

January 2017

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Celebrating 140 Years

Kris Dangerfield, Chief Executive Officer



This year the Law Society celebrates 140 years of regulating the legal profession in Manitoba. *The Law Society of Manitoba Act* was assented to on February 28, 1877. This followed *An Act to Regulate the Admission to the Study and Practice of Law in the Province of Manitoba*, which was passed in 1871 and provided that when ten persons had been admitted to the Bar they could meet and form a Bar Society. The first Bar Society rules were adopted in 1872 (there were only five in total – contrast that with the Law Society Rules and Code of Professional Conduct of today)! However it was not until 1877 that the Law Society was created and found its first home at Winnipeg's Main Street courthouse, a wood framed building on Main Street.

An amazing cast of characters has formed the rich fabric and tradition of the legal profession in Manitoba over the course of those 140 years. And the Law Society has itself played an important role throughout by ensuring that the public interest in the delivery of legal services is protected with competence, integrity and independence. As an independent regulator of the legal profession, the Law Society supports the rule of law and promotes the administration of justice in Manitoba.

One of the ways that we will mark this significant milestone is by sharing with you this year some moments in time that have shaped our past and present and will continue to shape our future. We hope you enjoy them.

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Celebrating 140 Years*continued from page 1*

A Moment in Time:

- 1871** The first President of the Bar Society (used interchangeably with the term Law Society) is H.J. Clarke, Q.C.
- 1872** The first proposal of the Bar Society is the establishment of a library.
- 1872** Annual practising fees are set at \$15.
- 1877** *The Law Society of Manitoba Act* is assented to on February 28, 1877.
- 1877** The Law Society finds its first home at Winnipeg's Main Street courthouse.
- 1880** James Albert Manning Aikins is elected a Bencher of the Law Society. He serves a total of 49 years until his death in 1929.
- 1881** William Leggo is hired as the first part-time librarian in 1881.
- 1882** The Law Society moves to the "newer" law courts on Kennedy Street (behind the present-day law courts on Broadway), situated on a track of land known as the "Old Driving Park".
- 1883** W.A. Taylor becomes the Society's first full-time employee as the Sub-Secretary, Librarian and Solicitor for the Society.
- 1884** The first issue of the *Manitoba Law Journal* containing decisions of the superior courts is published.
- 1885** The University of Manitoba establishes a reading course leading to an LL.B., the completion of which reduces the articling period from five years to three years.
- 1886** Isaac Campbell is elected a Bencher (1886-1928) and then serves as President of the Law Society from 1891-1898.



Many thanks to Cameron Harvey, editor of *The Law Society of Manitoba 1877 -1977* which contains a treasure trove of interesting tidbits of Manitoba legal history and was the source for much of this information. If you have anything you would like to share with us this year as we honour our past, let us know. We would love to see it.

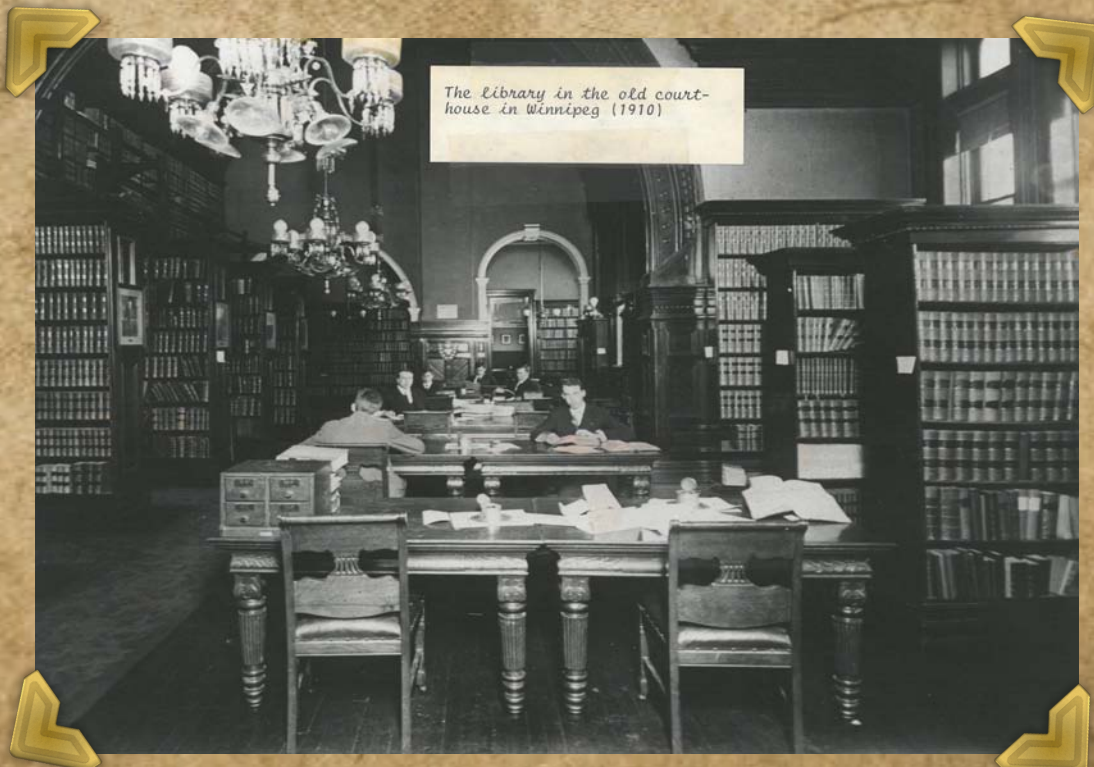


**Provincial Law Courts on Kennedy Street
(1882)**

A Snapshot in Time



Winnipeg's Main Street Courthouse –
the first home of the Law Society
(1877)



