



NCLA NEWSLETTER

Winter 2019 | Volume 5, Issue 1



INSIDE THIS ISSUE

Lawyers Creating Change	1
Is OCJ A Debt Enforcement Court?	3
Who Pays the Costs in Family Law?	4
Tech Tip: Canada Post Personal Vault	5
Research Tip: American Caselaw	5
Research Tip: Irwin Law's Online Legal Dictionary	5
Back Up Text Messages to Gmail With SMS Backup+	6
Divisional Court Allows Appeal in <i>Milne Estate (Re)</i>	6
Spotlight on Historic Members	7
NCLA News	8
Upcoming CPDs	8
FOIA Update	9
From the President	10

Bencher Elections – Lawyers Creating Change

By: Nathan Baker, *Nathan Baker Law*



The upcoming bencher election this April 30, 2019 is going to raise a number of issues for the profession. At this point I should declare my conflict of interest, I will be running in the election and hope you will consider supporting me in this as a fellow member of the Northumberland County Law Association. This election will be especially important to anyone reading this for one simple reason: the benchers elected will be approving the governance and funding of the Library Information Resource Network, formerly LibraryCo, that funds your local library and the important work it does. If you are reading this, it means that the local law librarian is doing their job. Local law associations provide so many useful things to the practicing bar and have had their funding virtually frozen while membership increases over the past number of years. Properly resourcing libraries ensures competence and lets us all do our jobs.

...continued on page 2

...continued from page 1

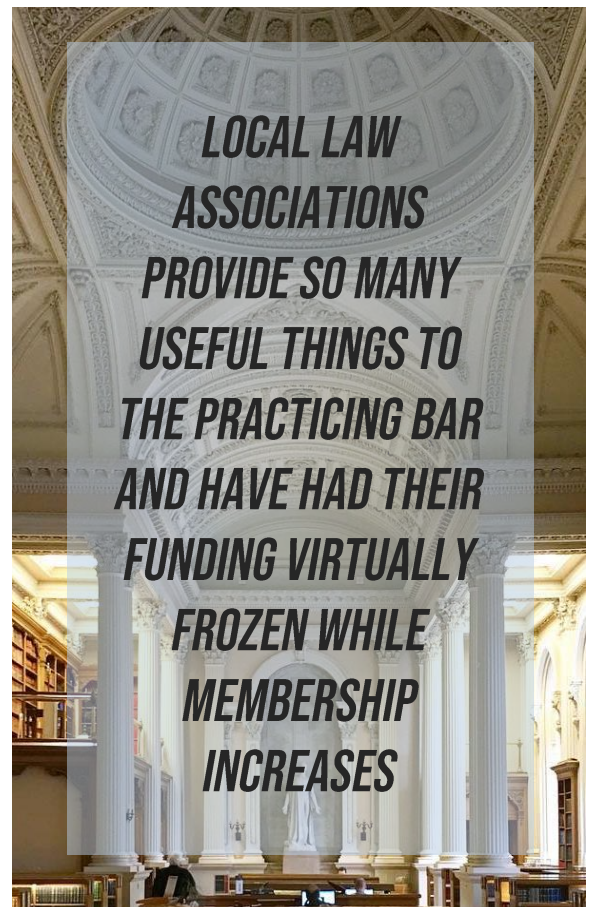
The second issue of great importance relates to the "special credential" in family law. This is a new credential to allow paralegals and "others" to do some work in family law. The public is unlikely to understand that a lawyer is actually better trained than a person with this "special credential." Expansion of paralegal practice needs to be stopped until the corresponding educational requirements are put in place. Renaming the "special credential," educating the public about what a paralegal can and cannot do and making sure that their scope of practice matches the education provided are all necessary. The thought of portraying lawyers as second class cannot happen.

Next, lawyers should be thinking about a candidate's position on the statement of principles. The Law Society needs to be involved in creating opportunities for lawyers to better engage other lawyers with diverse backgrounds to provide the best service to our clients. We all do better with a more inclusive and diverse bar. The LSO can show this through leadership. A forced statement does no one any good. Support for real change and betterment makes more sense.

