

March 2017

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## Communiqué 2.0

is published by  
The Law Society of Manitoba

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## Bencher Highlights

Kris Dangerfield, Chief Executive Officer

The first matter for discussion on the benchers' agenda of February 16, 2017 was a private members' Bill put forward by MLA Steven Fletcher, seeking to reinstate Queen's Counsel appointments. The Q.C. designation was awarded by the provincial government until the early 2000s, when the Attorney General of the day, **Gord Mackintosh** raised questions as to whether the appointments honoured excellence in the profession or were merely instruments of political patronage. In the end the Province amended *The Legal Profession Act* to eliminate the authority to make Queen's Counsel

appointments. The benchers engaged in a discussion as to whether there is any public interest in reinstating Q.C.s and ultimately concluded that if Q.C.'s are reinstated, transparent processes ought to be put in place so that appointments are meritorious, based on established criteria, and not misleading to the public.

The benchers had the opportunity to review some proposed new rules for inclusion in the Model Code of Professional Conduct that would permit retired judges to return to practise law after having retired from the bench. The rules would prohibit former judges from appearing in court (except in exceptional circumstances if approved by the Law Society), but otherwise permit them to practise law. If these rules are ultimately approved by the Federation of Law Societies, they will then come back to the benchers to determine whether they ought to be included in our own Code of Professional Conduct.

The benchers received a number of reports from special committees as well as from the Equity Committee, which is exploring the barriers that Indigenous students and lawyers face and considering opportunities to provide mentorship. The chair of the committee, **Anita Southall**, reported that the committee is looking at the need for cultural competency training (and considering what cultural competency really means). A working group has been established to look at developing policies with respect to diversity and inclusion.

*continued on page 2*

## Bencher Highlights

*continued from page 1*

**Kathy Bueti**, the chair of the President's Special Committee on Entity Regulation, reported that the committee is nearly finished its work on developing a form of self-assessment that would require law firms to reflect on the management principles they employ in their law firms. This is part of a new focus on the regulation of law firms (entity regulation) rather than on individual lawyers, which is intended to enhance the ability of lawyers in those firms to practise competently. A pilot project of the self-assessment tool is likely to be run in the prairie provinces later this spring.

There was also a report from **Dean Scaletta**, chair of the President's Special Committee on Strategic Planning. Immediately following the next bencher meeting on April 20, 2017 the benchers will engage in a day and a half of strategic planning. The goal is to develop a set of strategic objectives for the Law Society for the next few years.

The benchers heard about the work being done to make the resources in the Great Library more relevant and accessible to the legal profession. They received the results of a survey of the profession that demonstrate the need to look at different ways to manage legal resources in a virtual environment.

The benchers reviewed the 2017-2018 budget which includes a fee increase of \$50 per practising member. The increase will support the development of resources in 2017/2018 on entity regulation, trust safety and small firm practice management. The benchers also heard about new programming that has been developed to teach articling students practical, practice-based skills to supplement what they are already receiving through the CPLED program.

The benchers appointed the Nominating Committee that will meet in April to recommend candidates for the position of vice president. In addition to the executive (**Ted Bock**, **Roberta Campbell** and **Jim McLandress**) the benchers appointed **Anita Southall**, **Shauna McCarthy** and **Miriam Browne** to that committee.

At the May bencher meeting, Past President **Ted Bock** will attend his last meeting as a bencher. This will create a vacancy around the bencher table of an elected bencher. Consistent with past practice, the benchers approved the person with the next highest number of votes in the 2016 bencher election, **Annette Horst**, to fill the vacancy. Annette is a lawyer with Justice Manitoba – Legal Services Branch, Family Law Section. She is currently serving on the Strategic Planning Committee and the Investment Committee.

The benchers received a monitoring report on the work of the audit department. This included an overview of the Trust Compliance Program that is being developed at the direction of the benchers. The program will require law firms to have an approved trust account supervisor before being authorized to have a trust account. That supervisor will have to engage in some mandatory trust accounting training as part of the approval process.

### NOTICE OF BENCHERS' MEETING

The next regular meeting of the Benchers of the Law Society of Manitoba will be held on **Thursday, April 20, 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 2017 are as follows:

- Thursday, May 25, 2017
- Thursday, June 22, 2017
- Friday, September 8, 2017
- Thursday, October 26, 2017
- Thursday, December 14, 2017



## **GREAT LEXPECTATIONS**

Karen Sawatzky, Director of Legal Resources

The first few months of any new job are a huge learning experience. After my first month on the job as the Director of Legal Resources at the Great Library, I met with Kris Dangerfield to review what lay ahead. We identified the following priorities:

1. Review print purchases with the aim to reduce spending yet provide better value, perhaps by partnering with other stakeholders;
2. Reach out to members to let them know what the Great Library can do for them no matter where they are;
3. Review the collection, update the catalogue and remove books that are no longer needed;
4. Investigate online resources that can be accessed by lawyers from the Members' Portal on the Law Society website.

The Great Library provides resources to lawyers in Manitoba to ensure their competency. Many years ago the Benchers determined that the library would be aimed at practitioners and not historical researchers. This is what will lead the development of policies to determine what core resources to keep in the collection. Items of purely historical importance may be best served by an archival service, such as the Manitoba Archives.

The future of the Great Library will be determined by how we provide value to the legal profession. If there are services you would like to see offered, please let me know.

Karen Sawatzky  
[ksawatzky@lawsociety.mb.ca](mailto:ksawatzky@lawsociety.mb.ca)  
[greatlibrary@gov.mb.ca](mailto:greatlibrary@gov.mb.ca)  
204-945-1958

## **New Books in the Great Library:**



Bourgeois, Donald J.  
**The Law of Charitable and Not-for-Profit Organizations, 5th ed.**  
LexisNexis 2016

Hall, Geoff R.  
**Canadian Contractual Interpretation Law, 3rd ed.**  
LexisNexis 2016

Mew, Graeme  
**The Law of Limitations, 3rd ed.**  
LexisNexis 2016

Newer items are held in the Reserve collection.  
These are available for use on site during staff hours (8:30 a.m. – 4:30 p.m., Monday to Friday)  
or borrowed for a very limited time period.