The library in the Provincial Law Courts
(1910)

Benchers Highlights

Kris Dangerfield, Chief Executive Officer

The benchers met on December 8, 2016 to discuss some business and then move on to celebrate the festive season with our colleagues from the Manitoba Bar Association. We were fortunate to also host our friends from the Law Society of Saskatchewan, **Barbra Bailey**, Policy Counsel and the incoming Executive Director, **Tim Brown**. They were both in town to attend a meeting the following day of our prairie project group that is working on innovating regulation through the proactive regulation of entities. Tim is well known both in Saskatchewan and across the country, having practised law in Saskatchewan for over 25 years, with the past five years as counsel to the Saskatchewan Lawyers Insurance Association. Tim was welcomed by President **Roberta Campbell** to what will most certainly be his first of many bencher meetings to come at the Law Society of Manitoba.

Following the move to the new governance model which provides for the appointment of both practising lawyer benchers and two additional lay benchers, the benchers spent some time fine tuning the process for making those appointments. They agreed to eliminate the need for two separate nominating committees to avoid duplicating the efforts of committee members. They also agreed to clarify in the policies that appointed lay benchers will commence their terms at the first meeting following their appointment and will continue (as will practising benchers) until a successor is appointed, to a maximum of eight years.

NOTICE OF BENCHERS' MEETING

The next regular meeting of the Benchers of the Law Society of Manitoba will be held on **Thursday, February 16, 2017 at 12:30 p.m.**, in the Society's classroom, 219 Kennedy Street, Winnipeg, Manitoba.

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

The dates of future Benchers' meetings scheduled for 2016-2017 are as follows:

- Thursday, April 20, 2017
- Thursday, May 25, 2017
- Thursday, June 22, 2017

The benchers approved amendments to the Law Society rules that will permit (but not require) lawyers who act in a representative capacity (such as an executor, trustee or administrator) to deposit trust funds into the lawyer's trust account. Where the funds are not held in trust, the lawyer must maintain books and records to produce for inspection by the Law Society auditors. Where an appointment is made outside of a solicitor and client relationship (for example your neighbour asks you to serve as an executor), the lawyer must notify the appointer/donor that he does not have either insurance or reimbursement coverage. Finally the benchers approved rules which will require a lawyer who withdraws from practice to notify all clients and other persons for whom the lawyer serves as a personal representative of their change in practising status and that they will no longer have insurance or reimbursement coverage when acting in that capacity. The new rules will be translated and the effective date for implementation will be communicated to the profession.

Also approved by the benchers was the translated version of rule amendments that will permit a discipline matter to proceed directly to a hearing date without first being considered at a set down hearing.

The benchers received reports from the Complaints Investigation Committee, the Discipline Committee, the Access to Justice Steering Committee and the Access Stakeholders Committee. **Lynda Troup** reported that the Steering Committee is reviewing the Forgivable Loans Program to identify potential enhancements which would encourage greater utilization of the program.

Federation council member **David Swayze** reported to the benchers on the work of the Federation of Law Societies and the recent Federation of Law Societies semi-annual council meeting and annual conference in St. Andrews-by-the-Sea. After a detailed review of his whale watching expedition, David reported that a comprehensive review of the National Committee on Accreditation is underway. That is the committee that assesses the credentials of foreign trained lawyers and students. Work has continued by the National Requirement Review Committee to give advice on the national requirement and in October the NRRC issued a draft report for consultation on whether to include a non-discrimination provision in the national requirement. After reflection by Federation Council, it was decided to suspend the consultation pending completion of the ongoing litigation

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Benchers Highlights

continued from page 4

involving Trinity Western University in both Ontario and British Columbia. David also had good news to share with respect to the activities of CanLII. He had recently chaired a search committee that recommended the appointment of four outstanding new members to the CanLII board. They include Professor **Adam Dodek**, who some of you will know as a professor at the University of Ottawa, and **Tom Schonhoffer**, the former Executive Director of the Law Society of Saskatchewan. CanLII is developing its next strategic plan which will ensure that CanLII is comprehensive for primary law and will become the central Canadian online library of accessible secondary law. David also reported on the Conference which brought regulators and academics together to focus on working together to prepare lawyers for practising in a changing world.

Finally the benchers received a report on the Law Society's investments, which continue to perform well notwithstanding world events and uncertainty in the markets.

