wherever they may be in the province, in the latest and most convenient digital formats available.



Law Society of
Saskatchewan
LIBRARY

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Paper Client Files v. Digital Client Files: Digital File Management (Practice Tips)

By Ronni Nordal, Benchers, Law Society of Saskatchewan

The Law Society regularly receives enquiries from lawyers regarding the rules relating to the storage, composition, and destruction of client files. These enquiries increasingly include questions relating to the proper use of electronic, or “paperless” filing systems. Law Society Practice Advisors have indicated that they are seeing a significant increase in attempts by practitioners to run “paperless”, or fully electronic filing systems.

The Rules of the Law Society of Saskatchewan do not dictate either that client files must be in paper format, or that lawyers are entitled to maintain digital (electronic) client files. The Rules apply in the same fashion, regardless of the format of a client file. A lawyer must be in a position to produce a complete file to the Law Society or to a Practice Advisor

of the Law Society, on demand.

For some, the concept of a digital client file is unnerving, but with the right digital file system, there are many advantages including advanced search capabilities and lack of the need for physical file storage space. Just as ‘brands’ are an important part of keeping correspondence on a paper client file in chronological order, digital file naming conventions are key for filing correspondence chronologically in a digital client file.

In order to assist members who are maintaining digital client files, or who are thinking about starting a digital practice, the Law Society’s Professional Standards Committee formed a small sub-committee consisting of lawyers Colin

Clackson, Q.C., Andrew Mason and Riley Potter, together with Benchers, Ronni Nordal and David Rusnak, Q.C.

Colin, Andrew and Riley all maintain electronic client files, and each has their own way of managing files. It became clear quite quickly that, just as the case with paper client files, there are several different ways a proper client file can be maintained, and each member will need to determine what works best for him or her. After sharing ideas and much discussion, the Committee has developed a document entitled “Practice Tips for Maintaining a Digital Practice”, for the assistance of the membership. This document can be found at <https://www.lawsociety.sk.ca/media/394324/digitalfilemgmtjan2018.pdf>.

This article originally appeared on the Legal Sourcery Blog on Jan. 15.

**The Law Society
is looking into
developing best
practices for cloud
computing. Stay
tuned!**



Continuing Professional Development (CPD) Technology Programming

By Sarah Rider, CPD Program Coordinator, Law Society of Saskatchewan

A quick scan of the Law Society CPD Past Activities webpage reveals the extent technology has influenced our programming in the past few years.

The use of new and innovative technologies in the practice of law has provided the opportunity for educating our members on how their time, money and resources may be better spent if they are properly informed of the technologies that exist to aid their daily operations and processes. To this end, we have utilized specialists in these matters to share their expertise with our members. These sessions have always been well attended and received as our members recognize the necessity of embracing the changes to the profession that advancements in technology will always yield.

Some examples of these activities, which are available to purchase on-demand through the CPD Recorded Versions webpage, are offered below with a brief description:

Webinar – The Use of Technology in Evidence:

Technology is an integral part of our lives and the legal profession. It has become critical to understand what technology exists, how it can be used and the value it presents in the Courtroom. Technology can be the evidence as well as the tool to present the evidence. This presentation discusses the impact of technology on evidence and how technology can be used to fulfill the role of advocate.

This webinar was presented by Loreley Berra, a Senior Crown Prosecutor with the Ministry of Justice. She has experience in prosecuting a wide variety of criminal matters and is currently the dedicated

Crown for the Saskatchewan Integrated Child Exploitation Unit (ICE) in Regina. Saskatchewan ICE deals primarily with criminal offences committed with the use of electronic devices.

Webinar – Creating and Managing a Digital Practice:

Lawyers are swamped in paper. We generate and receive reams of it. We chase it, try to keep it organized, are slaved to our desks so we can access it and when it is no longer needed we store it, sometimes at pricey, downtown, lease rates. If you are tired of this drain on your resources then this is your opportunity to learn how to “kick the habit”. Not only will you learn how to actually create a paperless practice but also best practices for managing it. Who should view this webinar? Anyone who is finally tired of the daily paper-hunt.

The webinar was presented by Jeff Scott, Q.C., Practice Advisor and Colin Clackson, Q.C., Committee Member with the Electronic Office Working Group for the Law Society of Saskatchewan.

Panel Discussion on Technology and the Changing Legal Landscape:

The focus of this CPD session was technology and the changing legal landscape. We were fortunate to have a panel of esteemed lawyers from across the country who addressed the inevitability of change and the impact that technology will have on the legal profession, and more broadly, on the legal system. Fred Headon is Assistant General Counsel, Labour and Employment for Air Canada. As Chair of the Canadian Bar Association (CBA)

Legal Futures Initiative, Fred discussed innovation in the practice of law and the role of technology in creating opportunities for the profession.