*Celebrating 140 Years  
of Protecting the Public*

## Some Moments in Time

- |             |  |
|-------------|--|
| <b>1911</b> | Melrose Sissons applies to the Law Society for admission as Manitoba's first female law student and is denied because the word "person" as used in the <i>Law Society Act</i> does not include a woman. Miss Sissons succeeds in having an amendment passed to the <i>Law Society Act</i> in 1912. |
| <b>1912</b> | Melrose Sissons and Winnifred Wilton become students.  |
| <b>1914</b> | The Law Society and the University of Manitoba jointly create the Manitoba Law School offering a three year lecture course leading to the LL.B. degree and admission to practise. 60 students enrol in the first year after paying a tuition fee of \$30.  |
| <b>1916</b> | The new Law Courts building is completed at the corner of Kennedy and Broadway.  |
| <b>1916</b> | Winnifred Wilton becomes the first woman to be called to the Bar in the Province of Manitoba.  |
| <b>1921</b> | The Canadian Bar Association is incorporated.  |
| <b>1927</b> | Law Society leaders come together on the initiative of Sir James Aikins to form the Conference of Governing Bodies of the Legal Profession of Canada (now the Federation of Law Societies of Canada).  |
| <b>1934</b> | A by-law is passed to require clients' funds to be held in a separate trust account with proper books to show the status of the funds.   |
| <b>1939</b> | The <i>Law Society Act</i> is amended to provide for the setting up of a fund for the purpose of reimbursing persons sustaining pecuniary loss by reason of the misappropriation of client funds.  |



# A Snapshot in Time



**Melrose Sissons**  
(right)

**Winnifred Wilton**  
(Bottom)



## Reporting Fraud

Tana Christianson, Director of Insurance

One Tuesday in January, five law firms in Southern Manitoba called the Law Society to report what one of the lawyers described as a “typical scam on lawyers.” Each firm had been contacted by someone trying to retain a law firm to collect on a promissory note, a classic debt collection scam. Each of the lawyers was at a different stage in the scam when they contacted us. Two had reached the point where they had received cheques that appeared to be issued by a legitimate financial institution in the amount of \$685,980.15. There were slight variations in the names of the clients and debtors, but it was unquestionably the same scam. Kudos to all of those lawyers who recognized that they were the targets of a potential scam and took steps to stop it.

If you receive a suspicious email, what should you do?



1. Google the players' names. Do another search with their name plus the word “fraud” or “scam.” Chances are the fraud or scam has already been identified by someone else and posted on the internet. Check the names, addresses and phone numbers on the internet and look up addresses using Google Maps street view.
2. Check Avoid a Claim blog. An excellent resource is LAWPRO's Avoid a Claim blog. Avoid a Claim, operated by the Law Society of Upper Canada's insurer, LAWPRO, posts warnings for confirmed frauds. LAWPRO will also take reports of any new fraud emails at [fraudinfo@lawpro.ca](mailto:fraudinfo@lawpro.ca). They won't disclose your name but they will use the suspected fraud to help build their database of frauds and fraudsters. You and your staff can also subscribe to free fraud alerts from Avoid a Claim, which is an excellent way to spot frauds in advance before you waste any time or energy on them.
3. Contact the Law Society of Manitoba. Many lawyers email me about new variations on email scams or ask for assistance in determining whether an email is a potential scam, and I am always willing to help lawyers spot the red flags. Other Law Society staff are also prepared to help, so feel free to email or call.
4. Report to the police. Most lawyers don't report these frauds to the authorities. We have been told that tracking down a fraudster, who is probably out of the country anyway, is not going to be a priority to local law enforcement authorities, but it can't hurt to make a report to your local police or RCMP.
5. Ignore it or play along. Many people choose to ignore the fraudster's emails, to block their addresses through a spam filter, or to respond to them that they have identified them as potential fraudsters. Some lawyers like to engage the fraudsters in a dialogue and then pounce at the end after they have wasted a lot of the fraudster's time. That's up to you.
6. Report to the email host. It is a good idea to report the fraudster's email address to the email hosting company so that the email host can shut down the fraudsters.
7. Report to the issuing financial institution. If you get to the point where the fraudster sends you a fraudulent cheque, you can send it to the issuing financial institution's fraud department. The financial institution might be interested in pursuing it.
8. Anti-Fraud Centre report. There is a Canadian Anti-Fraud Centre run by the Government of Canada. For more information about the Canadian Anti-Fraud Centre, check out their website at [www.antifraudcentre.ca](http://www.antifraudcentre.ca). You can report an incident to the Anti-Fraud Centre at 1-888-495-8501.
9. Call your own financial institution. Your bank or credit union might be prepared to help. Take the cheque or bank draft into your branch in person and show it to the bank manager. Tell them you are concerned it might be a fraudulent instrument. They may have some resources to assist you and they may well be interested in preventing a potential fraud.

*continued on page 7*

## Reporting Fraud

*continued from page 6*

10. Watch Avoiding Cyber-Danger. “Avoiding Cyber-Danger” is a Law Society CPD webinar on CPDonline. Watch it with your staff. This is an easy and enjoyable way to educate yourself and your co-workers on common fraud and scams.

Above all else, **do not proceed to issue a cheque out of your trust account** until you have confirmation from your bank manager, in writing, that the funds are good, after your bank has contacted the issuing financial institution and has had that institution confirm, in writing, that it is safe to withdraw from that deposit. This may take a few weeks. The critical thing is to not give in to the potential fraudster-client’s pressure to issue a cheque out of your account before you and your bank are ready to do so.

The following list of Red Flags is reproduced from LAWPRO’s Fraud Fact Sheet.

<http://www.practicepro.ca/practice/pdf/FraudInfoSheet.pdf>

### Red Flags

These are the common red flags that can indicate that a matter is a fraud. While some of these things may occur on legitimate matters, you should proceed with extreme caution if many of them appear on any matter you are handling.

- Initial contact email is generically addressed (e.g., “Dear attorney”) and BCC’d to many people.
- Client is in a rush – and pressures you to “do the deal” quickly.
- The name and/or email address in the FROM line is different from the name and/or email address of the person you are asked to reply to in the body of the email.
- Client and others involved don’t seem concerned if shortcuts are taken.
- Client uses one or more email addresses from a free email service (e.g., Gmail, MSN, Yahoo!), even when the matter is on behalf of a business entity.
- Client is willing to pay higher-than-usual fees on a contingent basis from (bogus) funds you are to receive.
- Client raises issues of conflicts or payment of a retainer.
- Domain name used in email address or website was recently registered (check at Whois.net).
- Despite the client stating a lawyer is needed to help push for payment, the debtor pays without any hassle.
- Email header indicates sender is not where he/she claims to be.
- Cheque or bank draft arrives at your office in a plain envelope and/or without a covering letter.
- Client is new to your firm.
- Cheque is drawn from the account of an entity that appears to be unrelated (e.g. a spousal arrears payment from a business entity).
- Client is in a distant jurisdiction.
- Payment amounts are different than expected or change without explanation.
- Client shows up and wants the matter completed around banking holidays.
- Client instructs you to quickly wire the funds to an offshore bank account based on changed or urgent circumstances.
- Client says he prefers email communication due to time zone differences.
- Some or all of the payment is going to third party who appears unrelated to the matters.





## New Child Protection Model

Darcia Senft, Director - Policy and Ethics

As outlined in two Court of Queen's Bench practice directions issued February 10, 2017 ([Child Protection Proceedings](#) and [Rota and Scheduling Changes](#)), a new child protection model that prioritizes child protection proceedings and addresses unacceptable delay has been implemented effective March 6, 2017. Materials from a recent CPD program provide more detail on the new model and are available for purchase from the Education and Competence Department of the Law Society by contacting [khyduk@lawsociety.mb.ca](mailto:khyduk@lawsociety.mb.ca).