At the conclusion of the meeting, the benchers joined Manitoba Bar Association Council members to engage in a debate on law firm regulation and diversity. The Law Society is currently exploring law firm regulation which will require law firms to engage in a form of "self-assessment" that would require a designated lawyer in the firm to complete a form providing information about the firm's compliance with various management principles (competence and capacity, client management, file management, financial management and relationships with third parties and the administration of justice). The issue up for debate was whether a law firm should be required to commit to improving equity, diversity and inclusion and ensuring freedom from discrimination in the delivery of legal services. Vice President of the Manitoba Bar Association **Melissa Beaumont** spoke in favour of the motion and Law Society bencher **Grant Driedger** opposed it. After a really tremendous debate and discussion in which both council members and benchers engaged, everyone retired to continue the conversation at our traditional joint holiday reception.

Annual Member Report

Due April 1, 2017



This year's Annual Member Report is now available in the [Members' Portal](#) and is due April 1, 2017. It combines your annual report on your continuing professional development activities in 2016 and your Law Corporation renewal (for those that have them). This report must be filed by every lawyer who had practising status in Manitoba at any time in 2016.

Completing and submitting this report is mandatory. **If you have provided us with your business email address, then you should have already received notification by email that your personalized online report is ready for completion.** The email notification would also have contained your user ID, password and login instructions on how to access the Members' Portal for easy completion and filing of the report. If you have not received your email notification but believe you should have, then please contact Donna Mihalick at dmihalick@lawsociety.mb.ca or by phone at 204-926-2050. **If you have not provided the Law Society with your business email address, please do so immediately.**

Keeping the “Great” in Library: We Want to Hear From You!

Kris Dangerfield, Chief Executive Officer



The very first Law Society employee in Manitoba was Mr. William Leggo, who was hired as a part-time librarian in 1881. It was either Mr. Leggo, or perhaps his successor, Mr. W. Bennett who made the following report that is recorded in the December 21, 1883 minutes of the Law Society:

Report from Librarian that G.B. Gordon had taken a book out of the Library to his office and had not returned same. Ordered that Mr. Gordon be written that if he repeats the offence of carrying off books from the Library, he will be deprived of the use of the Library.

Say it isn't so! The seriousness with which the Law Society viewed Mr. Gordon's delinquent behaviour was of course because there was only one place that lawyers could access the law and that was at the Law Courts. There were simply no other options available to lawyers who wished to research a point of law. And so it was that the Law Society began publishing decisions of the courts in Manitoba, beginning in 1884. Those reports became known as the Manitoba Reports and were published by the Law Society until 1965, at which time commercial law reports had become available.

How times have changed. While fewer and fewer law firms maintain in-house libraries, many of you now pay for desktop access to the latest and greatest through on-line service providers such as Westlaw, LexisNexis Quicklaw or LexisNexis International. Our last survey of the profession (in 2003) disclosed that over half of you never use the Great Library. Some of you, however, continue to make the trek to Broadway and Kennedy to research a point of law on a computer terminal, copy a case from an obscure case law series or check out a recent text. But those of you who live outside of Winnipeg no longer have access to a functioning bricks and mortar law library. Why is that? Well, largely because maintaining a law library is an expensive proposition. The Province of Manitoba provides us with the space in the Law Courts building in which the Great Library is located. Historically the Manitoba Law Foundation funded law libraries from the interest generated on lawyers' trust accounts that the Foundation distributes annually. However that funding diminished over time, so much so that in the last several years the Foundation has declined to fund the work of the Great Library at all. As a result every practising lawyer in Manitoba currently contributes approximately \$325 annually to fund the operations of the Great Library. Much of that \$325 has gone toward purchasing paper loose-leaf services that have increasingly become prohibitively expensive. Purchasing these services is no longer sustainable and so we need to take a hard look at who accesses the Great Library (whether in person or on-line), what resources are utilized and the extent to which the legal profession can (or should), on its own, continue to fund the Great Library. We also need to think about how access to the law can be provided in a more innovative and cost effective way given the virtual world in which we operate. (Consider for example that in contrast to what lawyers spend annually on library services, each lawyer in Manitoba contributes only \$39.24 to CanLII, a free legal research source funded by every Law Society in Canada).

You will recall that in the last Communiqué, I reported that Garth Niven had retired after serving a remarkable 41 years as the librarian at the Great Library. We are very grateful for Garth's significant contributions to the world of legal research in Manitoba. His retirement has, however, created an opportunity to revisit how access to legal information is provided and to explore with other stakeholders how costs can be managed through sharing resources. We are fortunate to be led in this work by our new Director of Legal Resources at the Great Library, Karen Sawatzky. Karen comes to us with fifteen years of experience in law, academic and school libraries, having spent the last decade as a legal information specialist and librarian with private law firms. In order to inform our decision-making we need to hear from you directly as to what you see for the future of the Great Library. You can help us by taking a few minutes to complete the short survey which is accessible here:

[CLICK HERE TO TAKE SURVEY](#)

Theft of Trust Funds by Your Employees - Your Insurance Concerns

Tana Christianson, Director of Insurance

You may have read news articles about theft of more than \$7.5 million dollars from the trust account of a lawyer in Richmond, British Columbia. News outlets report that two non-lawyer employees forged the lawyer's name on trust cheques, and then laundered money in British Columbia with help from accomplices, ultimately sending the funds to China. The matter appears to be under investigation by both the police and the Law Society of BC. The client-victims have sued the lawyer, trying to recover the trust funds.