Karen Dyck is the Executive Director of the Manitoba Law Foundation, has been involved with various not-for-profit organizations, and is a member of the Futures Initiative Steering Committee. Karen discussed technology and the opportunities it can create from an access to justice perspective. We also heard from Dan Pinnington, President and CEO at LawPRO. Dan is a prolific writer, speaker and blogger on legal malpractice, risk management, legal technology and law practice management issues. The aim of this session was to leave attendees with a better understanding of what they and their firm will need to do to adapt to the changing legal landscape.

Recorded Seminar – Technology Academy for Saskatchewan Lawyers and Legal Professionals 2018:

Barron K. Henley is one of the most popular CPD instructors in North America and an expert on technology solutions for lawyers. Barron presented to Saskatchewan members of the bar in 2012, 2016 and in May 2018. Barron's classes are designed by lawyers for legal professionals making them some of the most relevant training you and your staff can receive in the legal technology area.

In his 2018 program Barron took us back to basics in hopes of allowing members and their staff to fully utilize the software they work with (and pay for!) every day, with sessions titled:

- Microsoft Word Power Tips
- Using Outlook To Get Email Under Control
- A Lawyer's Guide to PDF Files

He then switched gears to discuss that ever-present concern when considering technology for lawyers – security. His session Cyber Security – Legal Tech Security Measures Every Lawyer Should Take, provided practical measures members and their staff can take to manage their high-risk digital environments. Barron completed this seminar with a session entitled, 8 Things Hurting Your Law Firm – And How to Eliminate Them.

The flip side to any advancement in legal technology is the greater risk for security breaches. With ever increasing effort and imagination, hackers and fraudsters continue to target lawyers and law firms. Daily, phishing emails, bad cheque scams and other sophisticated frauds are being used in attempts to breach law firm systems and steal trust funds. The Law Society has been, and remains, cognizant of these very real issues. We have worked

hard, with various partners, to offer CPD programming focused on how to recognize these threats and how to react to them in order to minimize the disruption to your practice.

The most recent programming offered in this area, including a description of the session, is listed below:

Webinar – “Surf the Net and Lose Your Trust Funds” – Cybercrime and Law Firms:

As the face of Claims Prevention and practicePRO at LawPRO, Ian Hu speaks, writes and blogs about practice management, claims prevention and lawyering issues. We worked with Ian in 2016 to offer a webinar designed to educate our members on:

- phishing scams, cyber criminals and malware;
- horror stories from real firms;
- the steps you need to take to secure your data and systems;
- proper use of passwords;

- technology use policies;
- responding to a cyber breach; and
- tech tips to help manage your practice.

Webinar – Common Cyber Dangers and How to Avoid Them:

In order to keep our content current, we followed up Ian's session a year later with a presentation from Dan Pinnington, President and CEO of LawPRO. He has been teaching lawyers about technology and malpractice dangers for almost 20 years. Dan provided an overview of the most common cyber dangers and showed how you and your staff can recognize and avoid cyber scams.

Free Webinar – Cybersecurity Webinar and Training Introduction:

In April we partnered with our information technology (IT) Support provider, MicroAge, and their cybersecurity training team, KnowBe4, to offer our members a short, free introduction webinar. This webinar introduced attendees to an intuitive, IT-focused approach to cybersecurity problems and how you can teach your entire company to spot the warning signs of a cyberattack, and how to train your users with safe, simulated attacks to avoid these threats before cybercriminals target you.



Technology-related Ethics Rulings

Last year, the Law Society's Ethics Committee released the following Ethics Rulings on providing legal advice via technology as guidance for the profession. For your convenience, please find the rulings below. These and other Ethics Rulings can be found in our Ethics Rulings Database, which can be found at <https://www.lawsociety.sk.ca/lawyer-regulation/code-of-professional-conduct/ethics-rulings-database/>.

Date: November 30, 2017

Cite as: 2017 SKLSPC 3

Code Chapter: n/a

Code Heading: n/a

Classification: Providing Legal Advice via Technology

Practice Area: Real Estate

FACTS:

Two lawyers raised separate requests for guidance about the use of technology to sign or witness documents:

Lawyer X asked whether a lawyer can meet with a client via Skype or Facetime, and then the client signs a document that is visible to the lawyer through video-conferencing. The client then sends that original document back to the lawyer, who upon receipt signs as witness.

Lawyer X noted that s.22 of *The Land Titles Regulations* requires that clients when signing documents be "in the presence of the lawyer" when signing.

Lawyer X asked the Ethics Committee to determine whether a client can be considered "in the presence of the lawyer" through Skype technology.

Lawyer Y raised an issue with lawyers executing certificates of independent legal advice using technology, where legislation requires the member to "attend in person".

Lawyer Y contacted the Ministry of Justice and was advised that there are no pending or scheduled legislative amendments and it was not something that they had plans to consider.

Lawyer Y asked that the matter be put before the Ethics Committee to determine whether a lawyer can provide independent legal advice to a client via video conferencing technology and, in doing so, meet the standard of having "attended in person" as required by certain legislation such as *The Saskatchewan Farm Security Act*.