Articling is being reviewed again. Making sure that the candidate you support recognizes the importance of articling is important. Articling is a key component to competence. The Law Society is currently not doing enough to support lawyers who are willing to be articling principals. The process is overly complex, costly and complicated. The range of experience of students is concerning. Making sure that students gain useful skills that allow them to enter practice is the job of the LSO. The LPP program does not do this on its own. Targeting areas which are underserved by lawyers, with programs to make articling more effective and meaningful for the student and less burdensome for the principal, will help alleviate this issue.

Issues about advertising and fee arrangements, improving mental health, the cost of legal education, alternative business structures, LSO governance reform and improving access to justice are all issues that candidates should have strong positions with regard to. A useful resource is <https://lsobench.com> which is a one-stop shop to read candidates' positions.

A benchner should be someone who is reachable. Do you know who the regional benchner that represents you is? Most do not. Benchners are not elected merely to serve the public interest but also to represent the views of lawyers and to ensure that lawyers are treated fairly by the organization that governs them.



Is The Ontario Court of Justice Now A Debt Enforcement Court?

By: Bruce McMeekin, L.S.O. *Certified Specialist*
(Environmental Law)

Recently, an Ontario Court Justice found that justices overseeing sentencing hearings under the *Provincial Offences Act* (the "POA") have the jurisdiction, in exceptional cases, to pierce the veil of asset-less corporate defendants holding their directors personally responsible to pay the fines levied against the defendant. Although the decision is an admirable attempt to deal with what may not be an infrequent occurrence, going forward, there are a number of issues suggesting caution in its application.

In [R v. 1137749 Ontario Ltd. o/a Pro-Teck Electric](#) the defendant pleaded guilty to offences under the *Electricity Act*. The circumstances were tragic. Pro-Teck had conducted the faulty installation of floor heating system in a house under renovation. A few years later, the elderly occupant fell onto the over-heated floor, causing him to suffer very severe, and, ultimately, fatal burn injuries. After a contested sentencing hearing, the defendant was fined a total of \$430,000.

During the sentencing hearing, the Crown lead evidence that shortly after Pro-Teck was charged, its sole director had transferred its assets either to himself or to a newly incorporated company, leaving the defendant an empty shell. The presiding justice of the peace concluded that these transactions were intended to avoid the payment of fines, but declined to accept the Crown's submission that she possessed jurisdiction to pierce the veil of the corporate defendant and hold its director personally responsible for payment.

The Crown appealed the issue of jurisdiction to the Ontario Court of Justice. O'Donnell J. sitting as a summary conviction appeal judge, overturned the justice, finding, despite the principle of corporate separateness, in exceptional cases a trial justice had the implied jurisdiction (under the doctrine of jurisdiction by necessary implication) to pierce the veil when not to do so would be too flagrantly opposed to justice. He ordered that the unpaid fines were recoverable from both the director and the new corporation: [2018 ONCJ 502](#).

Neither the director nor the new corporation have sought leave to appeal this decision to the Court of Appeal for Ontario (the "CAO").

The question of when the corporate veil can be pierced is one that continues to vex Canadian superior and appellate courts, particularly as to whether there is authority to do so when justice demands it. As recently as May 2018, three months before the *Pro-Teck* appeal was decided, it split the CAO, with the majority finding there was no such authority: [Yaiguaje v. Chevron Corporation \(2018\)](#), 141 O.R. (3d) 1. Instead, it upheld the test in [Transamerica Life Insurance Co. of Canada v. Canada Life Assurance \(1996\)](#), 28 O.R. (3d) 423 (Gen. Div.) that the veil can only be pierced in extremely limited circumstances, and simply not when justice demands it. The parties are presently waiting to hear whether the Supreme Court of Canada will grant leave to appeal from the CAO's decision: SCC File No. 38183.

Even if O'Donnell J. was right, it may still leave the jurisdiction issue unsettled. At its heart, piercing the veil may be an equitable remedy, as opposed to legal: *Yaiguaje*, paragraph 113. Here, it was applied by O'Donnell J. to trump the law (the common law principle of corporate separateness) because, otherwise, the law would work an injustice, specifically a fraud on public safety and the administration of justice. Yet, subsections 11(2) and 13(2) the *Courts of Justice Act* ("CJA") only provide justices of the Superior Court of Ontario ("SCO") and CAO with equitable jurisdiction, not OCJ judges nor justices of the peace.

