



### 3. Treasurer's Report

#### Presentation of Audited 2018 Financial Statements

- Sandhya Chari, the Treasurer, presented the year end fund balances for the Law Society of Nunavut. It was stated that the strong financial position of LSN allowed flexibility for certain special projects. The operating deficit is of around \$40,000 which will be considered when putting together the 2019 budget, with conservative projections in terms of membership and Restricted Appearance Certificate (RAC) revenues. A reminder that LSN was in a good financial position at the start of fiscal 2018.
- Significant expenses were also incurred in terms of advertisements (Notice of Destruction of books and records kept at the LSN for over ten year for deceased member E.M.), various translation costs, the new website (will include member portal), discipline files, the audit and the hiring of an administrative support position.
- There was also an increase in the amount allocated to professional development events that are also open to the public when appropriate, LSN's contribution for the one-time purchase of Lexum.

#### Question Raised by Treasurer's Report

- Question Thomas Ahlfors: wanted clarification as to how the account receivable had gone up considerably [see page 5 of LSN-Financial Statements (Draft) with signatures]. In other words, he questioned where the money was coming from that was not being paid out?
- Answer: The account receivable contains Law Foundation of Ontario access to justice grant funds. The first grant was for \$100,000 which was spread over three years. Every year, there is an amount of expenses from that grant. The auditors can only expense the grant for every year there are expenses.

**Motion to Approve the Financial Statements.** Moved by Norman Tarnow and seconded by Roman Dzioba. Motion carried.

**Motion to Appointment Lester Landau as Auditor for the LSN in 2019.** Moved by Adrienne Silk and seconded by Owen Burns. Motion carried.

#### **4. Report by Thomas Ahlfors, Chairperson of the Discipline Committee's**

- Provided an account of the report [see attached AGM Report Discipline Committee May 2019]<sup>1</sup>.
- In sum, the report by the Chair addressed how 2018 was a transformational year for the Discipline Committee, the new approaches to the intake of discipline complaints, the Chair no longer investigates a given complaint, and the first hearing, sole inquiry, that occurred in February 28, 2019.

#### **Questions Raised by Discipline Report**

- Question by Roman Dzioba: whether the decisions of discipline files are published anywhere?
- Answer by Thomas Ahlfors: there have been no inquiries (hearings) published yet. There are two discipline files that are confidential. In cases of suspension or disbarment, the decision is made by a committee of one or three lawyers. The decision that stems from a disciplinary process that is public, such as a sole or committee of inquiry, will be published and made available through CanLII. Advice and Directions ( sometimes referred to as fireside chats) are confidential and not part of the member's public record.

#### **5. Tribute to LSN Members Christine Knutson and Joseph David Savoie**

Tributes were lead by John MacLean.

#### **Christine Knutson**

- On behalf of the LSBN; submitted by Jonathan Ellsworth, COO:

Christine Knutson began practising in Nunavut in late 2013, first as a private panel lawyer for the LSB – and later did many small contracts with the LSB, filling staff vacancies and the like. She practised both criminal and family law in Nunavut. Christine was well regarded by her peers and the Court, but even more so by the LSB's clients. Christine always went the extra mile in terms of ensuring best outcomes for her clients, she worked tirelessly to make sure the necessary community supports were in place before circuit courts concluded. Christine's larger than life personality was well received by all who interacted with her, she will be missed by LSB, the communities we serve, and the territory as a whole. Christine has left behind her husband Gar Knutson, and their children. They plan to come to Nunavut at some point in the future to spread her ashes, as was her wish – a testament to her commitment to Nunavut.

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<sup>1</sup> 2018-19 Reports, minutes and other materials are available [here](#).