If your employees stole funds from your trust account, what would you do? Calling the Law Society's audit department would be a good first step, but would your client's loss be covered by your insurance or the Reimbursement Fund? The answer is no. Your client's loss resulting from employee theft would be covered by you personally. Your Professional Liability Insurance policy (the negligence policy) specifically excludes claims arising out of or from the theft or misappropriation of trust funds or property or in any way related to such theft or misappropriation (Exclusion 3.4). The Reimbursement Fund, the Law Society's longstanding trust protection fund, only applies to misappropriation or conversion of trust funds by a lawyer who is a member of the Law Society of Manitoba. So, if a member of your staff steals trust funds, you are not covered by either the Reimbursement Fund or your professional liability insurance. You are on your own and personally responsible to the victims of your employees' theft.

There is some fidelity coverage available from commercial insurers that do cover theft by employees from trust funds (and from other firm funds). Consult with your local insurance broker about what policies are available and appropriate to your practice.

Strict adherence to the Law Society of Manitoba's financial accountability rules, combined with strong internal control practices, offer a number of protections against employee theft and increase the likelihood of early detection. While the rules require you to reconcile the trust account at least monthly, some firms reconcile weekly or review activity in the online access (appropriately restricted to 'read-only') for the trust account daily. Supervise staff diligently. Track your trust cheques. Trust cheques should be written sequentially and only signed by you after review of documentation in support. Separate incompatible duties – wherever possible, one person should never be responsible for all aspects of the accounting process. Train more than one staff person on trust account procedures. Do informal and formal internal audits. Be pro-active - don't just wait for the Law Society auditors to come around and catch the thief on your staff.



Some of the prime indicators of potential employee theft risk include working late and refusing holidays, secrecy about work processes and procedures, living beyond one's means, resistance to changes in financial processes, substance abuse, compulsive gambling, persistent borrowing or financial difficulties. An excellent publication by the Association of Certified Fraud Examiners titled 'Report to The Nations on Occupational Fraud and Abuse – 2016 Global Fraud Study' <http://www.acfe.com/rtn2016/resources/downloads.aspx> examines the data on employee fraud in the workplace including behavioral red flags displayed by perpetrators. As any forensic auditor or loss prevention officer will tell you, know your employees and supervise them closely, for your clients' and ultimately your own protection.

2017

Important Dates to Note

**February 6 to 9**

CPLED classes

February 16

12:30 p.m.

Benchers' Meeting

February 24

Annual Trust Account Report (Self-Report)

for members with December 2016 year end

FILING DEADLINE**March 10**

Annual Joint Family Law Program:

*Confusion Corner: What to do When Family Law,
Criminal Law and Privacy Issues Collide***March 18**

Lawyers for Literacy

West Broadway Youth Outreach

April 1

2017 Annual Member Report

FILING DEADLINE**April 1**

2017 Mandatory Continuing

Professional Development (MCPD) Report

FILING DEADLINE**April 1**

Law Corporation Permit

RENEWAL DEADLINE**April 3**

2017/18 Practising Fee and Contributions

(or first instalment)

PAYMENT DUE**April 20**

12:30 p.m.

Benchers' Meeting

May 1Annual Trust Account Report with Accountant's
Review (Form D)

for members with December 2016 year end

FILING DEADLINE**May 25**

12:30 p.m.

Benchers' Meeting

June 14**PAYMENT DUE**

2017/18 Practising Fee and Contributions

(or first instalment)

for students being called to the Bar on June 15, 2017

June 15

9:00 a.m.

Call to the Bar Ceremony

Centennial Concert Hall

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2017

Important Dates to Note



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June 22

12:30 p.m.

Annual Members' Meeting and Benchers' meeting

June 23

Deadline to file application for CLIA Excess Professional Liability Insurance coverage

June 23 to 25

Northern Bar
Annual CPD and Meeting

July 3

2017/18 Prof. Liability Claims Fund Contribution
(or first instalment)
PAYMENT DUE

August 25

Annual Trust Account Report (Self-Report)
for members with June 2017 year end
FILING DEADLINE

September 11 to 15

CPLED classes

September 8 and 9

Western Bar
Annual CPD and Meeting

October 2

2017/2018 Practising Fee and Contributions
(2nd Instalment)
PAYMENT DUE

October 2

2017/18 Practising Fee and Contributions
(2nd Instalment)
for members called to the Bar on June 15, 2017
PAYMENT DUE

October 31

Annual Trust Account Report
with Accountant's Review (Form D)
for members with June 2017 year end
FILING DEADLINE

November 3 and 4

2017 Pitblado Lectures

November 27 to December 1

CPLED classes

December 1

2017/18 Prof. Liability Claims Fund Contribution
(2nd Instalment)
PAYMENT DUE

December 1

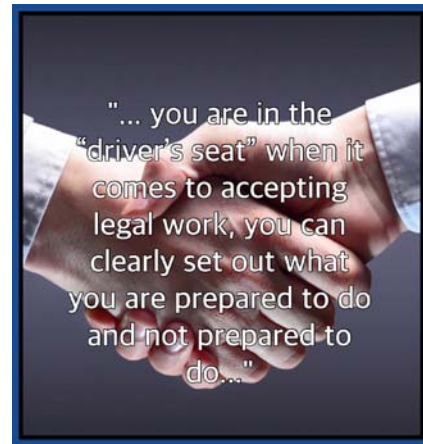
2017/18 Practising Fee and Contributions
(3rd Instalment)
for members called to the Bar on June 15, 2017
PAYMENT DUE

How to Spot a Potential Limited Scope Retainer and What to Do When you Find One!