The new model is intended to address what the court views as unacceptable delay in child protection proceedings. Pursuant to the new Practice Directions, there will be some changes in the length of time that matters will remain on the Master's docket before being referred to an Intake Judge. The Intake Judge will then determine if there is a genuine issue for trial and if it appears that there is no genuine issue for trial, the judge will refer the matter for a summary judgment motion. Where there is a genuine issue for trial, the judge will schedule a trial within three to six months and one pre-trial conference approximately 30 days before the commencement of the trial. Trial dates will be adjourned only in exceptional circumstances.

Under the new model, it is anticipated that several trials may be scheduled to take place on the same date and that, as a result, counsel may be in a position where they are double or triple booked. However, due to the high "collapse rate" of scheduled trials, the court expects that many matters under the new model will not proceed to trial. It is anticipated that the judges themselves may also be scheduled to preside over more than one trial at the same time; therefore, matters may have to be rescheduled due to court resources.

Despite the fact that there is a new child protection model, lawyers must continue to be mindful of their ethical obligations as set out in the *Code of Professional Conduct*. Rule 3.2-1 of the *Code* requires that lawyers provide their clients with a quality of service which includes a requirement to keep clients informed of the status of their legal proceedings. Therefore, it will be important for lawyers to explain the court's processes at the outset of any retainer in order for clients to understand that if their matter ends up going to trial, it may not actually proceed on the scheduled date. Client expectations need to be managed and counsel need to ensure that clients appreciate it may be unavoidable for trials to be adjourned. Counsel should also explain that it may be possible for a matter to proceed to trial, as originally scheduled, in the event that new counsel is available and appointed to act. (Legal Aid advises that a list is being prepared of counsel who may be prepared to take on matters with relatively short notice.) Otherwise, clients can expect that their matters may have to be adjourned to a date when their original choice of counsel is available.

Understandably, some counsel have expressed concerns that the new child protection model might require lawyers to "choose" between clients who have trials scheduled for the same date. This would place counsel in the untenable position of having to prefer the interests of one client over another, contrary to Rule 3.4-1 of the *Code of Professional Conduct*. In response to those concerns, Chief Justice Joyal has confirmed that the court will choose which matters proceed and which need to be rescheduled.

With respect to fees, many counsel will be retained under a Legal Aid certificate. Accordingly, if preparation takes place for a trial that does not proceed, it will be open to counsel to seek a discretionary increase in compensation as is done currently in criminal matters. Significantly fewer matters will involve fee-paying clients. However, in those situations, in light of the obligation under Rule 3.6-1 of the *Code* to ensure that fees are fair and reasonable and disclosed in a timely fashion, it would be important for counsel to advise new clients that the child protection model may necessitate trial preparation for a matter that may be adjourned to a new date.

With this in mind, lawyers are reminded of their obligation to provide a quality of service to a client that is competent, timely, conscientious, diligent, efficient and civil. Lawyers should therefore ensure that matters are attended to within a reasonable time frame. This would include an obligation to ensure that lawyers take steps to identify in a timely way those matters which will not proceed to trial and to then communicate that to the client, opposing counsel and to the court.



## Dates for 2017-2018 CPLED Course Year

Joan Holmstrom, Director of Education



The CPLED course for 2017-2018 will start on Monday, September 11, 2017 with the first of three in person instruction weeks for the year. The other in person instruction weeks are scheduled for the weeks of November 27, 2017 and January 29, 2018. The remaining weeks between September 11, 2017 and March 20, 2018 will involve completing work through the online CPLED platform. There will be a winter break between December 12, 2017 and January 2, 2018. The Call to the Bar is scheduled for June 14, 2018.

### 2017:

**September 11 to 15, 2017** – In person – Interviewing and Advising

**September 19 to October 10, 2017** – Online – Legal Research and Writing

**October 10 to October 31, 2017** – Online – Written Advice and Advocacy

**October 31 to November 21, 2017** – Online – Drafting Pleadings

**November 27 to December 1, 2017** – In person – Oral Advocacy

**December 5 to December 12, 2017** – Online - Ethics and Professionalism

### 2018:

**January 2 to January 23, 2018** – Online - Drafting Contracts

**January 29 to February 2, 2018** – In Person – Negotiations

**February 6 to February 27, 2018** – Online – Practice Management

**February 27 to March 20, 2018** – Online – Client Relationship Management

**April 2018** – Supplemental Evaluation period

**June 14, 2018** – Call to the Bar

# 2017

## Important Dates to Note



### **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 1**

Annual 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

### **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

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# 2017

## Important Dates to Note



*continued from page 10*

### **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**

**CPLD 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**



The Canadian Bankers Association ("CBA") has provided the Law Society with an updated list of bank officials to contact in the case of delays in the discharge of mortgages.

[CLICK HERE](#)

to see the listing at the end of this publication.



## ANNUAL MEMBER REPORT

Due April 1, 2017

**Complete Online**

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](mailto: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.



## Fast Track Photo ID

Your Fast Track Photo ID card expires on March 31st

### Renewal is Easy!

Simply complete the renewal form and submit it to our office with your payment.

Photos are valid for 5 years.

Forms are available on our website:

<http://www.lawsociety.mb.ca/forms/miscellaneous/Photo%20ID%20application.pdf/view>

**\$26.25**

(\$25.00 plus \$1.25 GST)

Your 2016/17 card will allow you access to the LawCourts until April 30th

Contact Shari Lough  
at 204-942-5571  
or [slough@lawsociety.mb.ca](mailto:slough@lawsociety.mb.ca)

## A Client Speaks Out About Diversity Report of the Equity Ombudsperson

BRENLEE CARRINGTON TREPPEL, EQUITY OMBUDSPERSON



The importance of greater diversity in the legal profession continues to grow. As the diversity of our community increases so does the need for a more inclusive and diverse legal profession to serve that community. I congratulate those of you in our profession who are committed to diversity. Still, as we know, there's always more work to be done as one client's recent experiences demonstrate.

I recently received a series of emails from a client of our profession. She expressed her concerns about what she perceives as a disturbing lack of diversity in Manitoba's law offices, both public and private. She wrote:

"I was looking for a lawyer at a Winnipeg law firm. I looked up the firms in the city and was trying to see if I could figure out which one I wanted to work with. I am a woman from a visible minority background and it was important to find a lawyer that was a visible minority

or a woman, or ideally both. I did notice something very odd though; I was appalled at how few lawyers at these law offices were visible minorities. I was shocked quite frankly. I am not crying about it, but a woman would certainly not choose to do business with a firm that hired no women or a low low low number of women, so why should I do business with a firm that has very few lawyers from racialized communities?"

She continued: "Look for yourself, the numbers speak loudly. I even thought government and crown corporations would be better but they are still lacking. Is law racist? Is there discrimination against lawyers from racialized communities? I do not understand how this has gone unnoticed. I would never want to take my business to any place that was not at all diverse. I find it extremely hard to believe that this is by accident."

She asked: "Would you like to do business with a law firm that had many lawyers and all of them were men except for 1 lawyer who was a woman? Imagine a firm with only 30 men, would you not think it was sexist? How has this escaped everyone's notice? I cannot begin to wrap my mind around this."

She then wrote: "When I looked at Manitoba law firm websites, I also noticed that the overwhelming majority of articling students were caucasian. It just seems to me to be too large a coincidence. Thank you very much for all of your time and hearing my concerns."