The doctrine of jurisdiction by necessary implication may not assist. It provides, in part, that a power or authority may be implied if it is necessary and essential to accomplish the objective of the legislation and the legislation explicitly fails to grant the power or authority. O'Donnell J. concluded, correctly, that the POA did not empower justices to pierce the veil. But he concluded, incorrectly, that the CJA did not confer the power to pierce the veil. It did so for Justices of the SCO and CAO by confirming their inherent jurisdiction.

But, with respect, was this really the right line of inquiry? Whether there is authority to pierce the veil may become a live and relevant question only if the POA makes no provision for the collection of unpaid fines. It does. Section 68 provides that the payment of unpaid fines is to be enforced in courts of competent jurisdiction, just like a civil judgement.

...continued from page 3

This may suggest that it was the legislature's intention to leave collection problems, including the hiding or moving of assets intended to frustrate fine/debt collection, to the Superior Court of Justice, clothed with its inherent jurisdiction.

Who Pays the Costs in Family Law Cases?

By: Kady McCourt, Hustler Kay Kurji & McCourt

When a Family Law matter goes to court, nearly all cases will include a claim for one party to pay the other party's expenses incurred through the court process. Individuals are often surprised and concerned when they see a claim for costs in an Application, Answer or other court document. Many litigants enter into the court process with little or no understanding of the potential cost consequences.

Rule 24 of the Family Law Rules is the primary Rule that deals with costs Orders in Family Law cases. While in practice, many Family Law cases are settled with each party paying their own costs, there are a number of scenarios that arise where a party may find themselves being Ordered to pay some or all of the other party's legal costs. The following examples are only a few such scenarios:

1. You show up unprepared for a Case or Settlement Conference: The first step in most Family Law Cases is a Case Conference. Prior to the Case Conference each party is required to serve and file a Case Conference Brief in accordance with the timelines provided for in the *Family Law Rules*. Rule 17(18) provides that costs shall not be awarded at a conference "unless a party to the conference was not prepared, did not serve a required brief, did not make any required disclosure, otherwise contributed to the conference being unproductive or otherwise did not follow these rules". In the event that you fall into any of these categories, including failing to file the appropriate court documents, Rule 17(18) provides that a court shall Order the party to pay costs immediately and decide the amount of the costs. This Rule applies equally to parties who are unrepresented and are without formal knowledge of the *Family Law Rules*.

2. You are the unsuccessful party following an interim motion: At times during the course of a Court Application, one party may seek an interim Order from a judge by way of a motion. A motion may deal with child support, spousal support, parenting issues, the sale of property, or any other issue in the case. Once the judge makes a decision regarding the substantive issues in the motion, the successful party will generally ask to make cost submissions. Pursuant to Rule 24(1) of the *Family Law Rules* there is a presumption that a successful party following a motion is entitled to costs of the motion. There are a number of factors that a court must consider when determining costs payable following a motion. However, it is safe to assume that in most cases, the losing party will be liable for some or all of the successful party's costs.

3. You are the unsuccessful party following a trial of the issues: These days, very few family law cases resolve by way of trial. However, those cases that do require a trial are often the costliest cases for the parties, particularly where the parties are represented by counsel throughout the process. As a result, there can be substantial cost consequences imposed on an unsuccessful party following the trial of a family law matter. As with interim motions, Rule 24(1) applies to trials such that there is a presumption in favour of a successful party being entitled to costs. Again, the court is required to consider the factors set out in Rule 24 in determining the amount of costs to be awarded.

The above represents only some of the circumstances in which costs are considered in Family Law matters. In some cases, the risk of costs can be partially or completely mitigated by preparing a well thought out Offer to Settle in accordance with Rule 18 of the *Family Law Rules*.

An experienced Family Law lawyer can help protect you from an unnecessary costs order by ensuring that you comply with the Family Law Rules by serving and filing all necessary court documents in accordance with the relevant timelines. When a motion or trial is necessary in a case, a family law lawyer is in the best position to provide advice with respect what terms in an Offer to Settle may leave you in a stronger position when it is time to argue costs.



Tech Tip: Canada Post Personal Vault

By: Law Society of Saskatchewan *Legal Sourcery*

Do you need safe online storage for confidential information such as passwords, birth certificate, bank accounts, medical records, passports, tax returns, wills, insurance and other legal documents that you might need to access anytime, anywhere, or to share with your family members?