DECISION:

The Ethics Committee determined that there needs to be a balance between needing to verify identity and that we live in a modern world.

The Committee did not have an issue with providing legal advice via technology, as long as it is appropriate and sufficient for the client's needs.

The Committee questioned whether there is the legislative framework to allow a signature via technology. There is an opportunity for change. These issues may require legislative changes. It is not for the Law Society to determine whether lawyers can alter jurats to reflect that a document was sworn via web-conference. This will be up to the Legislature and the courts.

As far as signing a document using technology, it depends on the document: what it says, what the lawyer is swearing, etc. Simply acting as a witness may be permitted, depending on the document. There are certain documents that cannot be signed via technology, due to legislation such as testamentary documents and Information Services Corporation (ISC) transfer documents. Further, if a lawyer is purporting to have personally seen someone sign a document (in an affidavit or notarized document, for example), then

the lawyer needs to be personally there to witness it. This comes directly from the BC Case, *First Canadian Title v. Law Society of British Columbia*: "attended in person" means that the lawyer attended in person and not via technology. Therefore, "in the presence of a lawyer" means that the client is in the physical, presence of a lawyer.

Members should be aware of the BC Case and follow it. The citation for this case is 2004 BCSC 197.

Date: November 30, 2017

Cite as: 2017 SKLSPC 4

Code Chapter: n/a

Code Heading: n/a

Classification: Providing Legal Advice via Technology;

Practice Area: Real Estate

FACTS:

Lawyer X represents all three parties in a real estate transaction; the vendors, the purchasers, and the lending institution, ABC Lender.

On the file, there was, among other documents, a Verification of Individual's Identity in Canada by Commissioner or Guarantor for both vendors. Both verification forms were completed by a Commissioner for Oaths, who is also an employee of ABC Lender.

There is also a letter from Lawyer X to ABC Lender that states:

As discussed with my assistant, please have a witness sign the Affidavit of Execution before a Commissioner for Oaths and return both copies of the mortgage to our office. We will also require a copy of the vendors' identification referenced on the Client ID forms.

Lawyer X's practice is to have an employee

of ABC Lender complete the verification forms when no one from the firm meets with clients. Lawyer X indicates that this is common practice in his firm when representing out-of-town clients. The execution of the sale and purchase documents were also administered before the employees of ABC Lender and not Lawyer X. Concern was raised with Lawyer X that he was purporting to represent clients without, in fact, meeting and advising them on the matter.

When the issue of not meeting with clients was raised with Lawyer X, he inquired whether he could meet with clients via phone or Skype and provide legal advice in that manner, prior to having the clients meet with ABC Lender employee(s) to execute the documents.

This matter was referred to the Ethics Committee to determine whether Lawyer X's proposed solution would be an acceptable practice.

DECISION:

The Ethics Committee determined that it is important to strike a balance between verifying client and others' identities and utilizing modern technology.

The Committee did not have an issue with providing legal advice via technology (phone or Skype), if it is appropriate and sufficient for the client's needs. The rules surrounding client confidentiality and loyalty still apply, so the lawyer must ensure that legal advice given via video conferencing meets all obligations required by lawyers. For example, it would be inappropriate to provide legal advice to the purchaser/mortgagor client with the bank representative or the mortgage broker in the room.

Whether it is appropriate to use technology to sign a document, depends on the document and jurat: what it says, what a lawyer is attesting to, etc. If a lawyer purports to have personally witnessed

someone sign a document, then the lawyer needs to have actually done so. This comes directly from the BC Case, *First Canadian Title v. Law Society of British Columbia*: "attended in person" means that the person signing was personally present when the signatory signed. Members should be aware of the BC Case and follow it.

Given the similarities between the BC Case and the member's proposal, the Ethics Committee suggests it would be inappropriate for Lawyer X to advise clients via video conferencing and then swear an affidavit of execution as if Lawyer X personally witnessed the client's execution based on personal attendance. However, the practice of meeting with clients via video conference, providing legal advice during the video conference and then having the client meet with a third-party representative for document execution, is permitted. This third party may be a bank representative or other agent for the lawyer.





Federation News

CLE programs under review

By Gregory Walen, Q.C.

Most members of our Law Society have only a vague idea of the workings of the Federation of Law Societies. This is not unexpected as the Federation is an umbrella organization of the Law Societies and not lawyers directly. For many lawyers, however, the face of the Federation has for many years been the National Criminal Law Program and the National Family Law Program.

These two programs have been regarded as the most successful legal education programs delivered on a national level in Canada. For reasons that I will explain in this article, questions have been raised about why the Federation should continue its involvement in these programs despite their incredible success.

So what involvement does the Federation have with these two programs? Often these Canadian Legal Education (CLE) programs are described as being “offered in association with the Federation” or “sponsored by the Federation”. Actually, these initiatives are Federation programs because the Federation lends its brand and goodwill to them.

However, the organization and content are completely independent of the Federation. The organizers are several judges and senior practitioners, who have been regarded as operating at the core of programming and delivery. At the operational level, the Federation provides some office administration services as well as financial and banking services but little else.