Darcia Senft, General Counsel, Director of Policy and Ethics

Some lawyers have discovered another way to expand their practice and help with the access to justice problem at the same time by offering to provide legal services on a limited basis. Some clients do not need or can't afford to hire a lawyer to handle every aspect of their legal matter.

Essentially, a limited scope retainer can be undertaken with respect to specific tasks that would normally comprise part of what a full retainer would involve. On a criminal matter, a limited scope retainer could be an agreement to act only on the client's bail application. On a civil file, it could consist of an agreement to prepare a Notice of Application or a Statement of Claim and have it served on the defendants. On a family law file, counsel might provide legal advice in relation to a desire to seek increased access to children of the marriage. Think of these types of retainers as a way for a client to order "a la carte" from a menu of various legal services.



Perhaps you have given this some thought but are reluctant to take on narrow tasks because you are concerned that you may then get drawn into a legal matter and find it difficult to extricate yourself as counsel. However, since you are in the "driver's seat" when it comes to accepting legal work, you can clearly set out what you are prepared to do and not prepared to do so that there is no room for confusion. Clearly communicating the intended scope of your services is key to ensuring that there are no surprises for either you or the client.

Due to the limited nature of the task, you may also be able to quote a fixed sum for your legal services as opposed to offering to do the work based on a traditional hourly rate model. Clients appreciate certainty and like to know upfront what it may cost them to hire a lawyer to handle some aspect of their legal matter.

In a November 21, 2016 post on Avoid a Claim blog, Law Pro (insurer in Ontario) published an article about limited scope retainers and provided tips on what to do and what to avoid. You can access the article [here](#).

Law Pro has developed some helpful resources, including a [sample retainer agreement and a checklist](#), as well as some [best practices](#) that are available for your consideration.

Consider taking on limited scope retainers as a way to grow your practice in a controlled fashion without having to take on complex matters where the proceedings may take years to complete. The added bonus is that you will improve access to legal services!

In Memoriam

Frank Louis Cvitkovitch, Q.C., who passed away on October 24, 2016 at the age of 80. Mr. Cvitkovitch received his call to the Bar on September 13, 1961. He articulated and then practised as a partner in the firm MacInnes Burbidge up to the date of his death, a total of 59 years. Mr. Cvitkovitch was appointed Queen's Counsel in December of 1975, and was recognized by the Law Society in October of 2011 for having practised law for 50 years.

Limited Scope Retainers and the Legal Help Centre - What's the Connection?

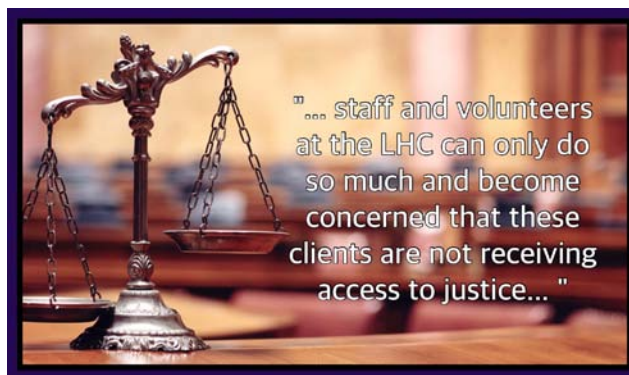
Darcia Senft, General Counsel, Director of Policy and Ethics

Speaking of limited scope retainers, from time to time, the Legal Help Centre becomes involved with clients who would really benefit from the services of a lawyer on a limited basis for a defined task – such as arranging for substitutional service. Sometimes, a task that could likely be undertaken in about an hour's worth of "lawyer time" becomes a drawn out matter that involves numerous trips to the LHC because the client does not have the ability to "follow through" to the next stage of the process. Sometimes, the client has literacy issues or is otherwise considered to be high needs. Unfortunately, staff and volunteers at the LHC can only do so much and become concerned that these clients are not receiving access to justice because they seem unable to deal with the court process and its (sometimes fairly complicated) requirements. The Centre would like to be able to refer these clients to lawyers who would be prepared to assist them with a specific and limited task so that the clients can then move forward in processing their legal matters.

If you are interested in taking on limited retainers for members of the public who attend at the Legal Help Centre, please contact Natasha Brown at: natasha@legalhelpcentre.ca.

Staff at the Centre hope to create a list of lawyers to whom they can refer clients who need help with specific legal tasks.

And...if you haven't yet taken the opportunity to visit the Legal Help Centre, call and ask if you can visit during a drop-in day – even for just half an hour. It is an eye-opening experience as you see the waiting room packed like a doctor's office, with people waiting to see students who may be able to provide some assistance (under the supervision of lawyer volunteers). You may become inspired right then and there to become a volunteer with the knowledge that you will make a clear and rewarding contribution to the access to justice cause.