Canada Post has a [Personal Vault service](#) that provides bank-grade security and keeps your information on servers physically located in Canada. The Personal Vault is not meant to be cloud storage for your massive photo and movie collection but rather a secure place for your important personal, financial, medical information and your most valuable photos and videos. For this reason, file size is limited to 200KB each file and 3.5MB for photos and 10MB for videos. Picture this as an electronic safety deposit box, the contents of which you can access 24/7 whether you are at work, at home, or travelling.

Setup is straight forward. All you need to do is to create an ePost account (if you don't already have one), pick a Personal Vault Plan and sign in. You can upload your own files or use the provided forms to quickly enter information such as bank accounts, passwords, prescriptions, etc.

A trial account of 100MB storage is free for 90 days (500 documents, 28 photos, 10 videos). A Bronze account of 1GB storage is \$23.95 a year (5,000 documents, 285 photos, 100 videos). Silver and Gold accounts are available if you require more storage space.

Research Tip: American Caselaw

By: Ken Fox, for *Legal Sourcery*

Surprising as it may be, of the available free sources for American case law, there may be none better than Google Scholar.

For starters, check out the [main search screen](#) – “Case law” is one of two main searches you can do (alongside “Articles”). Once you have selected Case law, you get a list of higher-level courts for all 50 states, all Federal Court circuits, and of course, the U.S. Supreme Court. From here, it is only a matter of constructing your google search. As always, be mindful of [Operators](#), how to apply [Filters](#), and generally good [search practices](#).

To give you an idea of the depth of this database, I tried a search in just New York courts for the word “replevin” (my favourite unusual legal term) – and got 730 hits, including 96 from the 1960s, 78 from the 1950s, and four from the 1940s. The same search in CanLII (considered an excellent source for Canadian case law) returns 448 cases.

The site includes citator to see how the current case has been treated in courts, as well as cross-linking to cases cited in the document.

Research Tip: Irwin Law's Canadian Online Legal Dictionary

By: Alan Kilpatrick, for *Legal Sourcery*

Are you familiar with Irwin Law's Canadian Online Legal Dictionary (COLD)? COLD is a free online legal dictionary and is composed of all the terms featured in the legal textbooks published by Irwin Law.

It is a collaborative dictionary comprised, initially, of terms defined in the glossaries of Canadian law books published by Irwin Law. The dictionary will be maintained by an Irwin Law editor. Members of the public are invited to submit new defined terms, edit existing terms and supply citations, sources and related terms – simply request to become a COLD contributor when you create your Irwin Law account.

COLD can be searched by keyword or browsed by

topic area. COLD can be searched by keyword or browsed by topic area. Searching COLD for a definition may lead to multiple definitions of the same term as COLD will highlight all of Irwin Law's textbooks that have defined the term. For example, searching for the term 'arrest' will lead to two definitions as two separate Irwin Law texts define this term: Criminal Procedure and Mental Health Courts.

So check out this free resource! You can access COLD online at <https://www.irwinlaw.com/cold>.

Back Up Your Text Messages to Gmail With SMS Backup+

By: Emma Durand-Wood, for *Slaw.ca*

Some days, it feels like text messages are the new email. Texting is rapidly becoming just as common as email for business uses (and may well have surpassed email for personal uses), but are you as careful with preserving your texts as you are with your email?

Maybe you use text messaging for business purposes and want to make sure your messages can be retrieved if they are inadvertently deleted or if your phone is lost. Or maybe you find yourself needing to locate a message but unable to remember whether it was in a text or an email... and would rather not spend hours searching through both inboxes. (Or maybe, like me, you need to delete some old texts because there are so many that your texting app has become sluggish.)

Whatever the scenario, if you use texting with any regularity, you'll probably be interested to know about an Android app called SMS Backup+.

SMS Backup+ automatically backs up your text messages into Gmail, which is extremely useful because not only are they preserved and safe, they are searchable. This app will back up SMS, MMS, and call logs into your Gmail and Google Calendar with a separate label. And as a bonus, you can also use it to restore messages to your phone.

Once downloaded, the app is very easy to get up and running. If you have a lot of texts to back up, it may take a while for them all to copy over, but that will just run in the background until it's complete. Once installed and set to auto backup, your texts will be backed up and available in your Gmail account within moments of sending or receiving.