So if it isn't broke, why fix it, is the view of many. These programs have been incredibly successful operating, as they do, independently of the Federation. So successful that they do not operate in a deficit position and are financially solid.

Well, it's not so easy.

As part of the Federation's 2017-2020 Strategic Plan, the Federation must review “key services” and in particular, review our role in the National Family and Criminal Law programs. Some are of the view that such programming is beyond our mandate and does not fit within our core regulatory function to the law societies.

In light of our Strategic Plan, the Federation Council formed the CLE Program Review Advisory Group with a mandate to review, in conjunction with the current organizers of the programs, the continued involvement of the Federation and report back to Council with a recommendation in due course. I feel fortunate to participate as a member of this committee as I have been a faculty member of the National Family Law Program in the past.

The Advisory Committee has met in Toronto with the organizers of the programs on two occasions and has discussed a wide range of options. One option is for the Federation to pull out entirely which, I believe will not happen. Another option is for the status quo to be maintained. I also feel that this will not happen.

Both the program organizers and members of the Advisory Committee are working to collaborate on a solution or solutions. From my standpoint, this may involve more direct Federation involvement through, perhaps, a CLE standing committee tasked with some form of oversight into the programs but not necessarily program content.

Others may have different views. What we do know is that, through a consultation with Law Society leaders recently, there is overwhelming support for the Federation's continued involvement in these programs

but with the caveat that the delivery of the programming (not necessarily content) must comport with Federation values such as bilingual delivery and public access to materials.

I close out this article by thanking the Law Society Benchers for giving me the opportunity to represent the Society over the last six years. It has been quite a journey which officially will end on November 15 when my successor will take over.

Greg Walen, Q.C. has represented the Law Society of Saskatchewan as Council Member with the Federation of Law Societies of Canada since 2013. His term ends on November 15 and we'd like to express our utmost gratitude for his service in this role and his long standing relationship with the Law Society. Greg was also a Bencher from 2005 – 2012, serving as President in 2012. Thank you, Greg, for your contribution to the Law Society and the profession.

What is blockchain?

While the technology behind blockchain is very complex, the functionality at its core is quite simple. This infographic explains how blockchain works.

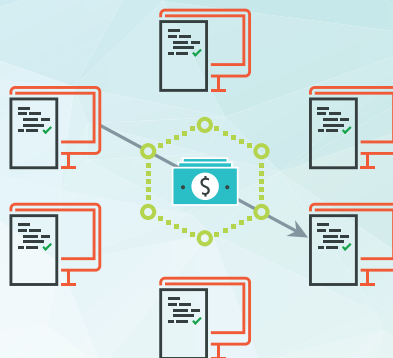
1. The basics...

- Need at least three people, but more is better
- All mutually agree to be in a group for some common purpose
- Group members are anonymous to each other
- All group members see every transaction



2. A sample transaction – the transfer of funds between two people in the group...

- Lender announces a \$500 transfer and it's seen by all
- Every group member has a full copy of the account of every other group member, a **distributed ledger**
- Each checks lender's balance, and if enough, each enters a transfer in their ledger
- The transaction is then considered complete
- This continues for further transactions



3. Locking a ledger page

- When a ledger page is full, its contents are run through a **cryptographic calculation** that generates unique code which is a "**hash**"
- You always get same hash for a given input
- Changing just one character on the page will result in different hash
- Hashing the ledger page "locks" it, making it verifiable



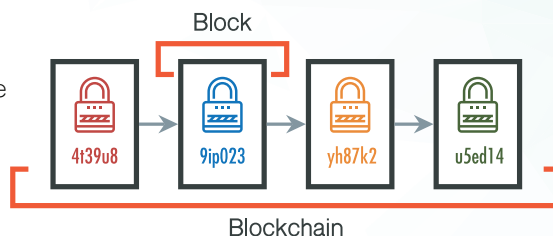
4. Mining

- The first to calculate hash announces it to the group
- Others check hash
- If it is verified by the majority in the group, first person gets paid nominal amount of new money
- This is called **mining**



The secret sauce in blockchain...

- The hash of the prior page is calculated into the hash of the current page
- Each ledger page is a **block**
- The linked blocks are a **blockchain**
- This gives you a locked and verifiable chain of transactions



The blockchain in this infographic handled simple financial transactions. Blockchain systems can include smart contract functionality and could be used for complex commercial transactions involving multiple parties. The appeal of blockchain is its ability to irrevocably verify and record every step in a transaction in a secure environment that is global and platform independent.



For a video explanation visit the LawPRO YouTube page.

Website and Brand Renewal

By Melanie Hodges Neufeld

The Law Society of Saskatchewan is currently updating its communication processes for members and the public to better meet information needs. Thank you to those members who took the time to complete the recent survey. There were 340 responses between May 4 and 18, 2018 and we are pleased to share some of the key findings:

other and about 10% daily. Some members have incorporated the LSS site or library page as their home page.