What about Government Lawyers?

Certain lawyers (those who are employed exclusively by the Government of Manitoba, an agency of the government as defined under *The Civil Services Act*, a municipality, the City of Winnipeg or the Federal Government) are not covered by the mandatory Policy of Insurance which covers all other practising lawyers in the Province of Manitoba. Because lawyers in these categories are not covered by insurance, they are not entitled to practise outside of the scope of their employment. This includes providing pro bono legal services. However, an endorsement to the Policy of Insurance provides lawyers who fall into this otherwise exempt category with coverage for an occurrence arising out of professional services performed on a pro bono basis through the Legal Help Centre Program only. This means that government lawyers can volunteer at the Legal Help Centre.

These otherwise exempt lawyers do need to complete a special exemption form which is available from Natasha Brown at the Legal Help Centre as it is necessary to track their involvement for the insurer.

Bits&Bytes

Kris Dangerfield, Chief Executive Officer

1. On December 1, 2016, I had the pleasure of attending a retirement party for **George E. Chapman Q.C.** who was celebrating 62 years of achievement and service. It was a lovely event at which the common refrain from the speakers was that George had always conducted himself admirably through the years, treating everyone with honesty, integrity and respect. While I was aware of his excellent reputation in the legal community, I was amazed by his list of accomplishments in the broader community, having served as President of the Manitoba Chamber of Commerce, the Winnipeg West Rotary Club and the Western Canada Aviation Museum. Given all of that, I am not sure where he found the time to commit to his hobbies as both a race car driver and a runner. Those endeavours led him to being inducted into the Canadian Motorsport Hall of Fame, the Manitoba Motorsport Hall of Fame and the Manitoba Runners Association Hall of Fame. I can't wait to hear what he accomplishes in his retirement years.
2. Something else I learned at Mr. Chapman's retirement bash was that his father, George Thomas Chapman, also practised law in Winnipeg for 62 years, after having been called in 1923. That is a pretty remarkable father and son team, with one or the other of them practising law in 94 of the 140 years that the Law Society has been in existence.
3. For the last 6 years (dating back to the reign of our Past President **Irene Hamilton**) lawyers have raised money for West Broadway Youth Outreach by participating in Lawyers for Literacy. WBYO is an inner-city drop-in program which does amazing things for kids at risk. On Saturday, March 18, 2017, lawyers (and often their kids and family members) will have an opportunity to either read to, or be read to by a group of great kids, who enthusiastically participate in a day of reading. You can come down to promote literacy and be part of the fun for an hour or two or for the whole day. Get your friends and family and partners to sponsor you and WYBO and the kids will thank you for it. Please contact drossol@lawsociety.mb.ca for more information or see the article on page 14 in the Communiqué.
4. Congratulations to **Maurice Piette** who was elected President of the Council of the Federation of Law Societies of Canada in November. Maurice practises as a notary in Montreal with Piette & Duquette and is only the fifth notary in the Federation's 90 year history to occupy the office. He will have a tough act to follow, replacing Past President **Jeff Hirsch** who is no doubt looking forward to a slightly less hectic travel schedule in 2017. Maurice will be assisted along the way in his work by Vice President **Sheila MacPherson** of the Northwest Territories and newly elected Second Vice President **Richard Scott Q.C.** (yes there is another one) from New Brunswick. Richard has always been easy to spot at a Council meeting dressed in his red sport jacket. Perhaps that is where Jeff received his fashion inspiration.
5. Habitat for Humanity Manitoba is looking for a new Board member. Habitat for Humanity Manitoba works with people from all walks of life to build safe, decent, and affordable housing for purchase by low-income working families. If you are interested in serving as a Board member please contact Sandy Hopkins, Chief Executive Officer at shopkins@habitat.mb.ca.



CPLED 2017-2018

Joan Holmstrom, Director of Education



The dates for the next CPLED program have been tentatively set as follows:

2017:

September 11 to 15th – Interviewing and Advising – in person instruction and evaluation

September 19th to October 10 – Legal Research and Writing – online

October 10 to October 31 – Written Advice and Advocacy – online

October 31 to November 21 – Drafting Pleadings – online

November 27 to December 1 – Oral Advocacy – in person instruction and evaluation

December 5 to December 12 – Ethics and Professionalism – online

2018:

January 2 to January 23 – Drafting Contracts – online

January 29 to February 2 – Negotiations – in person instruction and evaluation

February 6 to February 27 – Practice Management – online

February 27 to March 20 – Client Relationship Management – online

April – Supplemental evaluations

Call to Bar – June 21

Please share these dates with your incoming articling students so that they can note these dates as attendance and participation is mandatory.

7th Annual
“Lawyers for Literacy”
In Support of West Broadway Youth Outreach



Saturday, March 18, 2017

Crossways in Common, Main Floor - 222 Furby Street at Broadway

Time: Any hour(s) you choose between 10 a.m. and 3 p.m.

For the past six years the Law Society has supported the West Broadway Youth Outreach organization (WBYO) in a program to promote literacy skills and to raise money for their great work in the community.