Divisional Court Allows Appeal in *Milne Estate (Re)*

By: Meaghan Adams. Meaghan Adams Law

In October of 2018 the validity of wills containing allocation clauses (also referred to as basket clauses) came into question when the Superior Court of Justice in [Milne Estate \(Re\)](#) held that wills are trusts and therefore must include the requirements of a trust – namely, certainty of object, subject-matter, and intention. The Superior Court deemed a primary will to be invalid because of its use of an allocation clause which allowed the estate trustees discretion as to which estate assets fell under the secondary or primary will. Since the release of the decision, lawyers have been uncertain as to how to proceed with drafting of multiple wills and what to do with the multiple wills sitting in their will vaults containing allocation/basket clauses. As a result of the uproar caused by the decision, the Divisional Court expedited a hearing of the decision. On January 24, 2019 the Divisional Court released its [decision allowing the appeal](#) and set aside the orders of the Superior Court of Justice on the basis that wills are not trusts and instead “an instrument by which a person disposes of property upon death”.

While lawyers can rest easier with the Divisional Court's decision, LawPro in its practicePRO “[Avoid a Claim](#)” Blog reminded lawyers that the Divisional Court did not find that all allocation clauses, in all circumstances, will be or are valid. Care is still required to ensure that multiple wills are drafted in a manner that avoids possible invalidity.

Spotlight on Historic Members

John Claude Manley German

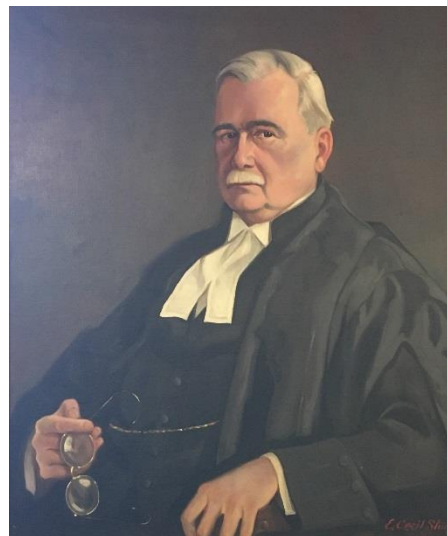
John Claude Manley German was born on 27 January 1889 in Welland, to William German (Barrister & MP), and Henrietta MacDonald. He obtained his Bachelor of Arts from McMaster University in 1910, and was called to the bar on 25 May 1917.

Often referred to as "JCM" or "Jack", German was a fourth generation UEL, descended from Jacob German who served with in the British Army during the American Revolution. His father, William, originally studied law at Victoria College in Cobourg, and eventually moved west to practice law in Welland, Ontario. He also as a member of Parliament and represented Welland in the House of Commons from 1891-92. In 1900 he returned to the House and was there until 1925; he was a close friend of Wilfrid Laurier. "Jack's" uncle, Angus Claude Macdonell, was also in politics and went on to become a senator. He also was one of the associate editors of the Canadian Law List.

Throughout his career Jack had himself listed as a "insurance lawyer", but he was actually more of a defence lawyer who represented the Crown from time to time. His peers knew him to tempestuous, and he was often involved in controversy. Many commented on his judgement as a lawyer, which was suspect at times, and "he would ride out a particular course of action which wiser people would have realized was a losing approach" (retired Ontario justice).

Jack was chosen to be one of the prosecutors on the infamous "Meisner Trial" (the kidnapping of John S. Labatt in 1934, which was Canada's first big kidnapping trial) in Middlesex County. Jack was 46 years old at the time of the trial. Many assumed at the time he was appointed the crown counsel in the trial due to his political connections – his father and uncle, as well he himself was on the executive committees of the federal and provincial Liberal parties, as well as serving as chairman of the speakers' committee for both.

Jack continued to practice law in Toronto after Meisner's first trial until 1942 when he was appointed a judge in the Northumberland and Durham Counties Court, based in Cobourg. He was charged with drunk driving during the time he was a judge, and did not resign from the bench until a second incident occurred.