More than half of the respondents note the current website meets their needs well, emphasizing the importance of keeping the information current. More than 60 per cent felt the information on the website was either very easy or extremely easy to

the LSS home page for respondents were: Members' section, continuing professional development, lawyer regulation, library, publications and information for lawyers and students. Their most common comments focused on career opportunities and Casemail, as well as some recommendations on how to improve the login process for CPD members.

In terms of desired direct links off the home page, respondents' suggestions included: CanLII, job postings, legal research, Legal Sourcery, and additional reference to CPD programming.

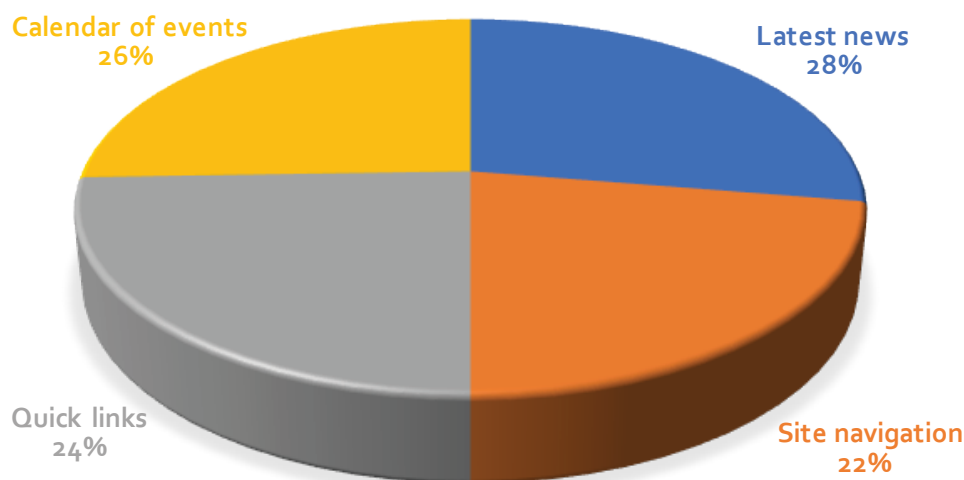
Slightly more than half of the respondents would recommend the website as a reference for a friend or colleague, that they typically spend about the expected amount of time finding detail they are looking for.

While there wasn't significant interest in the visual aspect of the website, there were areas identified for consideration for any website renewal. This included making sure the site was presented in an organized way and making sure functionality and navigability were kept as priorities. Some members referenced the importance of the visual renewal to keep the process current and not to cause search delays with overuse of visual elements.

What is being done to better meet members' communication and information needs?

Although not all comments can be addressed immediately, this insight will help to address communication channels and improvement as well as website renewal with the new site expected to

TOP ELEMENTS IDENTIFIED FOR HOME PAGE



Approximately 90 per cent of respondents noted they receive the information they need from the Law Society.

More than 90 per cent of respondents preferred to receive time sensitive information via the weekly email updates. For more detailed information, the top preference of respondents was email (85%), with Benchers' Digest and the Legal Sourcery blog noted as good channels to continue.

Over 40% of the respondents visit the LSS website weekly, about 33% monthly, 12%

understand; and the vast majority found it somewhat or very easy to find what they were looking for. About half of the respondents use the site's search function.

There were several examples of areas members wanted on the home page including: latest news, calendar of events, and a series of quick links. There were also suggestions to consider improving detail related to CPD, provide an improved search function, and enhance the Find a Lawyer function, to note a few.

The most frequently visited subpages off

be launched later this year. As part of the website renewal, we are looking forward to:

- Providing an improved "Find A Lawyer" link;
- Delivering enhancements to the CPD area of the website for members;
- Improving our weekly email bulletins to members and begin an archived area of this detail;
- Continuing to provide important professional information and trends through the Legal Sourcery blog;
- Scheduling the annual communication update survey of members for May 2019;

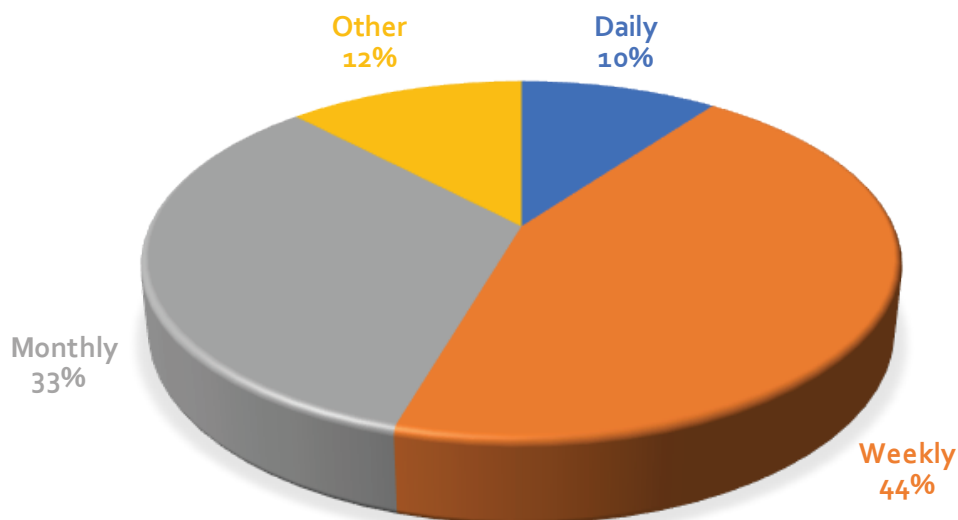
Over this year, we will also be updating our visual identity process which will include an updated logo, address numerous inconsistencies and provide for standardized print elements and templates.