WBYO is a recreational life skills program for children who live in the West Broadway area. Participants range in age from 4 to 12, as well as junior volunteers, mentors and role models aged 13 to 17 from that community. All activities are free.

This organization operates on a shoestring budget of just over \$80k for salaries, operating and supply costs. It provides services to approximately 600 area children in the summer and a similar number after school and in the evenings throughout the school year. The funding they receive comes primarily from the United Way of Winnipeg. They provide 28 structured programs after school and evenings year round, including:

- Homework club where kids are encouraged to engage in their studies and are offered incentives to do so;
- The Dreams Program through which kids are encouraged to think beyond the day-to-day and realize that they can have dreams that can be fulfilled.

So it seems to be a natural and easy fit for lawyers to adopt and support WBYO by raising some money and/or donating some time. Amazingly, Lawyers for Literacy has raised over \$75,000 in the past six years, with nearly 500 lawyers participating in reading to the WBYO kids.

It may be hard to imagine what it would be like not to be able to read, or as a child, not to have had an adult who encouraged reading. We take reading and writing for granted. Unfortunately, there are many children and adults who aren't as privileged and who struggle every day to understand information written at even a basic level. Many kids do not have an adult at home who reads to them or encourages them to read by sharing with them the joy of reading. Many do not have an adult with sufficient literacy skills to help them with their homework. So, on March 18, 2017 our volunteers will have the opportunity to read with, or to, children from the West Broadway area.

The Law Society will provide pizza and drinks for the kids and volunteers.

How can you help?

- You can volunteer to read for an hour or more on March 18, 2017 to children who actually line up for a turn to read;
- You can sponsor one of your colleagues to read, or you can simply make a donation.

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Lawyers for Literacy

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How can you donate?

- Monetary donations can be made by cash, cheque or online donation. [Pledge forms](#) are available on the Law Society website. WBYO will provide a charitable receipt for donations of \$25.00 or more;
- Online donations can be made by using the following link www.canadahelps.org/dn/16757 and selecting "Lawyers for Literacy" as the "Fund Your Donation Will Support";
- You can donate items. Start the new year off by recycling. West Broadway Youth Outreach welcomes donations of books, children's clothing, juice boxes for after school snacks, games, toys, and musical instruments... pretty much anything you can think of that would be of interest to a child.

We hope you can join us on Saturday, March 18, 2017!

For more information contact Debbie Rossol at drossol@lawsociety.mb.ca or by phone at 204-926-2048.



The **MORE** that you
READ, the more things
you will **KNOW**.
The **MORE** that you
Learn, the more places
you'll **GO**.
Dr. Seuss



2017 CPD New Year's Resolutions

Eileen Derksen Mead, Director of Professional Competence



As we embark on a fresh new year this is a perfect time to think about your CPD plans for the year.

Here is our **Top 10 list of CPD Resolutions:**

- 1. I will start early!** It is much easier to find 12 hours of relevant CPD when you use the entire 12 months of the year. Check the Law Society [website](#) for postings on what is scheduled for January and beyond.
- 2. I will check my options regularly.** New programs are posted routinely. We send out updates via email in the form of eUpdates and this Communiqué. From time to time we also send out a CPD Update in the mail. Make sure you are receiving these communications so that you don't miss out.
- 3. I will look at [other CPD providers](#)** to find CPD that is relevant to my practice. Remember you don't need the LSM to accredit other provider's programs - [FAQ re accreditation](#). Instead, members are encouraged to look at our guidelines to determine if a [CPD activity is eligible](#).
- 4. I will check out the [EPPM page on our website](#)** when I am looking specifically for **Ethics, Professionalism & Practice Management options**. We'd also recommend using this [chart](#) to help guide you when looking at what kind of programming is eligible and in particular which topics fall into the EPPM categories.
- 5. I will encourage my non-lawyer staff to consider CPD.** Professional development is important for everyone in your office. We are working on more programs for support staff, office managers, etc. If you have staff that would like to receive our upcoming program notices directly, please tell them they can contact us at cpd@lawsociety.mb.ca to be added to our email list.
- 6. If I see something I like I will sign up early...** to avoid missing out. More and more often we have programs that sell out. For certain programs we also offer early bird rates so signing up early can save you money!
- 7. I will consider programming I can take from the comfort of my office and on my own schedule:**
 - a. [cpdonline](#) Members are able to access webcasts of recorded webinars or recordings of live programs at this site. Each program consists of the webcast, any written materials for the program and a quiz.
 - b. Tele-Conference, Tele-Presentations and Webinars
 - c. DVDs [DVD Order Form](#)

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2017 CPD New Year's Resolutions

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8. **I will thank the volunteer presenters!** The LSM can only offer the wide variety and number of CPD programs because of the generosity of our own members who so graciously give their time and expertise to present. We can't thank them enough!
9. **I will discover eLaw.** eLaw newsletters are published in 7 practice areas: Business, Criminal, Family, Labour and Employment, Litigation, Practice Management, and Property and Succession. Practicing lawyers can subscribe to eLaw in the Members' Portal section of the LSM website. This is a terrific resource – check out [past elaws](#) and see for yourself.
10. **I will ask questions** to make sure I understand the MCPD requirements (see [MCPD Frequently Asked Questions](#)) and my CPD options (see [CPD Common Questions](#)).