On 3 September 1946 Justice German was charged with drunken and dangerous driving when he hit Mrs. Jessie Taylor, who was walking on William Street in Cobourg. Taylor survived, but her recovery in hospital was lengthy. The first of thirty-four witnesses called during the eleven-day jury trial was Betty Taylor, Jessie's daughter, who was with her mother when the accident happened. Betty testified that they were walking to her father's office when Jack's car hit her mother, fracturing her arm, leg and pelvis. Jack was represented by Arthur Greer, and the Crown Prosecutor was Frank Wallace of Brantford with Justice A. Wright of Muskoka presiding.

The defense claimed that Jack was a diabetic and had been suffering from insulin shock and was not intoxicated. During the trial it was revealed that blood tests performed one hour after the accident showed that he was in fact, drunk. At the end of the trial the jury reported two unanimous verdicts for conviction after nearly two hours of deliberating. Jack was sentenced to a \$250 fine on the count of dangerous driving, and the minimum sentence of 30 days in jail, on the count of drunk driving.

He returned to private practice in 1946 after four years on the bench. He was also elected president of the Federation of Law Associations of Ontario. He became a member of Cobourg's park and hospital boards and was active in the Ontario Liberal party. In October 1963 he was hospitalized and "made a life member of his district law association and its honorary president". He died in November 1963 at the age of 72. Today, the Honourable John Claude Manley German's portrait is typically the first thing to greet visitors to the NCLA library – come enjoy his somewhat disapproving stare today!

NCLA Member' News

New Associate

Richter Law is pleased to welcome Jenna M. Di Lorenzo to their firm as an Associate.

Jenna has a B.A. from York University, and an LL.B with honours from the University of Leicester. Jenna was called to the Bar in 2018. She practices in the areas of Criminal Law and Family Law. Welcome Jenna!

MacCormac Law

Stacy M. MacCormac is resuming her MacCormac Law Firm practice at 126 Albert Street in downtown Cobourg.

Ms. MacCormac's expertise is representing private family law clients both in court proceedings including trials and appeals and out of court to negotiate Separation Agreements. Welcome back Stacy!

Upcoming CPDs

13th Annual Family Law Summit

3 & 4 April 2019

Professionalism: 2h 30m

Substantive: 9h

EDI: 30m

The Annotated Will 2019

15 April 2019

Professionalism: 45m

Substantive: 2h 15m

16th Annual Real Estate Law Summit

1 & 2 May 2018

Professionalism: 2h

Substantive: 10h

Amendments to the Divorce Act: How they Impact your Practice

15 May 2019

Professionalism: 30m

Substantive: 2h 30m



REFRESH YOUR HEADSHOTS

When was the last time you updated your (and your staff's!) headshots for your website and social media?

Images are a key marketing tool that potential clients may use to determine their interest in your firm.

NCLA has the answer to your problem! Join us for a "Headshot" clinic to be held in the NCLA Library.

Cost:

\$65/per person

When:

13 March 2019, 10:00am

What you get:

10 minute session

1 high resolution digital image

Option to purchase additional images if desired

Contact the Library to book your spot

Deadline: 1 March 2019



FOLA Update

By: Katie Robinette, Federation of Ontario Law Association



FEDERATION OF ONTARIO
LAW ASSOCIATIONS
FÉDÉRATION DES ASSOCIATIONS
DU BARREAU DE L'ONTARIO

Hello Northumberland County Law Association Members and Happy 2019!

It seems like just yesterday that FOLA was wrapping up our November 2018 Plenary and yet one of the biggest projects we're currently working on is the May 2019 Plenary. If you read our [November Post Plenary report](#), you may recall that our theme then was mental health and wellness. And in May, you'll see that topic again with our Thursday Lunch speaker. But this Plenary's theme will be Tech in the Practice of Law. Speakers are still being confirmed, but be prepared for some great panels and talks. Delegates will hear about emerging trends, examples of what's possible now, and explore how future technologies might help solve some of today's real problems.