All efforts align with our value of open communication and help to meet a goal of providing information in a manner

that is in the preference of the user and in a most user-friendly format, whether for our members or the public. Thank you for your patience while we make these improvements. If you would like any further

information throughout the process, please contact Melanie Hodges Neufeld at melanie.hodgesneufeld@lawsociety.sk.ca.

HOW OFTEN DO YOU FIND IT USEFUL TO VISIT THE LSS WEBSITE?



Law Society of Saskatchewan
Continuing Professional
Development

PRACTICE

Upcoming CPD Activities

TRC Call to Action #27 Training: The Blanket Exercise

Wed Aug 8, 2018 (Regina)

Qualifies for 3 CPD Hours, Which also qualify for Ethics

Sidebar Social on the Road: Ethics in Everyday Practice – Dealing With Your Client

Wed Sept 19, 2018 (Regina) – 4:45pm to 7:30pm

Qualifies for 2 CPD Hours, which also qualify as Ethics

Televised Seminar: After the Ash Settles – The Legalisation of Recreational Marijuana

Fri Sept 28, 2018

Broadcast from the University of Regina to multiple locations across the province

Seminar: Through the Eyes of a Child (for Lawyers) (CPD-188)

Tues Nov 20, 2018 9am to 4:30pm (Saskatoon) | Thurs Nov 22, 2018 9am to 4:30pm (Regina)

For the most current information on CPD activities, visit <https://www.lawsociety.sk.ca/continuing-professional-development/>.

C. Willy Hodgson Award



Mervyn Shaw, Q.C.

The C. Willy Hodgson Award is given in memory of Willy Hodgson, C.M., S.O.M., and her many contributions to advancing equality and diversity in the administration of justice for the people of Saskatchewan. Willy Hodgson was a Cree Elder who worked as a nurse and social worker and served on the boards of the Saskatchewan Legal Aid Commission and the Moose Jaw Police Commission. She was appointed a Lay Benchers of the Law Society of Saskatchewan from 1997 to 2001. Willy passed away in February 2003.

To recognize the commitment and contributions that Willy made to the Law Society of Saskatchewan, the Benchers created an award in her honour. The C. Willy Hodgson Award is presented to individuals or organizations which exemplify integrity, leadership and character, and have made or are making outstanding contributions to advancing equity and diversity in legal education, the legal profession and/or the administration of justice in Saskatchewan or Canada.

Mervyn Shaw, Q.C., was selected for this award because he worked tirelessly his entire career defending underprivileged clients, seeing the humanity in every individual, whatever the circumstances. He played a lead role in establishing the "Moose Jaw Indian and Métis Friendship Centre" with Willy Hodgson and others, which began a long-lasting association between them. It is fitting that this award be given to an individual whose goals aligned so closely with Willy Hodgson in working towards the administration of justice.

Mervyn was born in Dublin, Ireland and moved to Canada in his youth with his family. He currently lives near Moose Jaw and is the proud father of three talented daughters, Chantal, Andree, and Johane. He holds a Bachelor of Arts degree and a Bachelor of Laws degree from the University of Saskatchewan. He articulated to Manny Sonnenschein, Q.C., in Saskatoon and then Grayson & Co. in Moose Jaw. After being admitted to the bar, he opened the Legal Aid Office in Moose Jaw, known then as the "Moose

Jaw and District Legal Assistance Society." He has been the legal director of the Moose Jaw area office of Legal Aid Saskatchewan since its inception.

As legal director, Mervyn manages both the administrative functions of the Moose Jaw office and carries a full case-load, currently practicing mainly in criminal law. However, over the course of his career, he has also practiced family law. In the words of his nominators "[Mervyn]... showed a great deal of passion for his under-privileged clients. An empathetic lawyer, he has always gone, and continues to go, the extra-mile for his clients to make sure their needs are met." It was told that he once remarked to a family friend that he "makes sure to discern the humanity in every individual he represents, and to not forget that, whatever the circumstances of the case may be." A statement which aptly sums up who Mervyn is as a lawyer and a person.

In addition to his work with Legal Aid, Mervyn has been a very active member of his community. He served a term as an alderman for Moose Jaw and sat on and liaised with various Moose Jaw community boards. He was instrumental in the formation of "Community Action," an organization dedicated to assisting people in need. He also assisted in arranging housing for homeless people in Moose Jaw.