If you have any thoughts you would like to express about this client's observations, please email me and I'll share them without identifying you in a future article.

In the meantime thanks for all of your great work.

If you are experiencing discrimination, harassment, or any respectful workplace issues, or if there's a reasonable accommodation issue on your mind, please talk with me. If you would like to use the parental leave support program, I'm also happy to help. All services are free of charge and strictly confidential. Email me at [brenlee@brenleecarrington.com](mailto:brenlee@brenleecarrington.com); call me at 204-942-2002 or toll free at 1-866-771-2002.

## Bits&Bytes

Kris Dangerfield, Chief Executive Officer



1. In the last Communiqué, I mentioned that the Chapman family (George and his father, George Thomas) had practised law in Manitoba for a combined 94 of the Society's 140 years of existence. That prompted my former classmate **Tom Saunders** to remind me that there are a lot of "law families" in Manitoba. In Tom's case, his great great grandfather, A.J. Andrews, KC (his father's maternal grandfather) was called in 1886 at the age of 21 and was a bencher for 29 years. Tom's father, George, practised law in Manitoba from 1948 to 1991 and Tom was called as a member of the distinguished class of 1983. Although we don't know when A.J. Andrews ceased to practise, by my calculations, Tom and his predecessors have practised in each of at least 98 of the 140 years that the Law Society has been around. Tom encouraged me to send a shout out to determine whether any of you out there have a connection that goes back to the early days of the Society. Whoever can claim the earliest lineage or the most extensive combined years of practise will be the recipient of some fine LSM swag.
2. Irwin Cotler, International Human Rights Lawyer and Former Federal Minister of Justice, will be speaking in Winnipeg on the subject of "International Terrorism and Global Antisemitism." The lecture will be held at the Fort Garry Hotel on Thursday, April 27, 2017 at 7:30 pm. If you are interested in attending you can check the details out at <http://canisa.org/buy-tickets-for-2017-shindleman-lecture.html>.
3. In the January 21, 2017 edition of the Winnipeg Free Press, there was an article that depicted police officers walking the beat through the years. Prominent in the photos was a my good friend **Joe Gallagher** pictured in his buffalo coat in 1966. Joe (on the left) obtained his law degree while working full time as a police officer and became the Deputy Chief of Police for the City of Winnipeg. He eventually left the police force to practise law and has acted as counsel for a number of organizations, including the Law Society of Manitoba, where he served as General Counsel until 2002.



Photo provided by *The Winnipeg Free Press*

*continued on page 15*



**Bits&Bytes***continued from page 14*

4. **Tracy Lloyd**, one of our Continuing Professional Development Program Counsel, has decided to take a break from her work at the Law Society to focus on health and family. Any of you who have had the pleasure to work with Tracy on a program will know how exceptional she is. We will miss her and wish her well.
5. Congratulations to the **Honourable Richard Scott**, the former Chief Justice of the Province of Manitoba and the Law Society's Independent Chair of the Discipline Committee. On February 17, 2017 he was invested as an Officer of the Order of Canada by Gov. Gen. David Johnston during a ceremony at Rideau Hall. The Order of Canada is one of Canada's highest civilian honours and was established in 1967, during Canada's centennial year, to recognize outstanding achievement, dedication to the community and service to the nation.



Photo provided by *The Canadian Press*

6. I was sad to hear that **Darren Sawchuk** passed away on March 18, 2017. He was a mentor to many young criminal defence lawyers and was largely responsible for the development of the annual Criminal Defence Advocacy Skills Workshop. That program will continue to teach young lawyers the important advocacy skills that Darren modeled in his criminal defence practice.

## **Fraud Alert!** **Beware of Wire Transfer Misdirection Attempts!**

**A message from the Law Society Audit and Insurance Departments**



Wire transfers are commonly used in many law practices, both for receiving and sending trust funds. The very nature of wire transfers which makes their use appealing for business purposes – immediate and irrevocable delivery of funds – also makes them very attractive to thieves. Couple these features with the anonymity of email and seemingly daily news stories about email hacking, and you have the perfect recipe for potential disaster.

### **How does it work?**

#### Incoming Wire Transfers

To help highlight the risks regarding incoming wire transfers being received by a law firm, we want to share with you a *Lawyers Mutual* risk management alert. *Lawyers Mutual* is a North Carolina bar related insurer.

In a January 2017 warning titled: [New Twists in Fraud – Interception of Incoming Wires](#), *Lawyers Mutual* warned of recurring attempts by fraudsters to divert funds from real estate transactions. In these fraud attempts, a hacker gains access to the email account of a party to the transaction, often the realtor but sometimes the client or the lawyer acting on the closing. The fraudster then monitors the email account, sometimes for months, and waits until just before the closing date of the transaction to spring their trap. The fraudster then issues fraudulent instructions which are sent out, usually to the purchaser's lawyer, saying that wiring instructions have changed. North Carolina tells us that over \$2.5 million in wired transfers have been diverted from trust accounts of North Carolina attorneys.

#### Outgoing Wire Transfers

In some cases, the misdirection attempt comes after the firm has received the money and is ready to disburse it. In Manitoba, although most trust money is sent out by cheque, wire transfers are allowed in limited circumstances. Using similar methods as noted above, fraudulent instructions are provided for the payout, often as a last minute change to earlier instructions. Don't make the mistake of thinking instructions by fax are always more secure than email – a hacked email account can yield enough significant information for sending fraudulent wire transfer misdirection information by fax.

### **How can you prevent it?**

It is North Carolina's and *Lawyers Mutual's* recommendation that on all transactions where wire transfers might be used for receipt of funds, a notice is sent out explaining your process for wire transfers. A link to the warning on [New Twists in Fraud - Interception of Incoming Wires](#) is attached. North Carolina's best practice is to prevent interception of incoming wires, including suggested wording for wire procedures in an engagement letter which is linked below.

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## Fraud Alert!

### Beware of Wire Transfer Misdirection Attempts!

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For outgoing wire transfers, start with the “Know Your Client” Rules regarding Client Identification and Verification (5-116 to 5-130). Collecting all necessary information, in full, at the inception of the matter in accordance with these requirements not only is required by the Rules, but also establishes contact information you can use to validate any later instructions received. As recommended by North Carolina’s best practices regarding incoming wire transfers, you should also establish trust payment protocols for any outgoing wire transfers. Obtain payment instructions long before funds ultimately to be sent by wire transfer are even received by the firm. The instructions must be in writing but should not be provided via email unless verbally confirmed afterwards using contact information established at the inception of the matter. Do not be fooled by the convenience of any phone number included in the email providing or altering instructions – it may not be the same one provided by your client initially and it may instead be part of the fraud attempt! Always beware of any change in payment instructions that come after the earlier instructions are established, especially last minute.