- On behalf of LSB staff lawyers; submitted by Patrick Smith:

Christine was a welcomed dynamo that made her way to Nunavut a few years back to provide legal services in both family and criminal law to Nunavummiut across the territory. She touched the hearts and minds of all that she came in contact and will always be remembered as an honorary northerner for her work and dedication to the people of Nunavut. She embraced Nunavut for all its glory and wore her survival of the Coral blizzard of 2017 as a badge of pride. And she was a damn fine lawyer. She was fearless and relentless in pursuit of her client's interests and never backed away from the challenges that ensued. Most of all she was a good person and a pleasure to share company with, for those fortunate ones whose lives she touched.

She is missed.

#### David Savoie

Joseph David Savoie was called to the Nunavut Bar in May 2008. David was also called to the Nova Scotia Barristers' Society in 1991.

He moved to Iqaluit in 2008 and worked for the GN's Department of Justice until 2010 and returned to Nova Scotia to work as a sole practitioner in Amherst. He practised primarily in the areas of administrative and corporate/commercial law.

David suffered from a disability that impaired his ability to practise in the past couple of years.

The LSN was in regular contact with David in December to discuss his 2019 renewals as his membership with the LSN was of importance to him having a special connection to his years of practice in Iqaluit.

Regretfully, we learned of his passing in February of this year when his wife, Dr. Kelly Morris, contacted our office.

The LSN offers its sincere condolences to his wife and family.

- John MacLean confirms that the LSN has made a donation to the Kids Kelp Phone Line on both Christine and David's behalf.

## **6. 2019-20 Executive Election Results**

- John MacLean was elected by acclamation to the LSN Executive.
- Roman Dzioba was elected by acclamation to the LSN Executive.
- New 2019-20 Executive Committee will take office soon after the AGM.

## **7. 2018 Neil Sharkey Volunteer Award Recipient**

- Thomas Ahlfors was awarded the 2018 Neil Sharkey volunteer award. He was nominated based on his dedication to the LSN, in various capacities. Notably, he is the acting Chair of the Discipline Committee and played an important role in reviewing the Legal Profession Act and Rules of the LSN in relation to authority and need for clarification (Rules Committee) and in the adoption of the Model Code of Conduct in 2016 (Legal Ethics and Practice Committee)<sup>2</sup>.

## **8. Report by Marie Belleau, Chair of the Nunavut Law Foundation**

- Marie Belleau provided an overview of the Nunavut Law Foundation (NLF) Report [see attached Nunavut-Law-Foundation 2018-19 LSN AGM Report, NLF Draft 2018 Financial Statements]<sup>3</sup>. Notably, the presentation addressed the three main disbursements which included general grants (such as what was given to the Nunavut Law School Program). Further, there was an increase in grant applications.
- The NFL is also looking to maximize their investments through RBC Dominion Securities. The community law libraries project is nearing completion and is the first time the NLF meets this statutory objective. The NFL is also looking into creating their own website.

## **9. Nunavut Lawyers Assistance Program (NuLAP) Presentation**

- John MacLean, NuLAP Director, presented on the NuLAP programs. The presentation addressed the services offered under NuLAP. Since 2013, these counselling and peer-support services are free and provided by Alberta ASSIST (1-877-498-6898).
- This includes 4 hrs of professional counselling per person per matter per year to provides counselling and other support to lawyers, articling students, law students, judges and their families who have personal problems.
- NuLAP is funded by the Nunavut Branch of the Canadian Bar Association.

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<sup>2</sup> LSN Website: Hon Neil Sharkey Volunteer [Recipients](#).

<sup>3</sup> 2018-19 Reports, minutes and other materials are available [here](#).

## 10. Other business

### (a) Trial Advocacy Course

- Sara Siebert informs of the upcoming trial advocacy course – Sept. 4-7, 2019. It is a four-day program for people to develop court room skills tailored for lawyers practicing in Nunavut. The objective of the course is for the participants to develop fundamental trial advocacy skills.