Plus, we'll be tweeting throughout the event, so make sure to follow us at [@Ont Law Assoc](#) to follow along! And speaking of social media, did you know that Bell Let's Talk day was on January 30th? In case you missed it, Bell Let's Talk day is an annual event (2019 was Bell Canada's 9th year) when Bell donates \$5 for each tweet using the hashtag #BellLetsTalk, Facebook image share, and text and long distance call on their network for mental health initiatives throughout Canada. This year, in an effort to engage lawyers on Twitter in a discussion about mental health, FOLA launched a month-long awareness campaign about the day. We built out a webpage with mental health facts, resources, and catchy images – all relevant to lawyers - that could easily be copied and pasted into twitter feeds. Our aim was twofold: 1) to raise awareness in Ontario's legal community about mental health, and 2) use the opportunity to join a loud online conversation that we hoped would drive engagement on our Twitter account. And were we ever pleased! Our retweets were up 700% from December and our Link Clicks were up 246%!

While our Bell Let's Talk resources have been taken down, we still have some valuable information about

[mental health and wellness](#) on our site, so please do visit. Plus, we'll repeat our campaign again next year and we encourage you to join us! It's a great way to raise your online profile while carrying an important message.

And speaking of our website, we've also been busy adding content. We've added a new [students' section](#) that has helpful information for law students seeking to secure an articling position in a small firm outside of Toronto and have been working with Ontario's law schools to raise awareness of that section. We also have created a new page full of information relevant to lawyers running a small firm. We've called that our [Practice Resource section](#) and it has valuable information on how to start a practice, tips for operating your practice, and links to documents necessary to close your practice. Most of our links take you to the relevant area in the Law Society's website – which is full of documents and reminders. In addition, our practice resource section has helpful and reassuring information on what to do if you are subject of a practice review and/or client complaint. Plus, we have an area there for first-hand stories from people who have had to face the tribunal and/or have had their license suspended. We hope you find these resources both helpful and reassuring.

And finally, while FOLA will not be formally endorsing any candidates for the 2019 Benchers Elections, we were vocal in encouraging law association members to run and, for those who did toss their hat in the ring, we have helpful campaign tips on our [Benchers Election page](#). Plus, FOLA has some issues that we'll want to hear from candidates about such as funding for staffed local law libraries, enhancements to licensing system, and the scope of paralegal practice and practice by non-licensees are just a few. To solicit responses, and share those which you, we have partnered with Ottawa lawyer Colin Lachance to help promote his website which features important issues and candidate profiles. It's worth having a look at and you can find it directly from our site.

That's it for now. To stay up to date on all of FOLA's activities, please do sign up for our [newsletter](#)!

Katie W. Robinette
Executive Director, FOLA

From the President

This will be my last newsletter message as the President of the Northumberland County Law Association.

Our annual general meeting is coming up on February 25 so I don't want to give any spoilers of my address at the meeting. Rather, I wanted to take this opportunity to thank the members of the executive who have supported me over the last two years. I want to thank Meaghan Adams in particular who did far more in her role as Vice President than I ever did for Jason Schmidt! I will miss our semi-annual trips to glamorous locales such as Brampton for the FOLA plenary meetings.

I would also like to thank the members of our association who have demonstrated time and time again kindness, encouragement and support for one another in the practice of law in Northumberland County. I would, however, like to leave you with a challenge. I think it is fair to say that we are not particularly good as a group at responding to issues facing our profession in Ontario. FOLA, the Ontario Bar Association, and the Law Society of Ontario actively seek out responses from practising lawyers when creating or changing policies and rules. My reaction tends to be "I'm so busy already and now you want me to think about and respond to that?!" I'm sure many of you have the same thought. However, this isn't good enough. Our profession is under pressure to change and adapt. I wholeheartedly believe that change is good and warranted, but if we don't articulate our views on how change should happen, we risk having it imposed on us. Individual voices are important but even more powerful when presented collectively. Let's use the NCLA to advance our voices to direct change in a positive way.

Finally, I wish to remind you all that bench elections are happening this year. Please take the time to get to know the candidates and make informed choices.

See you at the AGM on February 25!

Alison Lester
NCLA President

THE NORTHUMBERLAND COUNTY LAW ASSOCIATION Executive Committee



President:	Alison Lester
Vice President:	Meghan Adams
Secretary:	Bridget Jokitalo
Treasurer:	Nadim Kurji
Library Chair:	Morgan Payne
Member-at-Large:	Kady McCourt
Member-at-Large:	Kiran Grewal

NCLA Library
860 William Street
Cobourg, Ontario K9A 3A9

phone: 905 372 1382
fax: 905 372 7713
email: ncla@bellnet.ca

<http://www.northumberlandlawassociation.com>