Mervyn and Willy initially met as a result of their community involvement. Mervyn then created a practicum opportunity for Willy's Social Work degree and they developed a lifelong friendship, through many joint efforts to better the lives of marginalized people.

Mervyn retired at the end of May 2018 and there is no better way to wind down a career than by knowing you have done your best and utilized all your talents, which is the way Merv lives his life. We wish to congratulate and thank him for many years of dedication to the legal profession and hope he will experience a renewed freedom to explore other untapped passions.

"It is rather fitting, when one thinks of the human qualities that caused the Benchers to create this award honouring C. Willy Hodgson, that the person being nominated would be her close friend from so long ago. I am sure that Willy Hodgson would be very pleased to have Merv Shaw, Q.C., as this year's recipient."

— Mark Brayford, Q.C.

Convocation Highlights

Here are the highlights from the Convocation that took place on April 25-27 in Saskatoon:

Annual General Meeting – In a continuation of the Law Society's efforts to address the Truth and Reconciliation (TRC) Calls to Action, the focus of this year's Continuing Professional Development (CPD) presentation at the Annual General Meeting was the implications of the TRC recommendations for the legal profession. Each member of our panel – the Honorable Judge Gerald Morin, Professor Larry Chartrand and Leanne Bellegarde, Q.C. – approached this question from their unique viewpoints.

At the conclusion of the discussion, cocktails commenced allowing time for networking with panel members, colleagues, and members of the Bar. Dinner and the business matters concluded the evening. The Law Society's 2017 Annual Report and Financial Statements are available on our website.

Saskatchewan Lawyers Insurance Association (SLIA) – The insurance levy for the 2018-19 policy year was recently set by the Benchers at \$1,093.00 plus GST and PST per assessable member for a total of \$1,163.85. The levy amount is a 14.6% reduction from last year and provides for the mandatory \$1 million coverage for members and for the new additional coverage for cyber liability insurance. Our levy continues to be one of the lowest in the country. The credit for the continuing low levy has many sources, including good corporate management, our sound financial position, dedicated oversight by your Benchers Insurance Committee and continued due diligence by all Law Society of Saskatchewan members with a view to limiting the number of insurance claims.

Senate of the University of Saskatchewan – Karen Prisciak, Q.C. resigned from this board and Max Bilson was elected by the Benchers as her replacement. We wish to extend gratitude to Ms. Prisciak for her time on the board and welcome Mr. Bilson.

Fond Farewell to Linda Euteneier

By Andrea Johnston



Linda Euteneier

It is with mixed emotions that we announce the retirement of one of our long-term employees, Linda Euteneier, who has been with the Law Society of Saskatchewan for almost 15 years. She started on September 2, 2003, by job-sharing the front desk receptionist position and eventually filling that role full time.

She remained in that position until she transitioned into her current Continuing Professional Development (CPD) administration role in 2010, when the Law Society established an Education Department and implemented the mandatory CPD program. Linda has survived an office move, several renovation projects, numerous changes in management and most importantly, the early years of mandatory CPD!

At the commencement of our CPD program, Linda constituted half of our two-person department. She played an integral role as we developed and implemented the CPD program

initially, and has continued to be an important and respected member of our team as we have evaluated, revised and grown the program.

Now, after almost 15 years with the Law Society, Linda has decided it is time to move on to bigger and better things... retirement. Linda's last day with the Law Society was June 29, 2018. Linda has been a very loyal and dedicated Law Society employee and has assisted our members promptly and efficiently throughout the entirety of her time with the organization. We will miss Linda's work ethic, patience, sense of humour, and down-to-earth attitude.

We wish Linda all the best as she moves into this next chapter of life with more time to enjoy her precious granddaughter, gardening, friends, family and everything else she loves. Congratulations to Linda on her well-deserved retirement!

Judicial Appointments

Natasha Crooks, Mary McAuley and Michael Tochor have been appointed judges of the Provincial Court of Saskatchewan.

Judge Crooks was serving on the Parole Board of Canada at the time of her appointment, including chairing the Aboriginal Circle that advises on issues affecting aboriginal offenders, their families, and victims. She earned a law degree from the University of Saskatchewan in 2004 and articulated with the federal Department of Justice before beginning her career in general litigation practice for various federal departments. Judge Crooks has been appointed to Saskatoon and replaces Judge Turpel-Lafond, who has resigned from the Court.

Judge Mary McAuley, who began McAuley Law Firm in Prince Albert in 2012, has been appointed to La Ronge. She received her law degree from the University of Saskatchewan in 2006 and has spent time as a Crown prosecutor, a lawyer for Legal Aid, and in private practice. While appointed to La Ronge, Judge McAuley's first language of Cree will be an asset to the Court elsewhere, as well. She will replace Judge Sid Robinson, who will retire in May.