### Everyday Protection

You should also be mindful that frauds involving wire transfers are not limited to the scenarios described here. You may recall our [October 2016 Communiqué 2.0](#) article *Manitoba Lawyer Stung* where \$91,000 was sent out by a lawyer who missed the red flags of a scam. Not only should you familiarize yourself with the red flags and protection measures identified in all sources being identified in these articles, you should be constantly diligent. New fraud methods are being developed and existing methods are being changed. Does something feel too rushed, or just not feel right? Trust your instincts and ask questions. Basic security practices are also important, such as regularly changing your passwords and keeping software updated. Finally, you should remember that the Law Society staff in the audit and insurance departments can be a sounding board for unusual situations or for developing preventative practices and protocols.



## 2018-2019 Articling Recruitment Guidelines for Winnipeg

Firms and offices in Winnipeg looking for articling students for the 2018-2019 articling year are reminded to abide by the [Articling Student Recruitment Guidelines](#) found on the Law Society of Manitoba website.

**March 27, 2017** (by 4:00 p.m.)

Employer profiles to The Faculty of Law, Career Development Office

**May 12, 2017** (by 12 noon)

Students to submit resumes, cover letters and transcripts to participating employers

**May 26, 2017** (10:00 a.m. to 2:00 p.m.)

Employers can offer interviews to prospective articling students

**May 29** (8:00 a.m.) to **June 2, 2017** (5:00 p.m.)

Interviews can take place

No offers can be made before 4:00 p.m. on **June 5, 2017**

Offers must remain open for 24 hours

Firms and offices looking to hire a student for the 2017-2018 articling year, can contact:

Joan Holmstrom at [jholmstrom@lawsociety.mb.ca](mailto:jholmstrom@lawsociety.mb.ca) to place an ad on the Law Society of Manitoba website or to receive copies of resumes of students looking for a position for the immediate articling year.



## Delegate, Don't Abdicate, Client Trust Accounting

### A message from the Law Society Audit Department

Law Society of Manitoba auditors encounter a wide variety of practices as they visit law firms. Some lawyers do all of their own bookkeeping, from the daily records and monthly trust reconciliations to completing the Annual Trust Account Report questionnaire. Other lawyers retain support staff to complete some or all of these functions. Lawyers from both ends of this spectrum – and every variation in between – all share the same ultimate responsibility for the operation of the trust account and the maintenance of related records.

In an article on the excellent practice management blog Attorney At Work ([attorneyatwork.com](http://attorneyatwork.com)), Sheila Blackford introduces you to two sole practitioners who take a very different approach to having support staff involved in the trust accounting responsibilities. Her message rings true for sole practitioners as well as multi-lawyer firms. Although she gives the example of John who takes care to verify each trust cheque written, other areas of oversight include review of the book of original entry, trust bank statement and monthly trust reconciliation.

So how do you effectively delegate? Familiarize yourself with Law Society requirements for operation of a trust account and oversee any staff you have to ensure both familiarity and proper execution of tasks.

Our thanks to Ms Blackford for authorizing the republishing of her article.

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#### Delegate, Don't Abdicate, Client Trust Accounting

Reprinted with permission from Attorney at Work, [www.attorneyatwork.com](http://www.attorneyatwork.com).

Well-meaning lawyers who struggle to balance their personal checking account may think the safest way to protect their client trust account is to find a knowledgeable bookkeeper or CPA to take charge of it. In practice, though, this can add up to an ethics violation for shirking responsibility to properly manage the trust account.



The problem arises when the lawyer doesn't merely delegate responsibility but actually abdicates responsibility for the trust account. What is the difference? Let's look at two lawyers in action and inaction.

#### Bringing in the Bookkeeper

John has hired Karen, an experienced bookkeeper, to track all deposits to and withdrawals from his trust account using QuickBooks. Initially, John tracked each client's trust account funds, but realized that doing it by hand was not efficient or error-free. His CPA recommended he hire a bookkeeper experienced in using QuickBooks to manage a law firm trust account. After interviewing a number of candidates, he hired Karen, who is very familiar with setting up individual sub-accounts to properly track each individual's trust account.

Karen clearly understands that money deposited on behalf of a client needs to be actually collected and in the trust account before writing any checks, or else the check will be drawing down funds belonging to a different client. Assured that the funds have been collected by John's bank, Karen writes checks from three different client trust sub-accounts and presents the checks with the underlying invoices along with each client's ledger card report showing all the transactions and current balances. John reviews the documentation for each expense and each respective client ledger card report. Finding everything in order, he signs the checks and initials the report at the line item.

Karen then goes over a three-way reconciliation of the overall trust account: After adding the balances of all of the client ledgers, she compares this total balance of all the client sub-accounts with the total balance of the overall trust account. The total balance of the overall trust account is determined by reviewing the trust account journal of transactions, which, like a

*continued on page 19*

## Delegate, Don't Abdicate, Client Trust Accounting

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checkbook register, provides a record of all deposits and withdrawals. Karen then reconciles the trust account monthly bank statement by adding outstanding deposits not yet credited to the account and subtracting outstanding deposits not yet cleared. The three balances must be the same: total of client ledgers, trust journal of transactions, and reconciled trust account bank statement. All three numbers equal each other so Karen and John are confident the client trust account is in order.

Although John has delegated the details of trust accounting in QuickBooks to his bookkeeper, he consistently reviews her work. He does not write a single check without verifying that the charge is accurate and that there is adequate trust account money held on behalf of the specific client for whom the check will be written. Otherwise, John could be using money belonging to another client to cover the expense.

### Meanwhile, On Another Floor ...

Stacy is a solo practitioner like John, but she handles her trust accounting differently. Realizing that she has no aptitude for handling bank accounts, she has entrusted her law clerk, Jacob, with handling her bookkeeping.

Jacob is very smart but had never used QuickBooks or handled a trust account before being hired six months ago. Jacob carefully follows the directions. He notates what each trust account check is written for in the memo field, but he does not separately track each client trust sub-account.

Jacob has never done a three-way reconciliation but he looks at the bank statement and reviews the online account balance before paying any invoices from the trust account. Stacy believes that as long as the trust account balance in QuickBooks is compared to the trust account bank account statement that Jacob is doing everything right. As long as the bank and her trust account are in balance, she is happy.

Last month, however, something went wrong and Jacob could not get the two numbers to equal. Stacy told him to just use the balance the bank showed. Accordingly, Jacob made a trust account reconciliation adjustment to correct a bookkeeping error.

Stacy is too busy practicing law to handle the billing and banking. Jacob thinks he is doing too much bookkeeping and not enough legal work.

A few days later, while opening the office mail, Jacob sees an envelope marked "personal and confidential" from the state bar. When Stacy finally opens it up, she sees that it is asking for trust accounting records for a client who has complained that she never provided an accounting of his money. She now must provide an accounting of the client's trust funds along with bank statements covering the duration of the client matter. Stacy begins to panic when she realizes that Jacob only kept statements long enough to review their balances, and that there is no way to reconstruct any accounting of the client's trust account money for the nine months she held his client funds.

### Monitor and Protect Your Clients' Property

Trust accounting not done well is one of the fastest ways to becoming subject to discipline, suspended or disbarred. Use a bookkeeper, but review the work. Delegate duties, but monitor work. Ultimately, you must remain responsible and accountable for protecting your client's property.