### (b) Questions about Format of AGM

- Member inquired as to the nature of the consent agenda and whether the item on the consent agenda are considered non-controversial. A concern was raised as to how items in the consent agenda can be addressed/discussed at the AGM. A concern was raised also in regard to how holding the AGM on a weeknight may limit the participation of the LSN membership. In the past, the AGM was held on a Saturday.
- John MacLean responded that the consent agenda includes the reports that have been made available on the LSN website. If any member would like to address an item that is listed in the consent agenda, this is possible during the AGM. The purpose of the consent agenda primarily includes information from last year.
- **Motion to move to consent agenda items to the main agenda.** These include the Inuit Representation in the Legal Profession Committee report and the Legal Ethics and Practice report. Moved by Thomas Ahlfors and Seconded by Norman Tarnow. Motion passed.

### (c) Inuit Representation in the Legal Profession Committee

- Anne Crawford stated that the AGM presented the opportunity to speak with the Executive about the recommendations made in the Committee's report. Notably, the recommendation made by the Committee is that there be an individual hired by the LSN to support the Nunavut Law Program students in their job search etc. This individual would be a liaison between incoming students articling placements and career opportunities.
- John MacLean stated that the Executive is open to discussing this recommendation and others presented in the report in more detail. For example, this discussion could occur through a special general meeting.
- Anne Crawford responded that a common meeting would be good. A meeting between the Committee and the Executive would be welcomed and important.
- Susan Enuaraq stated that when she joined the LSN there were few Inuit members. A long-term goal needs to be pursued to increase Inuit membership. If any issues are discussed in a special meeting in regard to Inuit representation in the legal profession, the meeting minutes and outcomes of the meetings should be made public to the membership.

- John MacLean reminded the LSN members that all the Committees are open to members' participation. The purpose of the LSN is to regulate in the public interest. Information is also shared in respect of Executive meetings.
- Nalini Vaddapalli stated that all Executive meeting minutes are accessible. LSN members may access previous minutes by coming to the LSN and viewing them. A courtesy notice from the member is recommended simply to ensure minutes do not include private and confidential information which may have been included as an oversight.
- **Action item:** Schedule a meeting with Inuit Representation Committee and the LSN Executive.

#### **(d) Legal Ethics and Practice Committee**

- Anne Crawford stated that the Committee report was limited in terms of its detail. In terms of unauthorized practice, the LSN should provide further direction and make known what the Committee is working on.
- John MacLean stated that more guidance in general for the LSN membership in terms of unauthorized practice is important. The Committee does a lot of work and are currently addressing this issue.
- Adrienne Silk stated that it would be good for more guidance to be given to the LSN membership. For example, it is unclear whether labour sector arbitrators fall under the scope of the practice of law. Access to justice issues are created when the guidelines are not clear. For example, it is difficult to determine whether a grievance arbitration representative's work is considered unauthorized practice. Other jurisdictions have express carveouts in regard to this type of practice.
- Other issues include whether a lawyer that is not a member of the LSN is called about an issue, if even answering basic questions is considered unauthorized practice. Or whether an RAC is required if settling an issue requires the mere exchange of a few letters. Clients may not have the financial means to pay for a RAC. As such, more clarification and liberalisation of the LSN's approach is necessary.
- Sara Siebert stated that it is one of the top priorities to establish guidelines. This will allow lawyers to know what to do and what remedies are possible.
- John MacLean confirms this is an important project that has been undertaken by the Committee with assistance from outside counsel to ensure the project can continue to move forward and report back at next year's AGM.

**11. Adjournment.** Moved by Norman Tarnow and seconded by Roman Dzioba. Motion carried.

## **Consent Agenda**

- 12.** President's Report
- 13.** Law Society Chief Executive Officer's Report
- 14.** Federation of Law Societies of Canada, Council Report
- 15.** Access to Justice, Law Society Representative Report
- 16.** Legal Services Board of Nunavut , Law Society Representative Report
- 17.** Standing Committees' Chair Reports
  - a. Legal Ethics and Practice Committee
  - b. Inuit Representation in the Legal Profession
  - c. Membership and Admissions
  - d. Rules
  - e. Truth and Reconciliation
- 18.** Approval of 2017-18 AGM Minutes