Released March 23, 2018

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Krista Zerr, Regional Crown Prosecutor in the Saskatoon Regional Office of the Saskatchewan Ministry of Justice has been appointed a judge of Court of Queen's Bench for Saskatchewan in Saskatoon. She was born and raised in Wynyard and attended the University of Saskatchewan, earning her B.A. in 1989 and her LL.B. in 1992. In 1994, Justice Zerr joined the Public Prosecutions Division of the Saskatchewan Ministry of Justice. After approximately sixteen years of front-line prosecution work, she transitioned into a variety of leadership positions, including Associate Regional Crown Prosecutor for Saskatoon, Director of High-Risk Violent Offenders for Saskatchewan, and, most recently, Regional Crown Prosecutor for Saskatoon.

Throughout her career, she provided presentations on criminal law topics to judges, fellow prosecutors, defence counsel, police officers, and community organizations. In addition, she worked collaboratively with other justice professionals on programs and initiatives designed to improve the administration of justice.

Released May 11, 2018

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Michael Tochor, a partner at MLT Aikins LLP in Regina, was appointed a judge of Court of Queen's Bench for Saskatchewan in Saskatoon. He obtained his B.A. and LL.B. degrees from the University of Saskatchewan, and was called to the Saskatchewan Bar in 1984. Justice Tochor has been extensively involved in administrative and public law matters and acted on behalf of various regulatory bodies and for clients appearing before administrative tribunals. He was also Chair of the Saskatchewan Police Commission from 2002-08. A significant part of his practice involved acting in labour arbitrations and in occupational health and safety matters. Justice Tochor has appeared before Saskatchewan courts and tribunals, as well as the Federal Court, the Tax Court of Canada, and the Supreme Court of Canada. Justice Tochor was appointed Queen's Counsel in 2004. He was named in Best Lawyers in Canada and was also named a "Litigation Star" by Benchmark Canada.

Released June 22, 2018

In Memory

Joseph Schuck

passed away May 1, 2018, at the age of 46

Joe obtained his Bachelor of Commerce degree and Law degree from the University of Saskatchewan. He practiced law in Regina, Edmonton, and, most recently, as a partner with Miles Davison LLP in Calgary, Alberta. In his spare time, he was an active volunteer with Calgary Folk Fest, Calgary Stampede Talent Search, and the Canadian Bar Association. He was a talented musician who loved to play guitar, play in bands and attend musical and sporting events. Joe lived life to the fullest with energy, conviction and enthusiasm.

Excerpt from <http://www.legacy.com> obituary

Maria Lynn Freeland

passed away February 25, 2018, at the age of 55

Maria Lynn Freeland received a Bachelor of Arts from Carleton University in 1983, a Bachelor of Law from the University of Saskatchewan College of Law in 1986 and was currently a candidate for a Masters of Law from the University of Saskatchewan. She received many awards including the E.M. Culliton Scholarship from the Law Society of Saskatchewan in 2010, 2011 and 2012 and the International Graduate Scholarship from the University of Tasmania School of Law in 1985. In her professional practice, she worked as a Crown Prosecutor in Meadow Lake from 2007-2010; a Local Registrar for Court of Queen's Bench from 2002-2007; and a Lawyer and Mediator for Mills-Wilcox-Zuk Law Office in Prince Albert from 1986-2002. In recent years, she married her husband, Ron, and moved to Calgary. Together they enjoyed attending art galleries, fine dining, and spending time with their dog Reggie. Maria Lynn will always be remembered for her outgoing and bubbly personality. She taught her children the importance of treating others with respect and giving back to those in need. Maria Lynn was an amazing mother. She was a supportive parent who was always involved in her children's education and activities.

Excerpt from <http://www.legacy.com> obituary

Jim Peliter

passed away April 13, 2018, at the age of 62

Jim received his B. Sc. in Agriculture at the U of S in 1977, working for six years with Farm Credit Corporation in Prince Albert and then Swift Current. Jim married Arlene on July 7, 1979. They moved from Swift Current to the farm in 1983. In 1987, Jim convoked from the U of S with his Law degree, becoming a partner with Anderson & Co in Swift Current. Jim took pride in calling himself a farmer and a lawyer. He farmed with his Dad and brother Pete and they celebrated their farming centennial in 2010. Life was busy for Jim split between the farm and the law practice. He would work a full day at the law office and then hop on the tractor to seed through the night. Jim had a passion for law and the intellectual challenges of meeting and exceeding his clients' needs.

Excerpt from <https://necrocanada.com> obituary

Terence Graf

passed away May 30, 2018, at the age of 72

Terry Graf graduated from law school at the U of S in 1969 and then moved to Regina. While articling, Terry ventured to the Old Gold and met the love of his life, Janet Lockhart. The two married in 1971 and lived in Regina until 2013 before moving to Regina Beach. Terry, along with his good friend Ted Zarzeczny, started their own firm and worked as partners until they joined McDougall Ready (now McDougall Gauley). Terry retired at age 70. He loved his family and friends.

Excerpt from <http://www.legacy.com> obituary

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