**Sheila M. Blackford** is an attorney and Practice Management Advisor for the Oregon State Bar Professional Liability Fund. She received her J.D. with Tax Law Concentration from McGeorge School of Law. She is the author of the ABA book [\*"Trust Accounting in One Hour For Lawyers,"\*](#) co-author of [\*"Paperless in One Hour for Lawyers,"\*](#) and a past Editor-in-Chief of the ABA's Law Practice magazine. Sheila is a Fellow of the American Bar Foundation and member of the OSB eCourt Task Force and Public Service Advisory Committee. She writes the [Just Oregon Lawyers Blog](#). Follow her @SheilaBlackford.

## In Memoriam

**Sidney Neil Lachter**, who passed away on May 12, 2016 at the age of 76. Mr. Lachter received his call to the Bar on December 15, 1964. He practised law in Neepawa and Minnedosa for 15 years. In 1979 Mr. Lachter relocated to Arizona where he continued to practise law until his retirement.

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**Sam Steel**, who passed away on June 23, 2016 at the age of 70. Mr. Steel received his call to the Bar on June 29, 1971. He practised law with Buchwald Asper Henteleff for three years before relocating to Ontario where he was employed as in-house counsel to Sun Life Assurance Company.

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**The Honourable Raymond Hamilton Harris**, who passed away on July 15, 2016 at the age of 90. Mr. Harris received his call to the Bar on October 15, 1962. He practised as a partner in the firm Levin Soronow and Harris for ten years. In 1972 Mr. Harris was appointed a judge of the Provincial Court. He served in this capacity until his retirement in 2000.

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**Aubrey Mark Rusen**, who passed away on October 6, 2016 at the age of 81. Mr. Rusen received his call to the Bar on May 27, 1963. He was a practising member of the Law Society for 20 years.

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**Marley Stephen Dash**, who passed away on November 4, 2016 at the age of 63. Mr. Dash received his call to the Bar on June 28, 1979. He served as a Crown Attorney for the Federal Government for 31 years before retiring in 2010.

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**Allen Rolph Huband**, who passed away on November 20, 2016 at the age of 87. Mr. Huband received his call to the Bar on October 28, 1955. After receiving his call, he joined the Hudson's Bay Company as in-house counsel. He remained with HBC until his retirement in 1993, having served as Vice-President and Corporate Secretary of the corporation.

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**William Gil Ryall**, who passed away on December 20, 2016 at the age of 74. Mr. Ryall received his call to the Bar on June 26, 1968. He practised with Fillmore Riley LLP for 38 years and then continued to practise for an additional three years as a sole practitioner. Mr. Ryall retired from practice in 2009.

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**Christopher Andrew Brock**, who passed away on January 8, 2017 at the age of 56. Mr. Brock received his call to the Bar on June 27, 1985. He practised as both a partner and as a sole practitioner in Winnipeg up to the date of his death.

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**The Honourable Daniel Patrick Kennedy**, who passed away on January 28, 2017 at the age of 77. Mr. Kennedy received his call to the Bar on September 13, 1965. He practised as an associate and partner with Christie DeGraves McKay and Settle for 12 years. In 1978 he was appointed a judge of the County Court and in 1984 was appointed a justice of the Court of Queen's Bench. Mr. Kennedy retired from the Bench in 2009.

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**The Honourable William Michael Darichuk**, who passed away on January 29, 2017 at the age of 78. Mr. Darichuk received his call to the Bar on September 27, 1961. He was a practising member of the Law Society for two years. From 1963 to 2015 he served as a magistrate, judge and justice of the Juvenile and Family Court, the Provincial Court, the County Court and the Court of Queen's Bench of Manitoba, and also a Deputy Judge of the Supreme Court of the Northwest Territories and the Yukon Territory.



[illegible]

# Membership Changes

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

## Practising to Inactive:

January 31, 2017	John R. Braun
February 1, 2017	Joshua Slaven
February 1, 2017	Barbara M. Shields
February 1, 2017	Mathew P. Good
February 6, 2017	Aaron L. Berg
February 13, 2017	David J. Meagher
February 16, 2017	Glenn P. Pruden
February 22, 2017	Roberta A. Robertson
February 22, 2017	Darren M. Sawchuk
February 27, 2017	Kristine E. Whittaker
March 1, 2017	Alexandre F.L. Chartier
March 4, 2017	Denise R.J. Finlay
March 9, 2017	Heather K. Unger
March 13, 2017	Sara D. Minshull
March 14, 2017	K. Kaely Hebert
March 15, 2017	Nancy E. Martin

## Inactive to Practising:

January 9, 2017	Anastasia Kiva
January 16, 2017	William M. Sumerlus
January 23, 2017	Alison B. Beyer
January 24, 2017	Alexandra D.A. Myers
March 8, 2017	Thomas K. Reimer
March 15, 2017	Glenn P. Pruden

## Practising to Non-Practising:

January 9, 2017	Karen L.B. Smee
February 1, 2017	Aimee E. Craft
February 3, 2017	Rebecca A. Hutchings
February 6, 2017	J. Guy R. Joubert
February 6, 2017	Sean C. Young
February 14, 2017	Rennie L. Stonyk
March 2, 2017	Daniel E. Watts
March 9, 2017	Jaime J.B. Rosin

## Non-Practising to Practising:

January 9, 2017	Kara-Anne Yaren
February 6, 2017	Renee D.B. Nichols
February 10, 2017	Shannon D. Benevides
February 15, 2017	Alicia C. Laufer
February 17, 2017	Charlene M. Thomas
March 1, 2017	Erika A.F. Robson
March 1, 2017	Gregory B. Hawrysh
March 3, 2017	Ayli Klein
March 3, 2017	Paul L.A.H. Chartrand
February 17, 2017	Charlene M. Thomas

## New Admissions:

January 17, 2017	Manu Batish
January 17, 2017	Alexandra D.A. Myers
March 7, 2017	Leslie A.D. Heinrichs
March 7, 2017	Amanda E. Sutton
March 7, 2017	Justin R. Voris
March 15, 2017	Robert M. Sutherland
March 15, 2017	Meagan B.L. Jemmett

**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>**

# Lawyers for Literacy

Watch for more photos and an update on the event in the next issue!



On February 22, 2017, the Manitoba Law Reform Commission ("Commission") released Final Report #133, *Substitute Powers of Attorney*. The report can be found on the Commission's website: [www.manitobalawreform.ca](http://www.manitobalawreform.ca).