Happy New Year!

CPLED 2016-2017 is in the Home Stretch

Joan Holmstrom, Director of Education



There are three modules left in the 2016-17 CPLED program to be completed. The students will be back at the Law Society building during the week of February 6th for instruction on negotiation skills, ethics and professionalism and client relationship management. That week is followed by two modules being delivered to the students through the online platform. Students required to attempt a supplemental evaluation in any of the modules will be doing so in April.

The mass Call to Bar ceremony is set for **June 15th** at 9:00 am at the Centennial Concert Hall. The profession is invited to attend.

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Membership Changes

The following members have changed their membership status effective on the date shown:

Practising to Inactive:

November 26, 2016	David G. Meighen
November 30, 2016	Georgia N.W. Couturier
December 1, 2016	Anne-Marie Brown
December 1, 2016	Neil H. Kravetsky
December 8, 2016	Todd A. Rambow
December 17, 2016	Gloria Mendelson
December 29, 2016	Valerie J. Gilroy
December 31, 2016	F. Ann Bailey
December 31, 2016	Brian J. Kelsch
December 31, 2016	Bruce Warnock

Inactive to Practising:

November 21, 2016	Meira Gisser
December 1, 2016	Lorne B. Giesbrecht
December 12, 2016	Sophia Mapara
December 19, 2016	Erin J. Coyne
January 1, 2017	Rishi Bharath
January 3, 2017	Jean-Daniel B. Boulet
January 5, 2017	Mary-Ellen D. Wayne

Practising to Non-Practising:

December 1, 2016	Katherine (Kate) E. Loewen
December 7, 2016	Liza J. Bowman
December 12, 2016	Jillian R. Jerome
December 31, 2016	Russell D. Dufault
December 31, 2016	James R. Shaw
January 2, 2017	Krista D. Klassen

Non-Practising to Practising:

January 1, 2017	Sarah J. Hill
January 2, 2017	Robert (Bob) H. McCulloch
January 4, 2017	Joan Jack
January 6, 2017	Gabrielle C. Lisi

New Admissions:

November 15, 2016	Stephen A. Yusuff
November 24, 2016	Rishi G. Bharath
November 24, 2016	Alexander M.B. Gilroy
Novmeber 24, 2016	Zahara Hosseini
November 24, 2016	Evan T. Johnston
November 24, 2016	Jonathan G. Kim
November 24, 2016	Shawn J.P. McGrath
December 13, 2016	Kirsten Kersey
December 13, 2016	Kamaljit K. Bawa
December 13, 2016	Mary-Ellen Wayne

Update your membership information by using the Member Forms located in the “Forms” section on the Society’s website:
<http://www.lawsociety.mb.ca/forms/members-forms>



**IT'S JUST
AROUND THE
CORNER!**

APRIL 1st
ANNUAL FEE RENEWAL

Watch for an email notification in early March that will direct you to locate your personalized invoice in the Members' Portal on the Law Society website.

Discipline Case Digest

You will find these new postings under the [Lawyer Regulation/Discipline Case Digests](#) section of the Law Society Website:

16-03	Michael James Stienstra
16-04	Bonnie Lynne Gembey
16-05	Kevin Allan MacDonald



*Celebrating 140 Years
of Protecting the Public*

The Law Society of Manitoba

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CPD Calendar of Events 2017

Upcoming Programs

New Program Announcements

February 1 12 noon to 1:00 pm

Webinar Avoiding Cyber Dangers

February 23 12 noon to 1:30 pm

The Lawyer's Guide to Understanding and Interpreting Drug Test Results

March 1 12 noon to 1:30 pm

Files Gone Wild: Top Ten Pitfalls to Avoid

March 3 12 noon to 2:00 pm

Jointly presented by the Western Bar Assoc. **For the Sake of the Children....For Lawyers**

March 10 9:00 am to 4:30 pm

Annual Joint Family Law Program

Confusion Corner: What to Do When Family Law, Criminal Law and Privacy Issues Collide

March 16 1:00 pm to 4:30 pm

Estate Litigation and Administration

March 23 1:00 pm to 4:00 pm

Electronic Legal Research for Luddites!

Manitoba's New Child Protection Model

*Jointly presented by the Law Society of Manitoba
and The Court of Queen's Bench Judges*

Sessions 1 - 3

February 15 12 noon to 1:30 pm

Session 1: An Introduction and Overview

February 16 12 noon to 1:30 pm

Session 2: Agency Counsel's Perspective

February 17 12 noon to 1:30 pm

Session 3: Parents' Counsel's Perspective

March 2 12 noon to 1:30 pm

Realizing the Objectives of Jordan Through the New Q.B. Rules on Criminal Proceedings

*Additional information and registration details for the
above programs will be added to the website shortly!*

Save the Date!

April 6

**Law Society FAQs:
Finding Answers in the Code**

April 8

**Criminal Defence Advocacy Skills Workshop
Defending Sexual Assault Charges**

June 23-25

Northern Bar CPD

September 8

Western Bar CPD

November 3 & 4

Pitblado Lectures