## Discipline Case Digest

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

16-06 Bonnie Lynne Gembey



## The Law Society of Manitoba

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Fax: 204-956-0624

[www.lawsociety.mb.ca](http://www.lawsociety.mb.ca)

## CBA Contact List for Matters Involving Mortgage Discharges

Bank	Contact Information
Bank of Montreal	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> For all provinces except Quebec: <a href="mailto:discharge.escalations@bmo.com">discharge.escalations@bmo.com</a> Quebec: <a href="mailto:quittance.escalations@bmo.com">quittance.escalations@bmo.com</a></p>
CIBC	<p><b>All inquiries:</b> CIBC Mortgages Inc (Registered as CIBC Mortgages Inc.) Mortgage Call Centre: 1-888-264-6843</p> <p><u>President's Choice Financial (Registered as CIBC Mortgages Inc.)</u> Mortgage Call Centre: 1-888-866-0866 option 3</p> <p><u>FirstLine Mortgages (Registered as CIBC Mortgages Inc.)</u> Mortgage Call Centre: 1-800-970-0700</p> <p><u>Collateral Mortgages (Registered as Canadian Imperial Bank of Commerce)</u> CIBC: contact the local branch of account President's Choice Financial (Secured Borrowing Accounts): 1-888-872-4724 or 1-888-723-8881</p> <p><b>Escalation only:</b> <a href="mailto:Mailbox.DischargeEscalation@cibc.com">Mailbox.DischargeEscalation@cibc.com</a></p> <p><b>Secondary:</b> Tom Spall Senior Director, Retail Mortgage Operations <a href="mailto:tom.spall@cibc.ca">tom.spall@cibc.ca</a></p>
Canadian Western Bank	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> Alanna C. Walters Senior Manager, Centralized Services <a href="mailto:alanna.walters@cwbank.com">alanna.walters@cwbank.com</a></p>
Equitable Bank	<p><b>All inquiries:</b> <a href="mailto:discharges@eqbank.ca">discharges@eqbank.ca</a></p> <p><b>Escalation only:</b> Becky Leibold Senior Manager, Mortgage Services <a href="mailto:bleibold@eqbank.ca">bleibold@eqbank.ca</a></p>



Bank	Contact Information
<b>HSBC</b>	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> <u>HSBC Bank Canada; HSBC Trust Company (Canada):</u></p> <p>Bonnie Pow Assistant Manager, Unit Operations Secured Lending West (Maintenance/Security) <a href="mailto:bonnie_pow@hsbc.ca">bonnie_pow@hsbc.ca</a></p> <p><b>Secondary:</b> Ruby Callahan Senior Operations Specialist Secured Lending West <a href="mailto:ruby_callahan@hsbc.ca">ruby_callahan@hsbc.ca</a></p> <p><u>HSBC Finance Mortgages; Household Realty Corporation Limited Lorraine Boucher</u> <a href="mailto:ca.csc.discharge@us.hsbc.com">ca.csc.discharge@us.hsbc.com</a></p>
<b>Laurentian Bank of Canada</b>	<p><b>All inquiries:</b> For Quebec LBC branches and LBC Ottawa branch number 118</p> <p>Customer service – Credit 514-284-7800 option 2</p> <p>Antonietta Di Raddo 514-284-4500 extension 4505 <a href="mailto:Antonietta.dirado@banquelaurentienne.ca">Antonietta.dirado@banquelaurentienne.ca</a></p> <p>Chantal Tourchot 514-284-4500 extension 5101 <a href="mailto:Chantal.tourchot@banquelaurentienne.ca">Chantal.tourchot@banquelaurentienne.ca</a></p> <p><b><u>For B2B Bank</u></b> Shirin (Sherry) Sharif Senior Manager, Credit 416-865-5707 (65707) <a href="mailto:shirin.sharif@b2bbank.com">shirin.sharif@b2bbank.com</a></p>
<b>Manulife Bank of Canada</b>	<p><b>All inquiries:</b> Manulife Bank Service Centre 1-877-765 x 2265</p> <p><b>Escalation only:</b> Wendy Hill Director of Client Services, Manulife Bank Operations <a href="mailto:wendy_hill@manulife.com">wendy_hill@manulife.com</a></p>
<b>National Bank Financial Group</b>	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> Discharge department 1 800 361-8688, ext. #20360 <a href="mailto:ctph.quittances@bnc.ca">ctph.quittances@bnc.ca</a></p>

Bank	Contact Information
Royal Bank	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> 1-844-418-9436 mail: <a href="mailto:disescal@rbc.com">disescal@rbc.com</a></p>
Scotiabank	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> For all provinces except Quebec: <a href="mailto:discharge.escalations@scotiabank.com">discharge.escalations@scotiabank.com</a> Quebec: <a href="mailto:montreal.cmu@scotiabank.com">montreal.cmu@scotiabank.com</a></p>
TD Canada Trust	<p><b>All inquiries:</b> Contact the office that provided the payout documentation</p> <p><b>Escalation only:</b> Ontario: <a href="mailto:TD.DischargeEscalationsOntario@td.com">TD.DischargeEscalationsOntario@td.com</a> or <a href="mailto:AnneMarie.Pemberton@td.com">AnneMarie.Pemberton@td.com</a></p> <p><b>Western Provinces and Territories:</b> <a href="mailto:debbie.pauquette@td.com">debbie.pauquette@td.com</a> or <a href="mailto:TD.WesternCASLEADS@td.com">TD.WesternCASLEADS@td.com</a></p> <p><b>Atlantic Provinces:</b> <a href="mailto:Anthony.Morello@td.com">Anthony.Morello@td.com</a> or <a href="mailto:Melina.Konstantopoulos@td.com">Melina.Konstantopoulos@td.com</a></p> <p><b>Quebec:</b> <a href="mailto:Anthony.Morello@td.com">Anthony.Morello@td.com</a> or <a href="mailto:Melina.Konstantopoulos@td.com">Melina.Konstantopoulos@td.com</a></p>
Tangerine Bank	<p><b>Escalation only:</b> <a href="mailto:servicing@tangerine.ca">servicing@tangerine.ca</a></p> <p><b>Secondary:</b> Nassur Ibrahim Client Business Support <a href="mailto:nibrahim@tangerine.ca">nibrahim@tangerine.ca</a></p>

Updated: January 27, 2017



## Liste des personnes-ressources pour les dossiers de quittance hypothécaire

Banque	Coordonnées
<b>Banque de Montréal</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b> Québec : <a href="mailto:quittance.escalations@bmo.com">quittance.escalations@bmo.com</a> Les autres provinces : <a href="mailto:discharge.escalations@bmo.com">discharge.escalations@bmo.com</a></p>
<b>Banque CIBC</b>	<p><b>Toutes les demandes de renseignement</b></p> <p><u>Hypothèques CIBC inc. (enregistrée sous Hypothèques CIBC inc.)</u> Centre d'appels pour hypothèques : 1-888-264-6843</p> <p><u>Services financiers Le Choix du Président (enregistrée sous Hypothèques CIBC inc.)</u> Centre d'appels pour hypothèques : 1-888-866-0866, option 3</p> <p><u>Hypothèques FirstLine (enregistrée sous Hypothèques CIBC inc.)</u> Centre d'appels pour hypothèques : 1-800-970-0700</p> <p><u>Hypothèques accessoires (enregistrée sous Banque Canadienne Impériale de Commerce)</u> CIBC : Communiquer avec la succursale du compte Services financiers le Choix du Président (comptes d'emprunts garantis) : 1-888-872-4724 ou 1-888-723-8881</p> <p><b>Porter le dossier à un échelon supérieur</b> <a href="mailto:Mailbox.DischargeEscalations@cibc.com">Mailbox.DischargeEscalations@cibc.com</a></p> <p><b>Secondaire</b> Tom Spall Directeur principal, Prêts hypothécaires de détail <a href="mailto:tom.spall@cibc.ca">tom.spall@cibc.ca</a></p>
<b>Banque canadienne de l'Ouest</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b> Alanna C. Walters Directrice principale, Services centralisés <a href="mailto:alanna.walters@cwbank.com">alanna.walters@cwbank.com</a></p>
<b>Banque Équitable</b>	<p><b>Toutes les demandes de renseignement</b> <a href="mailto:discharges@eqbank.ca">discharges@eqbank.ca</a></p> <p><b>Porter le dossier à un échelon supérieur</b> Becky Leibold Directrice, Service des prêts hypothécaires <a href="mailto:bleibold@eqbank.ca">bleibold@eqbank.ca</a></p>

Banque	Coordonnées
<b>Banque HSBC</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b> <u>Banque HSBC Canada; Société de fiducie HSBC (Canada) :</u></p> <p>Bonnie Pow Directrice adjointe, Exploitation de division Prêts garantis, Ouest (entretien/service) <a href="mailto:bonnie_pow@hsbc.ca">bonnie_pow@hsbc.ca</a></p> <p><b>Secondaire</b> Ruby Callahan Spécialiste principale de l'exploitation Prêts garantis, Ouest <a href="mailto:ruby_callahan@hsbc.ca">ruby_callahan@hsbc.ca</a></p> <p><u>Financement hypothécaire HSBC; Household Realty Corporation Limited</u></p> <p>Lorraine Boucher : <a href="mailto:ca.csc.discharge@us.hsbc.com">ca.csc.discharge@us.hsbc.com</a></p>
<b>Banque Laurentienne du Canada</b>	<p><b>Toutes les demandes de renseignement</b></p> <p><u>Succursales BLC au Québec et succursale BLC 118 à Ottawa</u> Service à la clientèle – Crédit 514-284-7800, option 2</p> <p>Antonietta Di Raddo 514-284-4500, poste 4505 <a href="mailto:antonietta.dirado@banquelaurentienne.ca">antonietta.dirado@banquelaurentienne.ca</a></p> <p>Chantal Tourchot 514-284-4500, poste 5101 <a href="mailto:chantal.tourchot@banquelaurentienne.ca">chantal.tourchot@banquelaurentienne.ca</a></p> <p><b><u>Banque B2B</u></b> Shirin (Sherry) Sharif Directrice principale, Crédit 416-865-5707 (65707) <a href="mailto:shirin.sharif@b2bbank.com">shirin.sharif@b2bbank.com</a></p>
<b>Banque Manuvie du Canada</b>	<p><b>Toutes les demandes de renseignement</b> Centre de service de la Banque Manuvie 1-877-765-2265</p> <p><b>Porter le dossier à un échelon supérieur</b> Wendy Hill Directrice, Services à la clientèle <a href="mailto:wendy_hill@manulife.com">wendy_hill@manulife.com</a></p>
<b>Banque Nationale du Canada</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b> Service des quittances 1 800 361-8688, poste 20360 <a href="mailto:ctph.quittances@bnc.ca">ctph.quittances@bnc.ca</a></p>



Banque	Coordonnées
<b>Banque Royale du Canada</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b> 1-8444-418-9436 Courriel : <a href="mailto:disescal@rbc.com">disescal@rbc.com</a></p>
<b>Banque Scotia</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b> Québec : <a href="mailto:montreal.cmu@scotiabank.com">montreal.cmu@scotiabank.com</a> Les autres provinces : <a href="mailto:discharge.escalations@scotiabank.com">discharge.escalations@scotiabank.com</a></p>
<b>Banque TD Canada Trust</b>	<p><b>Toutes les demandes de renseignement</b> Communiquer avec le bureau qui a fourni la documentation de remboursement.</p> <p><b>Porter le dossier à un échelon supérieur</b></p> <p><b>Québec</b> <a href="mailto:Anthony.Morello@td.com">Anthony.Morello@td.com</a> ou <a href="mailto:Melina.Konstantopoulos@td.com">Melina.Konstantopoulos@td.com</a></p> <p><b>Ontario</b> <a href="mailto:AnneMarie.Pemberton@td.com">AnneMarie.Pemberton@td.com</a> ou <a href="mailto:TD.DischargeEscalationsOntario@td.com">TD.DischargeEscalationsOntario@td.com</a></p> <p><b>Provinces et territoires de l'Ouest</b> <a href="mailto:debbie.pauquette@td.com">debbie.pauquette@td.com</a> ou <a href="mailto:TD.WesternCASLEADS@td.com">TD.WesternCASLEADS@td.com</a></p> <p><b>Provinces de l'Atlantique</b> <a href="mailto:Anthony.Morello@td.com">Anthony.Morello@td.com</a> ou <a href="mailto:Melina.Konstantopoulos@td.com">Melina.Konstantopoulos@td.com</a></p>
<b>Banque Tangerine</b>	<p><b>Porter le dossier à un échelon supérieur</b> <a href="mailto:servicing@tangerine.ca">servicing@tangerine.ca</a></p> <p><b>Secondaire</b> Nassur Ibrahim Soutien à la clientèle <a href="mailto:nibrahim@tangerine.ca">nibrahim@tangerine.ca</a></p>

Mise à jour : 27 janvier 2017



# CPD Calendar of Events 2017

## Upcoming Programs

**April 6** 12 noon to 1:00 pm

**Webinar Common Practice Issues:  
How The Code Can Help**

**April 8** 9:00 am to 4:00 pm

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

**April 12** 12 noon to 1:30 pm

**Sound Cybersecurity Practices  
For Your Law Firm**

**April 25** 9:00 am to 12 noon

**10th Annual Hot Topics in Real Estate**  
*Limited seating remaining  
April 24th date already Sold Out !*

## New Program Announcements

**May 15** 9:00 am to 1:30 pm

**Women Thriving in the Law with a Grit  
and Growth Mindset with Allison Wolf**

**May 16** 12 noon to 1:30 pm

**Getting and Growing Grit: The Secret to  
Success with Allison Wolf**

**May 24** 12 noon to 1:30 pm

**New Civil Queen's Bench Rules:  
A Focus on Case Management,  
Proportionality and Expediency**

## Save the Date!

**May 17**

**Dealing with Pre-Acquired, Inherited  
& Gifted Assets in Family Property Accounting**  
Location: Brandon, MB

**June 22 - 25**  
**Northern Bar CPD**

**August 11**  
**Central Bar CPD**

**September 8**  
**Western Bar CPD**

**November 3 & 4**  
**Pitblado Lectures**

## Speaker Profile Allison Wolf

Allison Wolf, a Certified Executive Coach, and founder of Shift Works Strategic will be visiting the Law Society of Manitoba this May to deliver two very special programs, one specifically targeted at women, providing practical insights for success in the legal practice. Registration is open for both May 15 & 16, so sign up today!

Allison's coaching practice is entirely focused on lawyers with a wide variety of experience working with every area of practice and level of seniority. To learn more information visit:  
**[www.shiftworks.ca](http://www.shiftworks.ca)**